

The phenomenon of informal occupation in former business buildings: A case study of inner-city Johannesburg

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Declaration:

I declare that this research report is my own unaided work. It is being submitted for the degree of Master of Science in Development Planning to the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination to any other University

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23rd day of October, 2025

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Abstract:

The rise of bad buildings within Johannesburg inner-city and in particular the fires that rage through them are presenting as an urgent challenge for the City of Johannesburg Metropolitan municipality. This challenge can be considered as the phenomenon of informal occupation of former formal buildings. This may be a unique challenge when taking a look on a national scale; however, informality within buildings is mushrooming in different forms across the globe. In that same breath, the line which divides formality and informality does not seem to be as distinctive and concrete as it once was. In this paper, the possibility of classifying the hijacked and abandoned buildings of inner-city Johannesburg, which will be referred to as 'bad buildings' moving forward, as informal settlements and treating them as such with in situ upgrading will be investigated. Examples of informal settlements developing in buildings internationally will be explored and cross examined with the Johannesburg case study, in which it will be determined if integration of these policies and the existing South African policies could be a viable option or if new policies and frameworks need to be developed for Johannesburg. The overall purpose of this paper would be to find possible solutions which could assist the municipality to provide adequate housing and rid the deadly challenges which are associated with bad buildings.

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List of Acronyms:

BBP	Bad Building Programme
BNG	Breaking New Ground
CBD	Central Business District
COJ	City of Johannesburg
FAFEG	Federacao das Associac6es das Favelas do Estado da Guanabara
GTZ	German Technical Cooperative
HDA	Housing Development Agency
IBGE	Brazilian Institute of Geography and Statistics
ICHIP	Inner City Housing Implementation Plan
ICPS	Inner City Property Scheme ICPS
ISDF	Informal Settlement Development Facility
JPC	Johannesburg Property Company
MDG	Millennium Development Goals
PIE	Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998
Stats SA	Statistics South Africa
SERI	Socio Economic Rights Institute of South Africa
SHF	Social Housing Foundation
SOE	State Owned Enterprise
TEA	Temporary Emergency Accommodation
TRA	Temporary Relocation Area
UISP	Upgrading of Informal Settlements Programme
UN	United Nations
USAID	United State Aid

Chapter 1: Introduction

1.1 Introduction

Raging building fires, squatter camps developing on the roofs of skyscrapers, homelessness and uncontrollable building-hijack Kingpins... this is the current picture of the housing situation in the once thriving inner-city of Johannesburg as seen by the opinions of the South African population through numerous media reports. The inner-city presents a housing problem that is quite unique and challenging to wrap one's head around. The city is filled with high-rise buildings which were previously used as the head quarter of 65 of the 100 largest public companies listed on the Johannesburg stock exchange and many residential buildings (Bremner, 2000). An absence of adequate urban housing policy has left many South Africans and foreign nationals without the means to afford adequate housing and therefore forced to unlawfully occupy these buildings which are often characterised as being hijacked and abandoned (Wilhem-Solomon, 2020). The unsafety of these buildings has been evident through the fire that occurred in the Usindiso building which, unfortunately, took the lives of 74 people in August of 2023 (Luthuli, 2023).

The purpose of this study is to investigate the possibilities of identifying the hijacked and abandoned buildings of inner-city Johannesburg, which are also known as 'bad buildings', as informal settlements and treating them as such with *in situ* upgrading. The urgency of the situation within the inner-city can be seen by the tragedy which occurred in the Usindiso building mentioned above. In court papers, some of the private owners of these hijacked buildings have gone as far as to say that these buildings are vertical informal settlements with cardboard partitioned dwellings instead of shacks (Mutandiro, 2023). Adding onto the sentiment of the owners and supporting the urgency of this housing crisis, Mutandiro (2023) goes on to describe the situation in the inner-city as "dire". The government's lack of initiatives catered towards bad buildings can be seen by the lack of mention of bad buildings in the National Housing Code.

This report will consist of six (6) chapters which take a deeper look into the housing situation within inner-city Johannesburg while diving into concepts of the right to the city, investigating existing housing legislations and frameworks, international cases of informal settlements developing in formal structures and the significance it plays in the bigger picture of providing adequate housing to the people of South Africa. Later in this chapter, the structure of the report is broken down in detail.

1.2 Background

South Africa is a unique country which has been known in social science as a monument of racial inequality which was known as apartheid (Seidman, 1999). When taking a look at apartheid in a spatial manner, the

Group Areas Act of 1950 physically separated the different races by establishing residential and business areas according to racial groups (Britannica, 2024). This segregation was further entrenched by the Bantu Homelands Citizenship Act of 1970, which relegated Black South Africans to Bantustans, severely limiting their access to urban economic centres (Dugard, 1980). Conversely, the white minority population, comprising just 13% of the population, was allocated 80 percent of the country's land which included major economic hubs (Britannica, 2024).

1994 marked the abolishment of apartheid and the dawn of democracy for South Africa (Eby & Morton, 2017). The newly acquired freedom of movement led to an influx of previously disadvantaged Black South Africans into cities, particularly Johannesburg (Bakker, Parsons & Rauch, 2020). Concurrent to this was a so called 'white flight' in which many of the major businesses and white people which resided in the inner-city migrated to the northern suburbs. The vacancies which were left due to this white flight, attracted poorer citizens seeking employment opportunities (Tissington, 2013). The convergence of poor urban management, declining public services, rapid urban migration and governmental transition contributed to the current state of Johannesburg's inner city, which is somewhat considered as an uncommon form of urban sprawl (Katumba & Everatt, 2021).

Urban sprawl, typically characterised by low-density expansion and fragmented land use, is often associated with suburban growth (Adaku, 2014). This sprawl is often characterised by low density development with various land uses such as residential, shopping and business area being fragmented, a lack of thriving activity centres and limited accessibility and mobility routes (Ewing, et al., 2002). Mukherji (2003) also adds additional characteristics embodying urban sprawl with low density, leap frog development which is attributed by a strip form along major thoroughfares at the edges of metropolitan areas. However, Katumba and Everatt (2021) argue that Johannesburg's inner-city housing crisis represents an atypical form of urban sprawl, where unplanned, high-density occupation of abandoned buildings has resulted in overcrowded and unsafe living conditions. Unlike traditional urban sprawl, where development spreads outward, Johannesburg's case involves vertical densification in structurally compromised buildings that lack adequate services (Nechyba & Walsh, 2002).

The deterioration of Johannesburg's inner city has given rise to a significant challenge—the unlawful occupation of inner-city buildings (Dugard & Ngwenya, 2019). This occupation is deemed unlawful as the individuals residing in these buildings neither own the spaces nor have the necessary permission from the rightful owners (Dugard & Ngwenya, 2019). Many high-rise buildings, once thriving commercial hubs, have now been abandoned, hijacked, and repurposed for residential use (Dugard & Ngwenya, 2019). The term

"hijacked buildings" refers to the criminal seizure of properties, often involving fraudulent title-deed transfers and deception of tenants. This fraudulent deed transfer refers to the hijack kingpins creating and transferring fake deeds to their tenants under the pretence that they are real in the aim of obtaining rentals. These buildings have become hotspots for drug trading and provide shelter for informal workers, such as street traders and recyclers, as well as the unemployed, beggars, and individuals living with disabilities (Wilhem-Solomon, 2020). The picture that is created when unravelling the state of these buildings prompts a cold and eerie feeling which could be compared to darkness.

'Bad buildings' also known as 'dark buildings' or 'problem buildings' have become a new buzz word in the world of town planning especially when describing Johannesburg inner-city. A sector of these 'bad buildings' are defined by Wilhelm-Solomon (2016) as buildings located in previously industrial and business neighbourhoods which are lacking access to water, electricity, basic sanitation and waste management services while being unlawfully occupied by marginalised groups such as the disabled, foreign and poor. In addition to the above, these buildings also fail to comply with planning regulations and building standards. The deteriorating physical conditions of these structures make them highly vulnerable to fires, floods, extreme cold and other disasters (Murray, 2009). It is important to note that the residents of these so-called "bad buildings" have not chosen to live there out of preference. Johannesburg and heritage expert Brian McKechnie reinforces this point, stating, "They were only there because they were desperate" (Eligon, et al., 2023).

The danger and urgency of these bad buildings can be seen through a fire which broke in the Usindiso Buildings within Johannesburg inner-city on the 31st of August 2023. The fire ripped through the five-story building killing 74 people, with 10 of the bodies being burnt beyond recognition. The Usindiso building, once situated in the heart of what was known as the business district of South Africa's economic hub, was unlawfully occupied and used as an informal settlement by squatters, according to authorities (Luthuli, 2023). A Commission of Inquiry by the Gauteng premier) found that the City of Johannesburg and its municipal entities were responsible for the disaster, as compliance with legal obligations could have mitigated its devastating consequences (Socio-Economic Rights Institute of South Africa, 2024).

1.3 Problem Statement and Rationale

Section 26 of the Constitution of South Africa states that everyone has the right to adequate housing. It also requires the government to take reasonable steps, within its resources, to make this right a reality over time (Constitutional Assembly, 1996). Despite this constitutional mandate, the state cannot deliver housing on the scale required in South Africa, especially to the population of the urban poor. An Urban

Land Mark and Social Housing Foundation (SHF) study was conducted to assess the adequacy of South African housing policy. The study established that given the state of South Africa's settlement policy, it would be impossible for the country to meet its Millennium Development Goals (MDGs) target of eradicating informal settlements by 2014 (Tissington, 2010).

The census 2022 results showed that informal settlements have decreased by 5.5% between 2011 to 2022 (Statistics South Africa, 2023) but have not been eradicated. Johannesburg continues to attract people seeking economic opportunities, reinforcing the demand for inner-city housing (Todes, 2012). The government's failure to provide adequate housing, accompanied with the economic opportunities the city centre has to offer, has led to the unlawful occupation of buildings within inner-city Johannesburg (Dugard & Ngwenya, 2019).

This unlawful occupation presents a critical problem: residents face constant threats of eviction, police raids, deportation of foreign nationals and frequent fires, despite laws intended to safeguard them (Wilhem-Solomon, 2020). Even with unlawful occupation and subdivision of rooms, the Johannesburg inner-city was still established as an area that is lacking housing (Siwele & Cele, 2024). The problem at hand is therefore the unlawful occupation of old office buildings and subdivision of said buildings has made the inner-city Johannesburg's skyscrapers unsafe to reside in.

The hypothesis of this study, in line with the problem statement, is that recognising these deteriorating buildings as informal settlements could help the government identify alternative solutions for adequate housing and address these buildings accordingly.

1.4 Objectives

The aim of this study is to develop a deeper understanding as to why government has not formally classified the hijacked buildings in the Johannesburg inner city as informal settlements. Through classifying hijacked buildings in Johannesburg inner city as informal settlements, a further plan can be made to establish which buildings can be upgraded and which buildings require emergency action. Revitalising Johannesburg inner city will also assist to promote brown field development over green field development.

1.5 Research Questions

Main Research Question:

To what extent can classifying Johannesburg's inner-city's bad buildings as informal settlements and treating them as such with in situ upgrading assist in the provision of adequate housing and rid the city of bad buildings?

Sub-questions:

- a) What implications has the absence of adequate urban housing policy had on housing patterns in inner city Johannesburg today?
- b) What significance does labelling an area as an informal settlement have on the possible upgrading and integration processes?
- c) Why have the plans and frameworks that government has created for the hijacked buildings within Johannesburg inner-city failed?

1.6 Outline of Research Report

This report will begin with **Chapter1: Introduction**. This chapter is responsible for launching the research report and will consist of an introduction, background, problem statement and rationale, objectives of the report, the methodology of data collection which was used and the research question accompanied by the sub-questions. **Chapter 2: Literature review** will give an overview of knowledge on bad buildings and informal settlements in buildings on a global scale, highlighting gaps in the existing research and having a deeper look into policy initiatives. Next is Chapter 3: Methods, which will outline the research method used in this study and examine its limitations. Following this is **Chapter 4: Findings**, where the topic will be contextualised and the relevant data gathered in the previous chapter will be presented. In which it was discovered that bad buildings may not necessarily be informal settlements but could still potentially benefit from the policy initiatives created for informal settlements. The report will then proceed to Chapter 5: Analysis, which will interpret the findings, identify their meaning and investigate patterns discovered in the previous chapter. Finally, **Chapter 6: Conclusion** will wrap up the report by determining whether bad buildings can be classified as an informal settlement and treated as such with in-situ upgrading drawing up future avenues of research.

Chapter 2: Literature Review

2.1 Introduction

In this chapter, an understanding of what informality is and how it develops in settlements of different typologies will be investigated. This will open the door to possibly categorising bad buildings as informal settlements through the criteria developed by the City of Johannesburg (COJ). The chapter will also consist of unpacking the occurrence of informal settlements developing in formal buildings on the global scale through international literature in order to evaluate if the plans and strategies developed for these cases could be a possibility for South Africa. The hypothesis and expectations of this report will also be displayed in this chapter through a conceptual framework. This will make use of the literature to start painting a picture of the possible solutions which could develop towards answering the main research question. The housing policies which will be discussed are Breaking New Ground (BNG); The National Housing Code and more in particular the Upgrading of Informal Settlements Programme (UISP); the Better Buildings Programme (BBP) which was developed for the city of Johannesburg in particular; the Inner City Property Scheme (ICPS); and finally the Inner-City Housing Implementation Plan (ICHIP).

2.2 Housing Policy

According to the 2022 Census results, the population of South Africa has increased from 51,7 million in 2011 to 62 million in 2022 which represents a 1,8% growth rate (Statistics South Africa, 2023). In addition to this, Gauteng and Kwazulu-Natal accounted for 50% of all households in the country (Statistics South Africa, 2023). From these statistics, it can be gathered that the population in Gauteng has accounted for a large portion of the population increase. Given this growth and the fact that over 50% of the global population now resides in cities, it is clear that developing policies for adequate housing in urban areas is essential (Haklay & Eleta, 2019). Despite the population increase, the proportion of households living in informal settlements has decreased from 13,6 % in 2011 to 8,1% in 2022 (Statistics South Africa, 2023). Nozipho Zulu, the spokesperson for the Department of human settlements, has stated that the decrease in informal settlements can be at the account of government investing resources to manage and control the growth of informal settlements. Some of the resources through which this progress can be observed include the Urban Settlements Development Grant and the Informal Settlements Upgrading Programme Grant (Comins, 2023). These plans and others related to the provision of adequate housing in Johannesburg inner-city will be broken down in this chapter.

In 2000, the government released the National Housing Code which outlines the National Housing Policy of South Africa and guidelines to aid in the implementation of said policy. This policy had a goal of

achieving increased sustainable housing delivery at a level of 350 000 units per annum until the housing backlog is overcome (Tissington, 2010). This would be done by combining the resources and efforts of both the private and state in order to empower the poor and previously disadvantaged through means of public participation and skills transfer. Ultimately, the beneficiaries would be able to have housing choices which are affordable and of good quality in the long term, making it a sustainable solution (Charlton, 2004). From this, it can be established that, according to the National Housing Code, housing is considered adequate if individuals have a choice within their income group and if the housing remains sustainable in the long term. The code was later revised in 2009 to align with the goals of Breaking New Ground (BNG), which was introduced in 2004 (Tissington, 2010).

Breaking New Ground was launched in South Africa to change the way the country distributes housing. This plan was drafted after the Department of Human settlements noticed a number of unintended consequences within their existing programmes (Tissington, 2010). These challenges included poor quality human settlements, unplanned growth of peripheral areas, insufficient secondary low-income housing, a lack of public/community participation, corruption, slowdown in delivery and underspent budgets. This review found that there was need of new policy direction and research which informs and supports decision making within the housing sector (Tissington, 2010). Pithouse (2009) states that the BNG was a major advancement in terms of the subsidy system but failed during implementation as it moved in a direction away from a rights-based approach and instead moved towards a security-based approach (Pithouse, 2009). An investigation into the actual housing produced under the BNG revealed several issues, including poor construction quality, lack of aesthetic appeal, short-term durability, inadequate space design and utilisation, and housing located in areas that did not meet the needs of workers and the broader community. In many cases, these failures stemmed from issues during the implementation phase, where projects were rushed and poorly supervised. As a result, the housing often required constant maintenance, making it unaffordable for residents (Mkuzo, et al., 2019). These challenges that portrayed a more tick box activity rather than the actual provision of adequate housing which BNG intended to fulfil, ultimately contributed to its ultimate failure.

In 2004, shortly after the introduction of BNG, a review of the framework was conducted alongside research into international plans and policies. This research found that South Africa could potentially adopt the concept of participatory in-situ upgrading of informal settlements (Huchzermeyer, 2009). This sparked the conceptualisation of an Informal Settlement Upgrading program (Department of Human Settlements, 2009). The revision of the National Housing Code in 2009 included the incorporation of the

Upgrading of Informal Settlements Programme (UISP) into Part 3 of the policy, along with adjustments to align with the BNG. This chapter is essential to the report, as answering the main research question – “Can classifying Johannesburg’s inner-city’s hijacked buildings as informal settlements and treating them as such with in situ upgrading assist in the provision of adequate housing and rid the city of bad buildings?” – requires a clear understanding of in situ upgrading and its parameters.

The UISP is a programme is centred around the concept of in situ upgrading of informal settlements and the processes, procedures and municipal grants that are necessary for such upgrades. This is achieved by allocating municipalities a budget, known as a grant, which they must use to fast-track the provision of secure tenure, basic municipal services, social and economic amenities, and employment opportunities for residents of informal settlements. This programme, similar to the previous ones, also advocates for empowering the residents of informal settlements with means to take control of factors (such as housing) which directly affect them and their livelihoods (Department of Human Settlements , 2009). In situ upgrading may not always be feasible, and in such cases, a relocation and resettlement plan is included in the programme as a last resort. This option is only implemented when residents voluntarily and cooperatively agree to relocate (Department of Human Settlements , 2009). For upgrading to made possible in a manner which least interrupts the lifestyles of the residents, the upgrades will occur in four phases. These phases are Application, Project initiation, Project implementation and Housing Consolidation respectively. The first three phases will revolve around community participation, the supply of basic services and security for all residents. The final phase consists of the Housing Consolidation Phase and access to governments housing assistance programme. In order for a beneficiary to qualify for the fourth phase their profile, residential property ownership status and/or record of the household needs to meet the relevant criteria (Department of Human Settlements , 2009).

The abovementioned policies, plans and frameworks revolve around the provision of adequate housing and more importantly are targeted at informal settlements. When examining plans related to bad buildings, a good starting point is the Better Buildings Programme (BBP), which aimed to regenerate the inner city through the rehabilitation of dilapidated buildings, also known as bad buildings’ into ‘better’ buildings. This was done through a process of expropriating neglected buildings and offering them to private investors for refurbishment with the benefit of certain incentives to produce and provide adequate housing for households earning below R3500 per month. By doing this the city would transform the bad buildings into a viable and productive economic asset (Koali, 2017). The first completed upgrade under BBP took place in 2002 at Lake Success in Hillbrow (Johannesburg Housing Company , 2020). In

2011, executive Mayor, Amos Masondo, has stated that due to the BBP, Joburg's inner-city has gradually changed from a grimy, unsafe place filled with dilapidated buildings to one that entices businesses and residents back to the inner city. Despite its success, the BBP was revised in 2011 and replaced by Inner City Property Scheme (ICPS) (City of Johannesburg, 2011).

The ICPS is a plan which focuses on resorting investors' confidence back into the inner-city and rejuvenate the bad buildings in the city and transferring them to private owners in order to create revenue for the municipality. According to Masondo, former Mayor of City of Johannesburg, it is clear that this scheme was designed to address urban decay and accelerate the rejuvenation of the inner city (Ndaba, 2001). The process was facilitated through a case by case basis, which consisted of abandonment arrangements with previous owners, sales in execution and expropriates and the transfer of these buildings that are owned by council (City of Johannesburg, 2011). The BBP was primarily focused on turning bad buildings into better buildings. The ICPS broadened the perspective of the BBP by addressing urban decay across the whole Central Business District (CBD) rather than only focusing on select buildings (Manoshe, 2018). Manoshe (2018) argues that even though the ICPS is great for creating revenue and promoting economic development, it has flaws. The scheme could potentially leave the residents of bad buildings homeless as they are unable to pay for the rental costs of the rejuvenated buildings. He notes that a possible contradiction is created by the ICPS: on one hand, the scheme aspires to create a city which is open to economic growth and investment, while on the other hand, the city is burdened by the economic and social legacies of the past political regime, which contribute to homelessness and dilapidation, especially in the case of bad buildings.

After Masondo's tenure as mayor of Johannesburg, Mpho Parks Tau took office, serving from May 2011 to August 2016. While Tau did not introduce any new policies specifically related to bad buildings during his time as mayor, he had a significant influence on informal settlements in the city. During Tau's budget speech in 2011, he spoke of the city's transformation agenda consisting of eliminating poverty and extreme inequalities, democratising the economy and empowering the disadvantaged, creating productive employment opportunities, initiating growth and development to improve the quality of life of the cities citizens especially the poor and giving regard to the implementation of environmental sustainability and judicious use of resources (City of Johannesburg, 2011). A lot of Tau's work as mayor was mainly focused on the provision of basic services such as water, sanitation and electricity to informal settlements. Tau was able to achieve a success in the world of informal settlement upgrading by means of reblocking settlements (Forster, 2014). An example of the success of this can be seen through the

Ruimsig informal settlement where reblocking was used to create enough space to enable vehicles especially those for emergency services such as ambulances to gain access to the settlement. This reblocking was seen as such a success as it was also able to help control shack fires and save lives (Forster, 2014).

Similar to Masondo, Herman Mashaba also had plans of uplifting the inner-city in his mayoral term from August of 2016 to November of 2019. In October of 2017, Mashaba launched the Inner-City Housing Implementation Plan (ICHIP) (McCormick, 2017). The ICHIP is a housing strategy and implementation plan for Johannesburg inner-city which considers all sectors of the housing market while also taking into account the needs of all income groups with emphasis on the poor. The review and research process which makes this plan possible lies on the pillars of analysing the status quo of the inner-city, analysing the housing demand and supply while anticipating and planning for future demands and identifying opportunities where proposed housing strategies can be tested on certain areas around the city. This plan can be applied in several areas, including extending the reach of commercial landlords and social housing institutions to lower income markets, developing and managing municipal-owned housing and shelters, and incentivizing and funding innovative landlords and facility managers to provide and operate housing and shelter options in the inner city (Rebel Group, 2016).

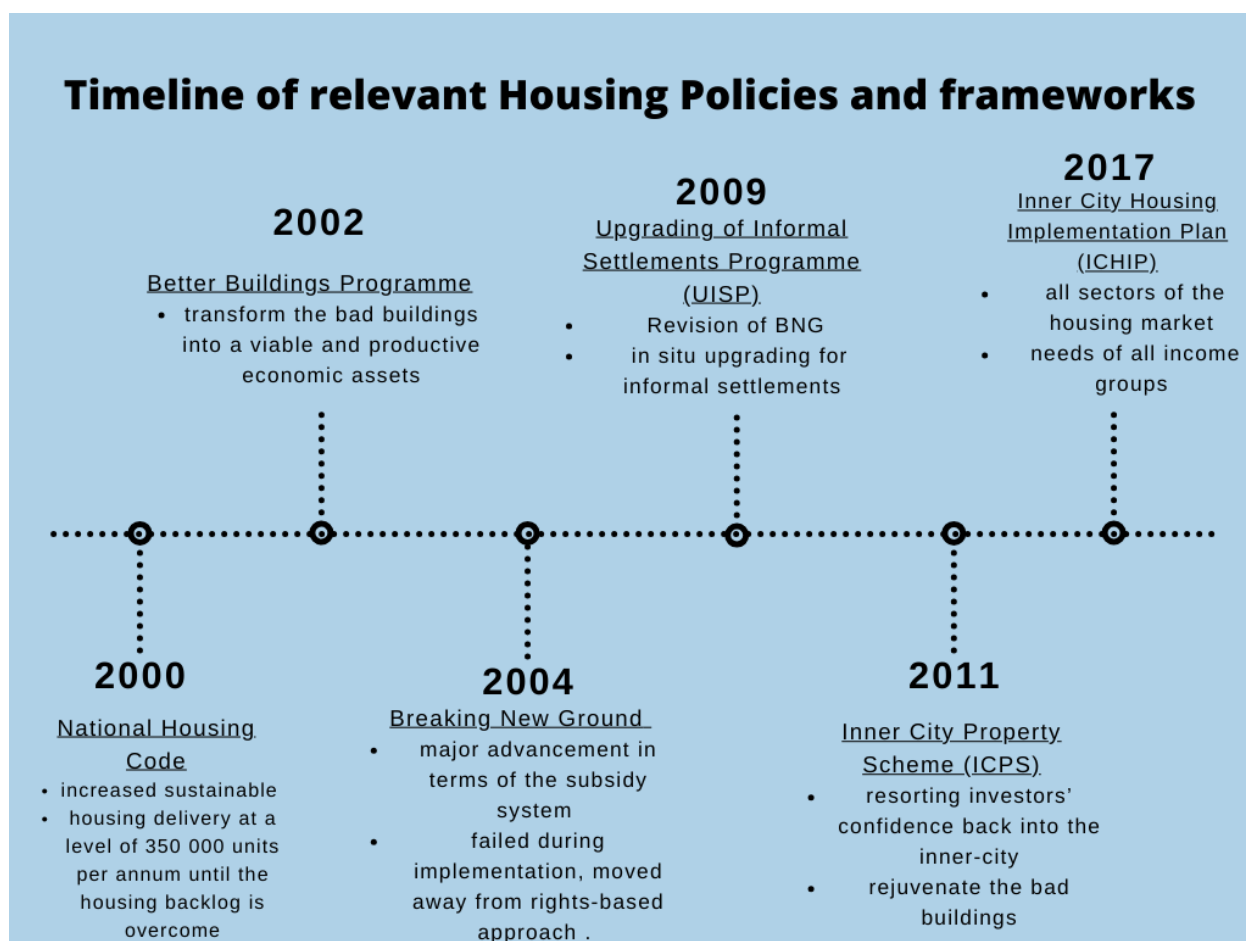


Figure 1: Timeline of relevant Housing policies and frameworks (Source: Authors Own)

Now that the housing policies and frameworks have been unpacked, Figure 1 is a timeline depicting the years that the relevant housing policies were launched and how they intertwine with each other. The policies related to informal settlements were released on a national level and can be seen falling in the years of the early 2000's in 2000, 2004 and 2009 with the National Housing Code, Breaking New Ground and the Upgrading of Informal Settlements Programme respectively. The policies related to bad buildings have been launched on more of a metropolitan area and can be seen falling in 2002, 2011 and 2017 with the Better Buildings Programme, the Inner City Property Scheme and the Inner City Housing Implementation Plan respectively. From the years displayed in the timeline, it can be seen that the plans for informal settlements came before that of bad buildings as informal settlements have been a challenge that has existed long before bad buildings themselves. It can also be seen that plans for informal settlements are on a national level and that of bad buildings are on a municipal level. This is because bad buildings are currently a challenge in only specific municipalities where the population growth has been

the most and economic activity is high, in the provinces of Kwa-Zulu Natal and Gauteng (Statistics South Africa, 2023).

2.3 Understanding informality

In places where economic activity is low and poverty is high, informal settlements will begin to form close to economic opportunities with the aim of people bettering their living standards (Ferreira, et al., 2016). The United Nations (UN) has predicted that by the year 2050, 67% of the global population will be residing in cities (Kohlhase, 2013). Cities, as a form of settlement, offer better education, services and economic opportunities and this has resulted in an increase in the population of cities. The lack of adequate housing in these cities has led to an increase in the amount of informal settlements, which usually characterise developing countries in the global south (Ferreira, et al., 2016). Informal settlements have been an essential part of the development of Johannesburg dating as far back as its inception and, in some degree, shaped the growth of the city in a shuffle dance where the settlements are being displaced by formal development just to re-emerge elsewhere (Huchzermeyer, et al., 2014). Informal settlements in South Africa have been previously characterised by their occurrence on embankments of rivers, infiltration ex-industrial land and poor infrastructure which does not protect the slum dwellers from natural disasters (Dovey, 2013). The global scale offers more diverse possibilities where urban slums have been found to occur in different typologies such as the “favelas” of Brazil that are situated in high-rise buildings and on the slopes of mountains, creating an appearance of high-rise buildings, in the country’s economic hub (Ferreira, et al., 2016).

From the above paragraph, it can be seen that the categorisation of settlements differ tremendously between countries and similarly different settlement typologies can be found across South Africa. A settlement can be defined as a result of occupation and use of space. In other words, any space where people stay for an extended amount of time is considered as a human settlement (Nuissl, 2018). Within South Africa, Jeeva and Cilliers (2020) have found that the categorisation of settlements has been a rather contentious matter and the current classification methods are fickle in their application. According to Stats SA (2023), settlement typologies can be divided into two primary categories of Urban and Rural. Under urban would be formal urban areas which are identified as settlements that are structured and organised by the local council usually seen through cities, towns, townships and suburbs. Informal urban areas would also fall under urban as settlements which have not been structured and organised by the local authority as seen through hostels, institutions, industrial and recreational areas and small holdings. The other settlement typology would be rural which can also be divided into two sections: commercial farms, and

tribal areas and rural informal settlements. Commercial farms are seen as areas which are not classified as urban and are agricultural in nature. Tribal areas and rural informal settlements, on the other hand, can be seen through areas that are not classified as urban and have a tribal nature (Jeeva & Cilliers, 2020). By making use of Stats SA's means of classifying the settlements in South Africa, bad buildings would fall under the category of urban, through their general nature of being located in cities but would fall under the category of informal urban areas as the unlawful occupation of these buildings was not organised or planned for by the local council as the City of Johannesburg. Table 1 below demonstrates these settlement typologies and how they have been determined can be seen.

Settlement type		Method of categorisation
Urban	Formal urban areas	Structured and organised by a local council or district council (cities, towns, townships, suburbs)
	Informal urban areas	Not structured and organised by a local council or district council (hostels, institutions, industrial and recreational areas, and smallholdings)
Rural	Commercial farms	Not classified urban and having an agricultural nature
	Tribal areas and rural informal settlements	Not classified urban and having a tribal nature

Table 1:Stats SA classification of Settlements (Source: Statistics South Africa, 2001)

According to Stats SA (2023), informal areas exist in both rural and urban settings. To understand these classifications, it is essential to unpack the concept of informality and how it is displayed in different types of settlements. By observing everyday life, one can begin to appreciate the complexity of human behaviour and how people easily navigate between formal and informal practices (Laguerre, 2016). The use of the word “shift” indicates a slight change in position, direction or tendency. This shift creates a view point of formal and informal being interchangeable, in order for something to be interchangeable it indicates that there are differences between them making them two separate entities. To better understand this, terms such as formal and informal need to be unpacked in further detail. Formality can be defined as being in accordance with officially standardised and recognised institutional conventions or prescriptions (Li, et al., 2015), in other words, aligning to officially recognised rules, laws and regulations. Taking a look at informality, Ulyssea (2020) has done research on the topic and after reviewing the literature has stated that informality as a whole can be considered as an exclusive concept. On a legalistic

plane, informality is used to define firms, people, objects and activities which do not comply with relevant laws and regulations (Perry, et al., 2007). From these two definitions, it can be understood that while formality aligns with established rules—or even constitutes the rules themselves—informality, in contrast, exists in opposition to or outside these rules. Furthermore, formality is often characterised by detachment, accuracy, rigidity, and structure, whereas informality tends to be more flexible, implicit, direct, and engaged (Heylighen & Dewaele, 1999). Despite formality being ideal within the business sector, it is actually considered by some authors such as Atkinson (1982) as unconventional, based on the fact that it differs from everyday conversation and usually takes place in unfamiliar settings. In support of this, it has also been found that the informal sector is a defining characteristic of developing economies, such as South Africa, accounting for up to two thirds of economic activity and 80% of the labour force (Ulyssea, 2020).

Lejano and Del Bianco (2018) bring the term informality into use by stating that “informality is thought of as a spontaneous, uncontrolled response to the mass urbanisation rapidly sweeping the globe”. In this case, informality has been used to describe the nature of how urbanisation is taking place around the world. Kim Dovey adds to this by stating that informal settlements have developed out of an immediate need for shelter and community within global urbanisation (Dovey, 2013). Her statement begins to bring the context of urbanisation into the development of informal settlements themselves. When looking at, informality through planning, development and urbanisation, such as the context of this report, it falls on the side of being unofficial more than that of being relaxed and friendly as seen by the definition of formality above. Use of words such as ‘uncontrolled’, as seen in Lejano and Del Bianco (2018)’s definition, creates a negative connotation to the concept of informality. Based on the definitions of formal and informal, it is evident that neither term inherently evokes any emotion or sentiment. However, in literature—particularly that which focuses on settlements—informality is often associated with negative connotations. To substantiate this, a deeper understanding of what an informal settlement is needs to be established.

Satterthwaite, Archer, Colenbrander, Dodman, Hardoy, Mitlin and Patel (2020) define an informal settlement as poor-quality houses or shacks built outside formal laws and regulations. Murray (2009) goes on to define an informal settlement as settlements of corrugated iron homes with no service delivery and high possibility of disasters such as floods and fires. These two definitions have primary focus on the physical features and materials, which are used to create the homes within informal settlements. Murray (2009) touches on the susceptibility of informal settlements to disasters and the fact that they are service

delivery, whereas, Satterthwaite et al. (2020) speak on the fact that these settlements do not conform with laws and regulations. Dovey (2013) supports Satterthwaite et al. (2020)s definition of informal settlement as neighborhoods that are developed largely without state control. She elaborates on this by stating that these settlements are informal on the basis that they go against the formal codes, which government has developed in terms of land tenure, urban planning, design and construction (Dovey, 2013). Similarly, the Western Cape Government has also developed a definition of an informal settlement as “residential areas that don’t comply with local authority requirements for conventional (formal) townships” (Western Cape Government, 2013). From these two definitions, it is evident that informal settlements do not comply with the legal regulations. Another local definition which is used quite widely through South African literature is that of the Housing Development Agency (HDA) and Census, in which they define an informal settlement as a settlement which was not planned for and occurs on land which has not been surveyed or proclaimed as residential, consisting primarily of informal dwellings such as shacks (Housing Development Agency, 2014).

A definition which sums up a lot of aspects of the above definitions is that of the Brazilian Institute of Geography and Statistics (IBGE) which defines an informal settlement as a space with over 50 housing units with an absence of tenure and either irregular traffic routes; size and shape of houses in the area and/or a lack of basic public services (Miranda, et al., 2016). This definition and that of Dovey (2013) stand out as they both make mention of tenure. Tenure is a word that is derived from Latin meaning holding or possessing. From this, land tenure can be defined as a legal concept referring to the right to hold land rather than merely owning it (Bruce, 1998). In this sense, one can still have secure tenure without necessarily owning or having possession of the land or property.

The definition of an informal settlement has been explored; however, it is equally important to understand why informal settlements do not constitute adequate housing and how adequate housing can be achieved. The international human rights law acknowledges that everyone has the right to an adequate standard of living. This right also includes the right to adequate housing (Ellinger et al., 2015). In spite of this right being the centre of the world-wide legal system, over a billion people are residing in housing that is not adequate (Ellinger et al., 2015).. In the South African Context Section 26(1) of the Constitution of South Africa (1996) states that “Everyone has the right to have access to adequate housing”. These statements highlight that the concept of adequate housing is a recurring theme in housing laws and fundamental living rights. Analysing relevant housing policies reveals that adequate housing is defined by the following key elements::

Policy	Adequate housing requirements
National Housing Code	• Choice in housing in persons income group • Long term sustainable housing
BNG	• High quality houses • Appealing aesthetic • Long term durability • Adequate space design and utilisation • Housing located in areas which are conducive to the needs of the workers and community in the area
UISP	• Secure tenure • Basic municipal services • Social and economic amenities • Employment for residents of settlement

Table 2: Adequate housing requirements according to relevant housing policies (Source: Authors Own) In Canada, adequate housing is defined as a means of housing that meets the minimum structural, lighting, heating, sanitation, ventilation, occupancy and maintenance standards that are compatible to the applicable buildings and housing codes determined under the authority's rules (Moines, 2023). In the European context, the Council of the European Union defines adequate housing as a dwelling that meets national technical standards while being in a reasonable state of repair, providing a reasonable degree of thermal comfort and being available, accessible and affordable (Council of the European Union, 2021). These two definitions seem to define adequate housing based on the physical features of the dwelling itself. International law, developed by the UN, also provides a definition of adequate housing stating "to be adequately housed means having secure tenure" (UN-Habitat, 2015). To elaborate, a person can be considered to have adequate housing if they do not have to worry about eviction or the risk of losing their home or land. The importance of secure tenure as a right in the South African context can be seen through the PIE act which was explained earlier in the report. To support the importance of secure tenure and its role in the formality status of a settlement, the IBGE's definition of an informal settlement becomes relevant once again stating that an informal settlement is a space with over 50 housing units with an absence of tenure and either irregular traffic routes, size and shape of houses in the area and/or a lack of basic public services (Miranda, et al., 2016). With this definition and the repeated importance of adequate housing and secure tenure in mind, it is important to note that other parts of the city are still in unfit residential conditions and continue to deteriorate (Crankshaw & White, 1995).

2.4 Factors that drive proliferation of Informality

The lack of adequate housing and the dangers affecting people residing in informal settlements will continue to keep the goal of ridding cities of informal settlements in development agendas. Based on this, it is essential to identify the key factors that could improve the living conditions and, consequently, the quality of life for residents of informal settlements. essential(Richards, et al., 2007). An understanding of informality has allowed one to explore how informality delineates itself in settlements. There are many terms used to describe a settlement that can be characterised as informal. Some of these are outlined by Srinivas (1991) as slums, low-income settlements, semi-permanent settlements, shanty towns, spontaneous settlements, unauthorised settlements, unplanned settlements, and uncontrolled settlements. For this report, they will be referred to as informal settlements. Following this, questions of what causes informal settlements and how they form begin to arise. The UN-Habitat (2015) states that population growth, lack of affordable housing, rural-urban migration, weak governance, marginalisation, displacement, natural disasters and economic vulnerability are all factors that have resulted in the emergence of informal settlements. In other words, informal settlements grow as a response to the lack of housing and act as a shelter for those with no other housing alternatives. From this list, a factor that stands out is rural-urban migration, especially in the case of African countries. During the colonial era, there were two categories of space,: " European" and "indigenous" spaces. European spaces were spaces with a higher level of urban infrastructure and services, whereas indigenous spaces were more marginalised. These indigenous spaces became hubs of urban development through the continent and played as a contributor to the rapid urbanisation, which resulted in informal settlements (Dataworld, 2021). This development of rapid urbanisation in indigenous spaces can be compared to the rapid rise of bad buildings in the Johannesburg inner-city as it indicates that in spaces which possess a larger population and slower development will result in some type of informality as seen by the sprawl of informal settlements and the sprawl of bad buildings.

Marginalisation was another factor of importance that defined how informal settlements came to be. It has been noted that residents of informal settlements are often poorer communities. As a result, another push factor of people migrating to urban areas becomes evident:searching for economic opportunities. Formal housing has proven to be insufficient and this lack forced migrants to erect their own forms of housing in pockets of economic activity. Dovey (2013) has stated that informal settlements have developed out of an immediate need for shelter and community within global urbanisation. In addition to all these factors, in many countries such as South Africa, there have also been confusion in relation to governance, institutional restructuring and an absence of clear policies (Dataworld, 2021).

Informality, in terms of residential purposes, revolves around negative aspects such as crime, unsanitary conditions, a lack of basic services and susceptibility to natural elements. However, informality is not only a negative within developing countries. It is estimated that the informal sector contributes to about half of the country's economic activity (La Porta & Shleifer, 2014). This is known as the informal economy and can be defined as activities which occur outside the normal regulated economy and these activities often happen under the table, allowing them to escape official record keeping (Losby, et al., 2002). Many of the residents of informal settlements participate in the informal economy as both vendors and customers. This indicates the significance of the urban poor having the informal economy to rely on for what they consider to be more affordable (Lund & Skinner, 2005). The informal economy has played a significant role in promoting gender equality, economic growth, and poverty alleviation, as it has enabled women to earn a living as primary heads of households in South Africa. Even in cases where individuals lack professional skills, they can still empower themselves through general work in the informal sector (Lund & Skinner, 2005). It is evident that there are distinctive lines drawn to distinguish formal from informal. However, the two are not entirely separate, as informal aspects can be found within formal activities, and conversely, formal elements are present in informal activities (Laguerre, 2016). Furthermore, Laguerre (2016) states that the formal world cannot exist without the informal world and vice versa. He sees the formal world in the sense of a façade which hides a second world of subtleties, nuance and ruse.

Previously, Dovey (2013) stated that informal settlements have developed out of an immediate need for shelter and community within global urbanisation. This linked urbanisation to a factor which drives the proliferation of informality. When further diving into this section, the work of Henri Lefebvre in 'the right to the city' becomes relevant. The right to the city as described by Lefebvre (1976) is a cry and demand. The cry is used to symbolise a scream from the people as a response to the existential pain of the crisis that is everyday life in the city (Harvey, 2012). This scream is indicative of how difficult life, especially that of the urban poor, can be when trying to survive in modern day cities. The demand, on the other hand, is a command to face the crisis of everyday life and create alternative urban life that doesn't alienate any groups and is more meaningful and playful. The demand, therefore, calls for a change in the factors that have contributed to the crises, which led to the 'cry' for help that Lefebvre (1976) was referring to. From this cry and demand, the concept of the right to the city emerged, emphasising that the working class is an important actor in social change. However, it is also increasingly inadequate and often reluctant in its efforts for change. This is because the drivers of change have traditionally been found in the workplace. Instead, a new avenue should be explored, where the factors of change are rooted in the everyday lives

of all people, allowing them to participate in and influence the decisions that directly affect their lives (Marcuse, 2014).

Ultimately, the right to the city is the right to belong to and the right to co-produce urban spaces that are created by city dwellers. In other words, the right not be alienated from the spaces of everyday life (Aalbers & Gibb, 2014). Lefebvre (2003) represents this by arguing that urban spaces such as the city exist through social relations and interactions. These social relations are created by the people and should, therefore, have a fundamental right to shape and benefit from the city. Lefebvre (2003) also supports this by critiquing the power of capital control over the city and instead advocates for a more democratic and participatory environment which works for the people. The right that people have to adequate housing and the municipalities responsibility to provide this has already been seen in the constitution, however the Johannesburg inner-city has shown that people would rather have access to economic opportunities in their everyday life than that of adequate housing. This does not depict effort to make use of Lefebvre (1976)'s right to the city as the residents of the bad buildings are not able to enjoy all aspects of urban life. However, it is important to note that these residents are unlawful occupants and frameworks and ideologies such as the right to the city cannot be prioritised over existing laws which firstly indicate that the residents in themselves are unlawful..

Everyday experiences and inhabiting the city entitles one to have the right to the city over one's nationality or citizenship and that there is an argument around the right to the city revolving around the rights of urban inhabitants as compared to the rights of property owners (Crankshaw & White, 1995) .Applying this to the South African context, the issue begins with the right of an individual to use the city as an inhabitant, regardless of their nationality within the country. . Operation Dudula, a pressure group which aims to put South Africa first, has suggested that the housing problem in Johannesburg inner-city is primarily caused by illegal immigrants who should be evicted (Yingi, et al., 2024). However, it has been estimated that 60% of the illegal occupants within Johannesburg inner-city are South Africans (Grant & Thompson, 2015). This shows that even though the foreign population is vast and contributing the housing crisis within the city (Grant & Thompson, 2015), they are not the root cause and eviction of all foreign nationals would potentially cripple the city which relies so heavily on trade (Moyo et al., 2016). Regardless of whether the residents of bad buildings are foreign or local, they still have the right, in accordance to the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 1998 (PIE), to not be evicted without receiving a court order; which is made after careful consideration of all relevant circumstances. This protects residents in these buildings on the basis that occupiers who would be rendered homeless by an eviction

cannot be evicted unless the state provides alternative accommodation (Dugard & Ngwenya, 2019). Therefore, they should be able to use the luxuries of the urban environment which they inhabit. Secondly, the right to the city seems to centre more on the rights of urban inhabitants rather than those of property owners (Crankshaw & White, 1995). In many cases, the buildings of the inner-city have been abandoned by their owners as a result of the white flight and high property maintenance as seen in Chapter 1. In the case where owners are not present by choice, the rights of the inhabitants should be prioritised. From these two cases of ownership abandonment by choice and white flight, faults in the right to the city on the South African plane have been revealed. Those who have been given the right to the city have misused it and left the infrastructure abandoned and in poor shape for those that are supposed to come after them, who may believe that it is not their responsibility to clean a mess they didn't make.

Ultimately Lefebvre (2003) made the conclusion that the city should not only be considered as a visiting right or return to traditional cities but rather it should be formulated as a transformed and renewed right to urban life. Two important factors stand out in relation to Lefebvre (2003) 's findings and Johannesburg. Firstly, it's the point that he no longer refers to the city as the city but rather the urban, in other words using the city and urban as synonyms. In this sense, the factors which drive up urbanisation are also the pull factors which increase the popularity of cities. The second point he makes is the importance of not attempting to return to traditional cities. The interpretation of this is not necessarily reliant on the concept of the traditional city but more on the fact of not returning. The apartheid city was functional at its time but had some obvious fragmentations as seen in the background. Instead, efforts to better the city should be as dynamic and unique as the city is itself focusing on future development.

2.5 Bad buildings on the scale of informality

In order to determine if bad buildings can be established as informal settlements or even compared to them, a deeper understanding of what bad buildings are and how they are characterised needs to be established. Morris (1999) defines a bad building as a building in which residents have illegally occupied, either through sectional title with informal managers or on the more extreme case of slumlords that have hijacked said buildings. Similar to this Zack et al. (2009) defines bad buildings as buildings that do not adhere to the cities by-laws and other national regulations. They display inadequate payment and non-payment for municipal services by landlords and tenants. From these definitions, the key qualities of bad buildings include their non-compliance with laws and regulations, the unlawful occupation by residents, and occasionally the presence of illegal slumlords who hijack the buildings to collect rent from tenants. Wilson (2013) adds another perspective, defining a bad building as properties where there is little to no

investment being put into the maintenance of the building due to the building either being abandoned by the owner or hijacked by criminal landlords, who are collecting rent for their own personal gain instead of providing services and maintenance of said building.

Furthermore, bad buildings are often characterised by being not well managed, maintained, serviced or able to protect the rights of tenants that have not alternative housing options (Morris, 1999). There is also a sense of criminality in these buildings as the “management” or “ownership” of these buildings is often illegal through hijacking or not present at all. The occupation of residents in these buildings is also unlawful adding to the criminal nature of the bad buildings themselves. The residents of bad buildings are often criminalised alongside their slumlords, based on their close proximity and the fact that through paying rent they are also syndicates of crime (Robb, 2018). Wilson (2013) has also listed some characteristics of bad buildings as being unsafe, slum like and potentially unfit for occupation. Tissington (2013) has stated that the challenge of bad buildings has come about as a result of a lack of programmatic approaches and that by the municipality not developing a realistic strategy to assist the poorest income groups and the destitute coupled with the lack of opportunities for said income groups, a domino effect of failure plagues the housing delivery in the inner city.

Formal buildings are characterised by Henderson et al. (2021) as possessing a sunk capital cost, having the ability to be built high, an understanding that the primary structure cannot be moderated once its built and being thought through as seen by decisions made with future rent revenue in mind. These characteristics somewhat describe the exterior of structures which are known as bad buildings in the inner-city of Johannesburg. Informal buildings, on the other hand, are characterised as being malleable, built with non-weight-bearing materials and being built low with high land intensity (Henderson, et al., 2021). These characteristics also, to some degree, describe the interior of structures known as bad buildings in the inner city of Johannesburg. This does not imply that bad buildings are simply formal buildings with informal settlements inside them, but rather suggests that these buildings lean more towards informality, presenting the image of informal settlements wearing the mask of their former formality. A contradiction arises here because if the bad buildings of the inner city are considered formal based on their characteristics, they cannot also be informal, as informality inherently represents a departure from formality.

Bad buildings, as described above, contradict the norm in the housing context. Informality is not permanent or final, as there are opportunities for formalization and upgrading to make a settlement formal. Formal settlements are considered to originate from planning; however, this does not mean that

every formal settlement was planned for. Informal settlements have the ability to be transformed into formal settlements despite their planning or lack thereof. For instance, in the Slovo Park informal settlement, which was first established in the 1990s by people seeking residency closer to their jobs. Slovo Park was identified to fall under Category A of the informal settlement formalization programme, which is earmarked for an upgrade. The municipality itself was not the most conducive to the upgrade process as they continued to offer the community empty promises (Tissington, 2011). However, the community was able to come together and empower themselves through a skills audit of the community and raise funds to provide themselves with basic services such as water. Plans for further in situ upgrading are still in place; however, considering the township establishment process was conducted and basic services provided, in 2011 this was considered a successful formalisation (Tissington, 2011). Unfortunately, in more present times Slovo Park is still experiencing ongoing struggles with basic service delivery, awaiting intervention from the UISP, complete township establishment, road grading projects and many more interventions which have still not been provided by government (Seabi, 2025). A breakdown of the different classification categories on informal settlements and what they mean according to the UISP which assisted informal settlements such as Slovo park in the upgrade process can be seen on the table below.

Category	Type of upgrade
Category A:	Imminent Full Upgrade: Rapid formalization, full services, formal tenure, township establishment
Category B1:	Interim/Incremental basic services: Provision of Interim essential services such as water, sanitation, roads, electricity, waste removal, key social facilities leading to eventual formalization
Category B2:	Emergency basic services: Provision of emergency basic services such as water, sanitation, fire protection, solid waste removal but leading to eventual relocation.
Category C:	Rapid relocation: Relocation to a site which is already available or imminently available i.e. Greenfields housing project, temporary relocation area (TRA), site and service (services land release)

Table 3: Informal settlement category's (Source: Department of Human Settlements, South Africa)

The table above depicts the categories that informal settlements are divided into in order for the relevant upgrade according to the UISP to be dispersed and implemented. These categories are used to determine the severity of the situation in each of the informal settlements to ensure that they are effectively dealt

with. Category B1 and B2 are the basic requirement and should be available in all informal settlements across the city, according to Mayor Tau (City of Johannesburg , 2011). The idea of in situ upgrading would fall under category A and the feasibility of this, in relation to bad buildings, will be discussed in the following chapter.

2.6 Avenues of upgrade and feasibility

Simiyu, et al (2019) makes an important statement, which shapes this report. They state that even though informal settlements are such a common occurrence, they are all unique in their living conditions; therefore, require improvement and upgrade efforts, which are tailored to the specific settlement (Simiyu, et al., 2019). This paints a picture that there are different characteristics which contribute to an area being classified as informal as seen from above. When examining the characteristics that identify informal settlements in the UISP, similarities and differences emerge when compared to bad buildings. The table below outlines these similarities and differences and determines whether they could be a deciding factor for bad buildings to qualify for the UISP. According to the UISP, there are five possible requirements for an area to qualify for the programme and only one of the five requirements needs to be present for the area to qualify to recived intervention under the UISP.. (Department of Human Settlements , 2009). Starting with the first requirement of illegality and informality, informal settlements lack legal recognition due to unlawful occupation, unauthorised use of land, and/or the illegal construction of houses on land. From this, it can be gathered that informal settlements are associated with a persistent state of legal and social insecurity, as settlements of this nature lack legal recognition (Department of Human Settlements , 2009). Based on these requirements, bad buildings would qualify for the program; however, as a display of informality, this requirement also makes mention of the absence of formal planning and incremental, unplanned growth. It has been established that bad buildings have not always been in the state they are found in now, but rather deteriorated as a result of unplanned growth. In this context, since bad buildings were initially planned as part of the CBD as seen through them previously holding formal approvals, authorisation and complying with building regulations at the time of construction and for much of their lifespan. However these previous plans may not allow bad buildings to qualify for the UISP

Moving on to the second requirement of location and environmental factors. This requirement is based on the idea that most informal settlements are located on land which isn't suitable for development (due to unsuitable soil conditions, topographical constraints and environmental impacts), making the upgrade of some settlements impossible. In addition to the physical conditions of the land, some settlements may

not be well located due to a lack of economic opportunities or being situated on the urban peripheries. Bad buildings, however, do not meet these standards for informal settlements. Similar to the previous requirement, the city was initially planned for development, and the inner city remains one of the most sought-after areas. The informal sector, which thrives here, contributes to about half of the country's economic activity (La Porta & Shleifer, 2014). Moving on to restricted public sector investment, informal settlements are illegal in their nature and therefore, public sector investment is restricted. This can be seen by the lack of municipal engineering services such as water, electricity, sanitation, lighting, roads and walkways. In addition to this, informal settlements also lack government funded social amenities and economic infrastructure. All these factors combined make the residents of informal settlements hesitant and without any incentive to invest their own resources into the area (Department of Human Settlements , 2009). In essence, an environment is created where the mentality of 'if you won't do it, why should I?' prevails. . If government could indicate their interest and hope in the area by investing in it, the residents of these settlements would also be provided with a sense of security that their homes are recognised and valued, creating a sense of belonging similar to the right to the city. This requirement also closely aligns with the characteristics of bad buildings; however, bad buildings as discussed already, were initially planned for and formalised. This means bad buildings have access to municipal engineering services such as roads and walkways and have the infrastructure for the other services but not the availability due to the lack of maintenance, combined with the aging infrastructure.

Poverty and Vulnerability is the next requirement and is very apparent in informal settlements as the residents tend to be poor and vulnerable with only basic education qualifications dislocating them from the formal labour market. The high levels of poverty, combined with the poor living conditions in informal settlements, make residents vulnerable to diseases, creating insecurity, which is further exacerbated by social fragmentation.. The last requirement aligns with this in terms of social stress. The high levels of poverty and poor living conditions, previously discussed, are also a contributor to exploitation which leads to social stress. This social stress then manifests in high levels of interpersonal crime such as domestic violence, child abuse and various social pathologies (Department of Human Settlements , 2009). Tissington (2013) supports this by describing the state of the inner-city as being characterised by "crime and grime, urban decay and anarchy". Newzroom Afrika has gone into further detail stating that the Johannesburg inner city is characterised by decaying infrastructure, hijacked buildings, informal settlements and illegal trading, homelessness and general decline (Afrika, 2024). The two requirements listed above of 'poverty and vulnerability' and 'illegality and informality' are not only subject to what is currently known as informal settlements in South Africa but are more of a general circumstance of the

living conditions of the Urban poor. Most of the qualities relate to bad buildings to a degree but fall short on one technicality. These two requirements, however, align to the conditions experienced in bad buildings and can be seen in the table below.

Characteristic	Similarities to bad buildings	Differences from bad buildings	Qualification for upgrade according to UISP (YES/NO)
Illegality and informality	-Residents live in a permeant state of legal-social insecurity. -lack legal recognition due to unlawful occupation and/or unauthorized use of land.	-Informal settlements have an absence of formal planning and incremental, unplanned growth.	NO
Location and environmental factors		-Informal settlements are mostly found on land which is not suitable for development due to factors of unsuitable soil, topography, location and distance from economic opportunities, etc.	NO
Restricted public service investment	-restricted due to illegal status of settlement. -Lack access to basic municipal engineering services such as water, sanitation, electricity, roads and walkways and lighting. -Inhabitants have no incentive to invest their own resources in area.	-Lack government-funded social amenities and economic infrastructure.	NO
Poverty and Vulnerability	-Residents are poor and vulnerable as most only have basic education qualifications. -Residents are at high risk of disease. -Poverty and poor living environment		YES

	-Social fragmentation from insecure nature.	YES
Social Stress	-Exploitation from poor living conditions leading to stress. -Crime, domestic violence, child abuse and various social pathologies	

Table 4: Bad buildings and their qualification for upgrade according to the UISP (Source: Authors Own)

Based on the table above, it can be seen that bad buildings have similarities to informal settlements in a few of the characteristics, with two characteristics completely aligning to the UISP's requirements. Based on the fact that there is a requirement for one of the characteristics to be present in order for the UISP to be applicable to a settlement, it can be seen that bad buildings do qualify for the UISP. Through evaluating policies catered towards informal settlements and bad buildings, it can be seen that initially the goal used to be large-scale slum cleansed and relocation. However, in modern day planning and development, the approach favoured is that of on site or in situ upgrading (Beardsley & Werthmann, 2008). The UISP marked a turning point in South Africa's housing policies, as it made in situ upgrading of informal settlements possible. This was ground breaking because it allowed upgrading to occur with minimal disruption to the lives of the residents of informal settlements (Huchzermeyer, 2009). In situ upgrading can be defined as any development that emanates and occurs within the site reflecting a sense of adaptability within geographical constraints (Organisation of Students of Planning, India, 2020). This form of upgrading is an ideal intervention as it improves the negative physical conditions within informal settlements without negatively impacting the residents or their physical, social and economic capacity (Maina, 2013). Based on this, in situ upgrading would be ideal for cities as it provides an opportunity for cities themselves to be built more denser, climate friendly and equitably (Tayler, 2014). Therefore, the benefit of in situ upgrading is the promotion of economic development and social integration.

Formalisation is a legal process in which townships with formal services are created through township establishment and where residents are able to obtain formal security of their tenure. This process can be done through in-situ upgrading, relocation and/or having the settlements declared as a township through the township establishment process in which clear stands are drawn up (City of Johannesburg, 2011). From this definition, for an informal settlement to be established as a formal settlement it is required to

have clearly demarcated stands, provision of services such as water and sanitation, and residents obtaining formal security of tenure.

2.7 International review of Informal settlements in formal buildings

It has previously been established that informal settlements occur in different typologies across the world. The typology of informal settlements, which this report is concerned with, is that of informality in high rise former formal business buildings. To begin with a refresher, in the Brazilian context, the Brazilian Institute of Geography and Statistics (IBGE) defines an informal settlement as an area with more than 50 housing units, characterised by a lack of tenure and one or more of the following: irregular traffic routes, irregular sizes and shapes of houses, and/or a lack of basic public services (Miranda, et al., 2016). From this definition, tenure and size hold significance within Brazil rather than physical appearance such as materials. In Brazil, formal buildings have been unlawfully and informally expanded vertically to form a typology of informal settlements which have been occurring within buildings for years, and this phenomenon is known as “favelas” (Ferreira, et al., 2016). Rocinha within Rio de Janeiro, is the largest *favela* in Brazil and has a population of about 69 000 people (Miranda, et al., 2016). This informal settlement is located between two of the wealthiest neighbourhoods in Rio de Janeiro and houses this vast population on a small space of 2km². Its location has made it a socio-economic hot spot for those looking for economic opportunities in the buzzing Mega-city (Ceppi et al., 2020).

The boom of favelas in Brazil dates back to as far as 1940, when a major housing crisis forced the urban poor to take matters in their own hands and erect hundreds of informal houses in the suburbs, which resulted in the fall of typical residency and the rise of favelas for destitute Cariocas (residents of Rio de Janeiro) (Pino, 1997). At the same time this housing shortage was occurring, there was also an industrial led pull of hundreds of thousands of migrants from the Federal District to informal settlements stretching from urban Rio de Janeiro as far out as the metropolitan periphery (Pino, 1997). This shows that the morphology of favelas is a result of the socio-economic shifts that occurred within Rio de Janeiro. Rocinha is the ideal place for economic development as it is linked to other districts through Estrada da Gávea (Gávea road) and Autoestrada Lagoa-Barra (Lagoa-Barra highway), which links Rio to the district of Barra da Tijuca (Dias, 2014).

The favelas of Rio De Janeiro are characterised by a steep gradient of land, which has forced the Cariocas to adapt and create access ways via stairs and ramps known as alleys. The vast density of favelas has left little to no room for sideways expansion. This, accompanied with the difficult terrain, has led to growth occurring vertically as opposed to horizontally. This poses a risk as it makes the buildings unstable and

difficult to navigate (Dias, 2014). In the 1960's, a campaign to wipe the whole south zone (where Rocinha is located) of favelas was launched by the government. Many groups of Cariocas came together to resist any attempts of removal. These groups banded together to form what some would recognise as a civil society organization known as the *Federacao das Associac6es das Favelas do Estado da Guanabara* (FAFEG). By the 1970's, any talk of the eradication of favelas was completely off the tables (McCann, 2006). The government decided to instead take a different approach for the favelas of Rio de Janeiro by shifting efforts from attempting to remove the favelas to extending the network infrastructure and the recognition of legal title. By the 1980's, politicians had now made use of the favelas as a symbol acting as intermediaries for the distribution of employment and resources to those who supported one's political standpoint. This created an avenue for politicians and aspiring politicians to gain the support of the residents of favelas as a means of entering the lucrative world of political parties and government employment. This created a shift, in which favelas moved from a standpoint of being an opposition of government and its plans to a means of using the favelas as a way of bypassing into this lucrative world (McCann, 2006).

From the above, it can be seen that favelas seem to be here to stay. This may not be a bad thing as their unique architecture and history has converted the favelas into a global tourist attraction (Freire-Medeiros, 2009). Attention was first brought to the favelas in 1996 when Michael Jackson recorded his music video 'They Don't Care About Us' to bring awareness to the indifferences of public power and elites towards poverty after the success of the cariocas in the fight to rid the south of favelas. Since then, the favelas have been recognized as a tourist attraction by Rio de Janeiro's tourist offices, with the local government actively promoting tourism in these areas (Freire-Medeiros, 2009). Furthermore, Rio de Janeiro hosted the FIFA World Cup in 2014 and the Olympic Games in 2016. The favelas of Rio de Janeiro have managed to prevail and create an economy to sustain its people through tourism. Even though the infrastructure itself may still be unstable and unsafe, the cariocas have been given official, secure tenure and an economy, which gives them a decent quality of life. In instances where essential services are lacking, communities have come together to provide for themselves. Even though the favelas are still widely perceived as being informal, they have a sense of formality which makes life livable (Zhong, 2024) .

Another international case of informal settlements developing in buildings can be seen in Egypt. Informal settlements have occurred within and around major cities such as Cairo and Alexandria in Egypt, as a result of natural growth and the flux of rural-urban migration (Nassar & Elsayed, 2018). Most of these informal settlements stem from standard subdivisions, in which a plot would be subdivided with 100 to 150 square

metre plots and narrow self-made roads, ultimately converting agricultural land into multiple residential stands without proper zoning or planning (Gouda, 2013). These buildings similarly to the bad buildings of inner-city Johannesburg have been built with sustainable materials and also have an uncontrolled upbringing and illegality that is characterised with informality. These similarities make favelas comparable to bad buildings. Considering in Brazil Favelas are a typology of an informal settlement this circles back to the possibility of bad buildings also potentially having similar characteristics to informal settlements within South Africa.

In Egypt, informal settlements are characterised by severe overcrowding, which often extends into the streets due to limited road capacity. The buildings are typically of poor quality, as many are undocumented constructions, and inadequate sanitation is evident through the presence of puddles and accumulated garbage on the streets (Hu, et al., 2017). The informal settlements themselves can fall under two possible categories depending on their physical conditions and the legal status. The physical conditions refer to the factors which allow one to distinguish between what is considered acceptable and what would be considered deteriorating. The legal status, on the other hand, would refer to whether the constructions follow buildings and planning laws and regulations or if they are built on illegally acquired land (Nassar & Elsayed, 2018). Egypt noticed that the phenomenon of informal settlement was becoming a challenge and developed a new approach in collaboration with foreign donations from establishments like the United State Aid (USAID) and German Technical Cooperative (GTZ). The approach emphasises two key aspects: the individual and a package of essential services, including access to clean water and adequate sewerage disposal, to enhance the individual's quality of life. Unfortunately, this solution only succeeded in providing some services and wasn't suitable for all the settlements, ultimately resulting in it falling short (Nassar & Elsayed, 2018). Another imitative of Egypt was a master plan for the development of informal settlements. This plan worked by removing random buildings to establish new formal residential communities and expanding to establish more housing in the adjacent desert area. This plan became too costly as it required the building of new homes (Khalifa, 2015).

Circling back to the South African case, by the 1990s, the government's role had been broadened and there were concepts of decentralisation and privatisation in the works. Instead of viewing and dealing with informal settlements in isolation, this new urban development process would instead deal with informal urbanisation as a whole by encouraging more integration into programs concerned with city wide policies and institutional reforms. This would place emphasis on the provision of infrastructure improvements, social services and physical restructuring of various informal settlements around the

country. Following this, the legalisation of tenure and the regularization of property rights took place (Khalifa, 2015). Shortly after the movement of decentralisation and privatisation, came the idea of the 2000s which involved replacing the notion of upgrading by the idea of integration. This was achieved by The Informal Settlement Development Facility (ISDF) redefining the terms 'slums' or 'informal settlements' to 'unsafe areas' and 'unplanned areas' (Nassar & Elsayed, 2018). Informal urbanisation was used as a tool for the formal real estate market (Khalifa, 2015). This integration followed a three-step process. First was physical integration, where public investments improved connections to the formal real estate market by opening roads and enhancing accessibility to public services. Next came social integration, achieved through programs tailored to community needs and social development. Finally, judicial integration took place through property regularisation, land titling, and resolving outstanding tenure issues. All of this complements the city's need to facilitate property tax collection, signaling a shift in policy and framing informal settlement upgrades as both an asset and a long-term investment (Khalifa, 2015). From this, it can be seen that, similar to Brazil, Egypt also began to perceive its informal settlements more positively—as an investment in the formal real estate market, with the government acting as a facilitator and the private sector providing support. In recent times, the government has been researching the establishment of new laws to legalize previously illegal but structurally safe buildings that comply with height regulations. This effort aims to distinguish between past violations that cannot be rectified and future constructions, which must adhere to Egypt's building laws and regulations, ultimately working toward a future where Egyptian cities are free from illegal developments. The law will insist on registering all new constructions, which will assist the government to have building tax benefits for other development purposes and avenues (Nassar & Elsayed, 2018).

2.8 Conceptual Framework

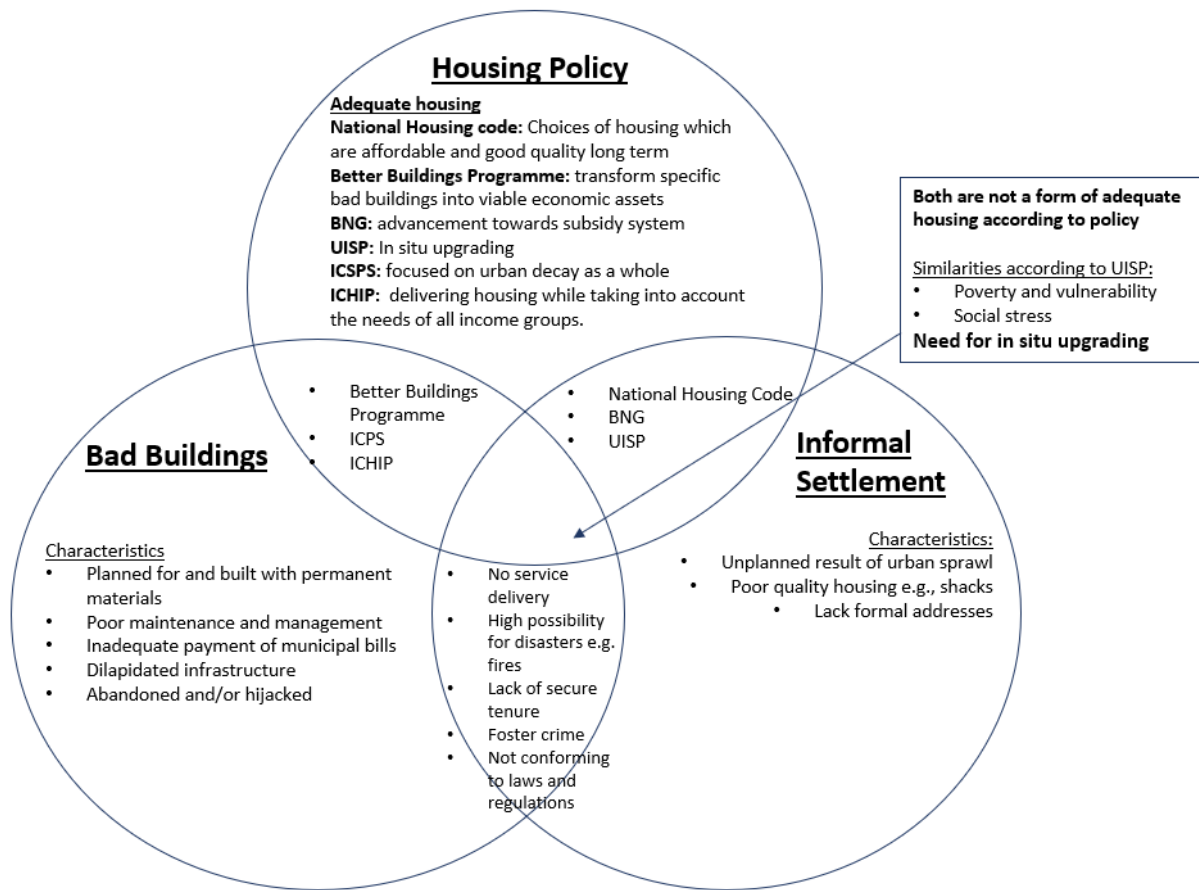


Figure 2: Conceptual framework displaying the connections between the three themes of housing policy, informal settlements and bad buildings

A conceptual framework, as defined by Luft, Jeong, Idsardi and Gardner (2022), is a description of the way that a researcher understands all the factors and variables in the study and how they relate to each other. By doing this, the conceptual framework articulates the concepts of the study through the use of relevant literature while also clarifying the relationships amongst said concepts. In this conceptual framework, the emergent ideas of this study and the significance of the study are displayed (Luft, et al., 2022). From the Venn diagram above, it can be seen that there are three main themes, being housing policy, informal settlement and bad buildings. All three of these themes are able to stand on their own but are all related for the purposes of this study. Starting with the bottom-right circle, which represents informal settlements, an adequate definition of an informal settlement would be that of the Brazilian Institute of Geography and Statistics (IBGE). They define an informal settlement as a space containing over 50 housing units, lacking legal tenure, and characterised by either irregular traffic routes, irregularities in the size and

shape of houses, or a lack of basic public services (Miranda, et al., 2016). The characteristics of these informal settlements can be seen as being unplanned resulting in urban sprawl, poor quality housing and a lack of formal addresses.

The next circle represents the theme of bad buildings. Bad buildings can be defined as properties where there is little to no investment in maintaining the building. This lack of maintenance may be due to the building either being abandoned by the owner or hijacked by criminal landlords, who collect rent for their personal gain rather than using the funds to provide essential services and upkeep of the property (Wilson, 2013). In addition to this, it can be seen in the diagram that bad buildings are characterised by being planned for and formally constructed with sustainable materials and aligning with building regulations, poor maintenance and management, inadequate payment of municipal bills, dilapidated infrastructure, and being abandoned and/or hijacked. From the independent characteristics, it can be seen that there are some differences between bad buildings and informal settlements. To determine if bad buildings could possibly be characterised as informal settlements, they need to share some significant characteristics. These characteristics include lack of access to basic services, susceptibility to disasters like fires and floods, absence of secure tenure, promotion of crime (through unlawful occupancy, illegal hijack kingpins and fraudulent deed transfers from said hijack kingpins to unlawful occupiers), and non-compliance with laws and regulations. The similarities between the two are so significant that, in the literature, it has been found that some of the owners of these bad buildings have referred to them as 'vertical informal settlements,' with cardboard partitions replacing the typical shacks (Mutandiro, 2023). In support of this, Mutandiro (2023) has described the situation in the inner-city as “dire”.

The direness of the situation of bad buildings in the inner-city of Johannesburg requires urgent intervention, which leads to the third theme of housing policy. The housing policies implemented in the inner city such as the Better Buildings Programme (BBP); the Inner City Housing Implementation Plan (ICHIP); and the Inner City Property Scheme (ICPS) have often fallen short of their intended goals, frequently failing to deliver the desired outcomes. The current housing challenges in the inner city stem from ineffective housing policies, resulting in inadequate housing. The six housing policies which have been looked at in more detail in this report are the National Housing Code, BBP, BNG, UISP, ICSPS and ICHIP. Each of these policies have their own unique methods of achieving adequate housing consisted of more affordable and good quality in the long term, transforming dilapidated buildings into viable economic assets, developing a subsidy system, dealing with urban decay, delivering housing to the needs of all income groups, and most importantly opening the doors to the idea of in situ upgrading. In situ

upgrading is the foundation of the UISP, designed primarily for informal settlements. However, based on the policy's requirements, bad buildings also qualify and could potentially benefit from the program through integration. Bad buildings would qualify for UISP based on the characteristics of poverty, vulnerability and social stress. Integrating bad buildings into the UISP would be ideal, as it would secure national-level funding for addressing the challenge while also bypassing the lengthy process required for drafting a new policy. However, this is not a definite as there are clear differences between the two concepts, and a plan that was designed for one may not work for the other. In this case, considerations of a new programme specifically catered towards bad buildings, with the support of national government, may be another avenue that could be beneficial. Through this report, the literature and predictions outlined in the conceptual framework will be either supported or disproven by the findings and analysis. Therefore, the conceptual framework serves as the hypothesis of the report.

2.9 Conclusion

This chapter explored the phenomenon of informality, its implications for urban development, and its relevance to bad buildings. Informality was examined as a dynamic and interwoven aspect of urban economies rather than a direct opposite of formality. Using the Brazilian Institute of Geography and Statistics (IBGE) definition, informal settlements were characterised by a lack of tenure security, irregular infrastructure, and insufficient public services. The chapter established that bad buildings share significant similarities with informal settlements, particularly under the UISP criteria, positioning them as potential beneficiaries of the program. International case studies from Brazil and Egypt provided insights into potential strategies for South Africa. Brazil's approach to embracing and integrating favelas through tourism and improved infrastructure demonstrated the value of recognising informal spaces as economic assets. Conversely, Egypt's experience highlighted the necessity of integrating bad buildings into broader urban policies, addressing infrastructure deficiencies, and formalising tenure and property rights.

For South Africa, these lessons suggest a shift in housing policy—moving from treating bad buildings as isolated challenges to incorporating them into a structured urban framework. This would involve infrastructure improvements, community-driven development, and legal regularisation. Johannesburg's auditing of bad buildings is a step in this direction, but policy advancements are needed to ensure meaningful and sustainable solutions. In the next chapter, we will be discussing research methodology in detail.

Chapter 3: Methodology

3.1 Introduction

From the literature review, several possibilities and solutions to the housing crisis of the unlawful occupation of buildings were discovered. From these, one can draw expected outcomes of the direction of this research report. These findings suggest that Johannesburg has not classified bad buildings as informal settlements because they do not fit the typical definition used by the HDA and Census. Unlike informal settlements, which emerge on unplanned, unsurveyed land with makeshift dwellings, bad buildings exist within the formal urban fabric but deteriorate due to neglect and illegal occupation (Housing Development Agency, 2014). Informal settlements are often not built with plans and sustainable materials as the buildings of inner-city Johannesburg were. It is also expected that the city of Johannesburg has not developed plans for inner city Johannesburg due to the budget for human settlements not being adequate to revitalise these bad buildings. Upgrading bad buildings may require significant resources for bulk infrastructure improvements, temporary rehousing, or even demolition and reconstruction. This could make the process less feasible compared to developing new housing projects on open land.

When collecting data for research, there are several methods one can take. To investigate if the possibilities and solutions (which were discovered in the literature review) could be viable and assist in answering the research question, more extensive and versatile methods of data collection need to be investigated. This chapter examines the use of individual interviews as the chosen data collection method for this study, while also highlighting the limitations faced during the fieldwork process.

3.2 Context

Efforts to better the conditions in the inner-city began in the early 2000's. Between 2004 and 2009, the South African government adopted the Millennium Development Goals (MDGs), which aimed at creating a "slum-free city" capable of competing with other world-class cities (Huchzermeyer, 2014). This objective was evident with the rise in revitalisation strategies that occurred throughout the inner city in the 2000s, as seen through the public private sector partnerships, which sparked the renewal of areas such as Ghandi Square and the ABSA precinct (Hoogendoorn & Giddy, 2017).

According to the Group Forensic and Investigation Service (GFIS), there are an estimated 600 bad buildings across the inner city of Johannesburg, with only 25 to 30 of these buildings being owned by the city (Sithole, 2023). These buildings can be found across the city in places of industry, business and government owned buildings. These buildings do not have the exact same profile in terms of their origin,

zoning and hijack or abandonment status, however, they all have a degree of dilapidation, which has become the profile of the buildings. To depict the significance of bad buildings as a challenge for Johannesburg inner city, a map indicating all the bad buildings can be found below depicted in red.

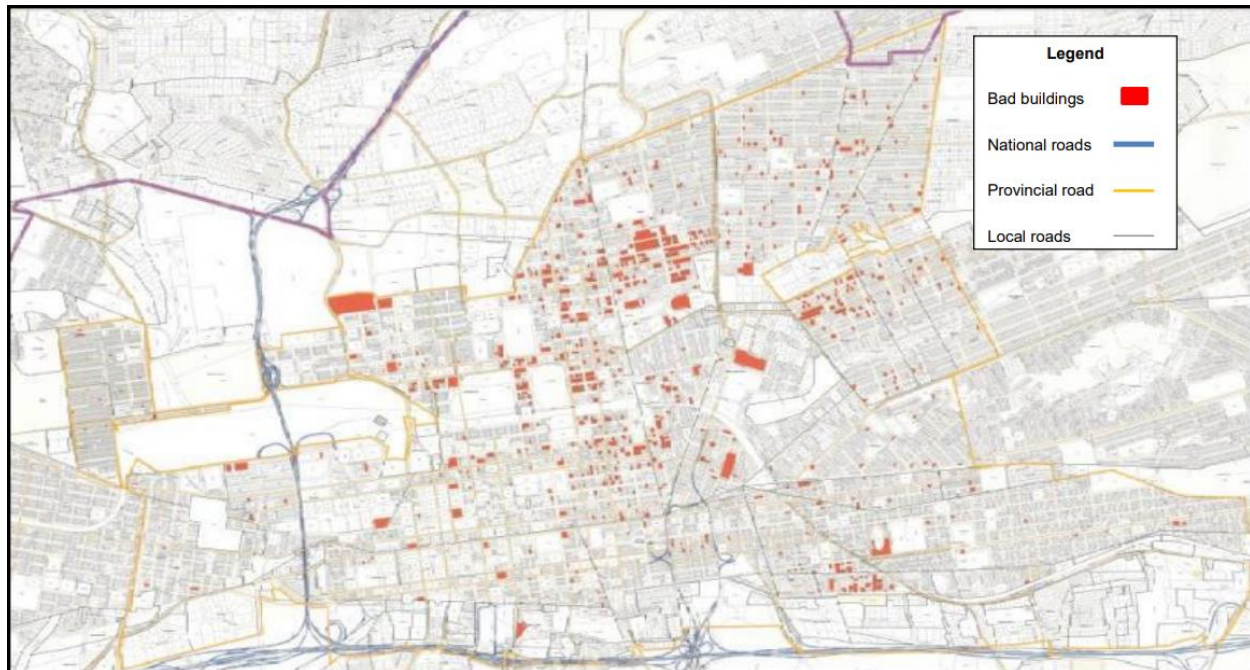


Figure 3: Bad buildings within inner-city (Source: Statistics South Africa; 2018)

In the image above, all the bad buildings within the Johannesburg inner city in Region F can be seen. From this picture, it can be gathered that there is not specific location or pattern of these bad buildings. Instead, they follow the trend of informal settlements, sprawling and popping up in new areas all over the city in pockets of activity around the city (Huchzermeyer, et al., 2014). This indicates that even though the buildings themselves were planned for and built with suitable materials, the occupation and residency of these buildings still occurs in an unplanned manner. To better understand the nature of bad buildings and the challenges they pose to the inner city, as well as the context they provide to this paper, two relevant examples of bad buildings, which have been frequently discussed in the media, will be examined in further detail.

3.3 Methodology

This research report will make use of a single case study approach to explore the benefits that South African housing policy could gain from establishing the hijacked and abandoned buildings of inner-city Johannesburg, also known as 'bad buildings' as informal settlements. The case study for this research is therefore, the Johannesburg inner-city and more in particular bad buildings located within the

Johannesburg inner-city, Region F. A single case study approach produces extra and better theory through allowing more time to be spent on the case, more specific results and a comparative analysis of the case study area to other similar cities internationally (Gustafsson, 2017). Based on the fact that this report is seeking to better understand Johannesburg inner-city and develop plans which could assist in tackling the challenge of informality developing in formal buildings with the use of international cases it can be seen that a single case study approach according to Gustafsson (2017) would be ideal.

A case study as defined by the Merriam-Webster dictionary (2024) as an intensive analysis of an individual unit, which stresses developmental factors in relation to the environment. This is supported by Stake (2008) who states that a case study could also be considered as a functioning specific or a bounded system. A picture is painted in which one can consider the study as a unit and the case as a boundary which encloses the study topic of the report. The study can be viewed as a unit, with the case, being Johannesburg inner-city, acting as a boundary that defines its focus. This unit can be explored through various approaches, including qualitative, quantitative, analytical, and hermeneutic methods (Ragin, 1992). For the purposes of this study, a qualitative method of data collection was used.

Qualitative data consists of information and concepts that cannot be quantified or expressed numerically. (National Library of Medicine, 2022). Therefore, qualitative data is a process of working inferentially and systematically with said data to produce a written account of the study (Froggatt, 2001). Thus, the aim of qualitative research is to explore underlying social processes and values, extracting knowledge and experiences to infer meaning and answer the main research question. Qualitative data usually consists of many methods such as written text, audios and visual data (Bailey, 2008). Since this research focuses on exploring the concept of labelling bad buildings as informal settlements, rather than quantifying the number of bad buildings, a qualitative method of data collection is most suitable. This approach allows for a deeper understanding of the social, economic, and cultural factors involved in the issue.

The primary qualitative method of data collection which was used for this study was individual interviews. The effectiveness of interviews as a data collection method in research is supported by Oliffe, Kelly, Gonzalez Montaner and Yu Ko (2021), who highlight the versatility of interviews in capturing the narratives of custodians, families, stakeholders, and policymakers. This helps in understanding and addressing practices, behaviours, and service delivery. In this case, the report is concerned with the perspectives on the policy makers and the custodians of said policies which will be presented by those that advocate for and give a voice to the custodians of policies e.g. SERI. For this, purposive sampling was used to select respondents that are most likely to yield appropriate and useful information (Campbell, et

al., 2020). Thematic analysis was used to interpret the data that was collected and relate it back to the research report. Thematic analysis is a process that involves the identification of patterns, which are then reported as researcher-generated themes (Lochmiller, 2021). Thematic analysis is valuable in qualitative research such as this as it is a descriptive way of reducing the data in a flexible way that combines other data analysis methods. Thematic analysis is ideal for this study as there are a variety of research questions and topics that need to be addressed (Castleberry & Nolen, 2018). The patterns that are found in thematic analysis can also be seen as codes or categories. These codes and categories are linked to relevant concepts and contextualised, forming themes that have been used to structure and break down the findings of the report. (Castleberry & Nolen, 2018). The themes identified in the data for this report include informality and its significance, possibilities for integration or the development of new policies, and challenges posed by residents and other factors to the reclassification and upgrade processes. These themes were developed through a six-step process: familiarising with the data, generating initial codes, searching for relevant themes, reviewing the themes, defining them and writing up the findings. . (Maguire & Brid, 2017). This chapter will focus on the first four steps of the process.

Based on the above, it can be gathered that the primary method of data collection for this study was interviews with relevant town planners and professionals specialising in informality and bad buildings. The interviewees included five officials from the City of Johannesburg: one professional focused on planning policy, one responsible for research within the inner city and three from the human settlements department. These interviews provided valuable insights into the issues surrounding bad buildings and informal settlements, which were essential for addressing the research questions and objectives. To gain external input from a human rights perspective and insights from an organisation that has conducted extensive research on this topic, as evidenced by their findings in the Commission of Inquiry on the Usindiso building fire (Socio-Economic Rights Institute of South Africa, 2024), a researcher from SERI was also interviewed.

The interviews and the corresponding questions were carefully planned in advance, reinforcing the fact that they are semi structured individual interviews. This method of interviews is effective as it keeps the interviews controlled and focused on the topic at hand and also allows for the different interviews to be compared to each other to draw possible similarities and key points (Alsaawi, 2014). This method was chosen over structured interviews as structured interviews have some drawbacks (the drawbacks do still apply to semi structured interviews but not to the same extent).. It has been seen to lack richness as the depth of the data which is gathered is limited. This is because the interviews follow a strict format which reduces

the flexibility of myself as the interviewer (Alsaawi, 2014) To mitigate the limitation of flexibility, Richards (2003)'s 'golden advice' has been applied, which states that the researcher should always seek the particular which in essence entails creating an environment which puts the interviewees at ease and allows them to speak freely. In this case, these interviews are related to the participants' line of work, which automatically gives them a more formal environment, making it difficult for the participants to open up and provide genuine answers. To ease this professional tension, I informed the participants that this research was conducted in the hopes of assisting them in their line of work and not necessarily to discredit their existing efforts. It has also been found that people are most conformable in their own environment.

Interviews have also been found to be monotonous for interviewees, particularly in topics related to their daily work responsibilities (Alshenqeeti, 2014). This challenge was mitigated through the structured approach of the interviews. By preparing the interview questions in advance, a total of 15 main questions were established, along with a buffer of 5 additional questions that could arise from either side. This structure allowed for the interviews to be conducted within a concise timeframe of 30 to 45 minutes, allocating under two minutes per response, however this was just an estimate and was not shared with the participants to allow them to answer the questions to what they felt fit in order to keep the interviews as rich as possible. This approach was carried out with the understanding that the average human attention span is approximately 8.25 seconds (Samba Recovery , 2024). To maintain participant engagement, the questions were kept short and direct and additional time was allocated for responses. This approach allowed interviewees to ultimately dictate the length of their interviews based on their own level of interest.

The participants of the interviews for this study were contacted by myself through email. To obtain relevant participants, I contacted the directors of the departments in the municipality as well as SERI for their recommendations on the most ideal participants. I obtained the contact information of these directors by physically going to the municipality and requesting their information, referrals from other professionals in the town planning field and email addresses; which were sourced on public platforms such as the City of Johannesburg webpage. By having the perspectives of the city and SERI for the study, an understanding of how changing the policy to identify bad buildings as informal settlements will have an effect from the inside (municipality) as well as from the outside (non-governmental organisations) can be gained.

The researcher was contacted through the Socio-Economic and Rights institute of South Africa (SERI). This organisation has worked closely with the City of Johannesburg as a middle man for collecting vital

information about the situations in bad buildings and speaking through the people. SERI was personally contacted through the email address they have available on their webpage. Due to the working relationship that SERI and the COJ have in terms of bad buildings, this was the easiest way to contact the city. This also assisted in narrowing down the sample group to people that understand bad buildings and the policy around them. The interviews were conducted with members of SERI as well as government officials. This was able to provide an understanding of how changing the policy to identify bad buildings as informal settlements would have an effect from the inside (municipality) as well as from the outside (non-governmental organisations). The sample group consisted of 5 municipal workers and 1 member of SERI, who have all had work with bad buildings. Said interviews were conducted through Microsoft teams at the request of majority of professionals, for matters of efficiency and to avoid interrupting the work of said officials and professionals. In order to create uniformity in the interviews I decided to conduct all the interviews through Microsoft teams.

The interviews occurred online through Microsoft teams. These interviews were recorded and transcribed into data, which was later be used for analysis. The two main groups which the data was divided into are those who see the 'bad buildings' of inner-city Johannesburg as informal settlements and those who do not. By categorising the findings of the interviews into these two groups of those that see bad buildings as informal settlements and those that don't, a broader perspective and understanding was developed for the two outcomes and Their reasoning for being for classifying bad buildings as informal settlements and reasoning for not.

Ethical considerations were made in the decision to not interview residents of the hijacked buildings as extensive interviews have already been conducted by SERI, 1to1 Agency, and other organisations and the structure of these interviews assisted in creating the interview questions for this research. The topic of hijacked buildings is one which is sensitive to its residents and does not need to be unnecessarily revisited when the information is already available. Interviews are time consuming and resource intensive, therefore, a small purposeful group of municipal officials was selected for interviews. In addition to this, order to avoid possible bias in the interview, only objective questions around the forming and implementation of housing and housing policy were asked. The identities of the professionals and municipal officials who participated in the interviews were kept confidential and only the analysed information will be presented on the final report.

3.4 Limitations

Through the process of collecting data for this report, there were limitations that were encountered. To understand how limitations affect the study, a definition of limitations first needs to be established. Limitations can be defined as any potential weaknesses that are usually out of the researcher's control, and are often associated with the chosen research design, statistics, funding constraints, etc. In this sense, limitations can be seen as imposed restriction making it out of the researcher's control (Theofanidis & Fountouki, 2019). As previously stated, the data collection method that was chosen for this report was individual structured interviews. Interviews inherently present challenges, such as a lack of richness in the data collected, as the structured format limits the depth of responses. The strict format also reduces the interviewer's flexibility in exploring emerging topics (Alsaawi, 2014).

One of the first limitations encountered was that the majority of participants requested the interview questions in advance. While this allowed them time to prepare, leading to more accurate responses, it also reduced the spontaneity that could have resulted in more genuine and candid answers. However, given that these participants represented major organisations, it was expected that they would want to review the questions beforehand to ensure their responses did not unintentionally implicate or negatively portray their organisation. . To reduce the impact that this would have on this report, I provided the participants with the formal interview questions beforehand and informed them that even though those are the set structured questions for the interview, I may not ask them in that exact order based on the flow of the interview. Furthermore, they were informed that based on the answer they provide, I may ask follow up questions, which they would not be able to prepare for which is indicative of qualitative research. This allowed the participants to prepare for the interview and be comfortable in their answering while still allowing me to get factual and honest answers.

The interviews were conducted online through Microsoft teams, as requested by the participants and recorded to later be transcribed. The second limitation which I encountered was challenges with internet connection. When conducting the interview with the professional from the department of Planning policy and Research, I very quickly noticed that the audio was not coming off very clear on my side. Due to this, many of the words that the interviewee said were lost in the audio recording. To mitigate this, I immediately turned up the intensity of the pace and detail in which I was taking notes to ensure that, if any important phrases or information was missed on the audio recording, there would still be enough information in my possession to make findings. Unfortunately, this did result in the loss of some direct quotations that could have enriched the study. However, the key ideas shared by participants were still

effectively captured and presented in the report. Moreover, a technical challenge was encountered during the interview with the participant from SERI due to an unexpected loss of Wi-Fi connection, causing the interview to be abruptly interrupted. Given the unpredictability of internet connectivity issues, this was a challenge that had been anticipated. To mitigate the disruption, a quick switch to mobile data allowed the interview to resume. An apology was extended to the participant and the issue was swiftly resolved, enabling the completion of the interview without significant impact.

Another limitation that was experienced through the field work process was finding participants. Based on the fact that this report revolves around policy, professionals were the ideal participants as it would ensure that the information obtained was from a place of experience and knowledge. The initial plan was to interview ten participants (this number is low as the data required can only be obtained from specific professionals), of which five would be from the COJ and the remaining 5 would be from SERI. The COJ participants were satisfactory ranging over 3 departments with 3 of the participants being from the department of human settlements. During the interview with one of the planners from the Human Settlements Department, an important point was raised: classifying bad buildings as informal settlements could unlock much-needed funding from the national government. This introduced a new dynamic to the discussion, prompting further exploration of the financial and policy implications of such a reclassification.. An attempt was then made to contact relevant professionals at national level through emails and calls. Unfortunately, none of the intended participants were able to avail themselves due to the demands of year end commitments. To reduce the effect that this limitation would have on the report, I presented it as if the point of view came from that of the COJ. Also, this could have potentially also broadened the scope of this report too wide and wouldn't necessarily have focused on the case of bad buildings and would have shifted more to the case of housing as national government has not recognised bad buildings as a national scale challenge. Instead, further communication with national government has been placed as a future avenue of study which could even be considered the next step in the process of ridding the inner-city of inadequate housing.

3.5 Conclusion

The qualitative method of interviews was used to collect data to understand if it could be possible to classify the bad buildings of the inner-city of Johannesburg as informal settlements and treating them as such with in situ upgrading. Qualitative data was the chosen method of data collection as it is a well-grounded, rich in descriptions and explanations of the processes in identifiable local contexts (Miles & Huberman, 1994). Based on the fact that the report is making use of inner-city Johannesburg as the area

of study and more in particular, the City of Johannesburg's Region F and buildings which are in poor condition and have been unlawfully occupied for the purpose of residency, it is also known as a single case study approach. The boundaries of the case study area stretch from Killarney Ridge to the north, the Ekurhuleni Metropolitan Municipality to the east, the Klip River to the south, and Regions D and G to the west. This single case study approach was effective for this report as the report is investigating policy and its application to a specific area. The data collection process faced both anticipated and unanticipated challenges. The biggest challenge was the use of online platforms, where email responses from the municipal officials at the City of Johannesburg, Officials from National government, SERI representatives and Johannesburg Housing Company representatives were often delayed or never returned. For the city of Johannesburg officials and the SERI representatives the most effective method for contacting participants was through their department heads, who would assign suitable individuals for the research. Unfortunately, the efforts that were made to contact the National government officials and the Johannesburg Housing company were unsuccessful. In addition, poor audio and Wi-Fi connectivity posed challenges, which were mitigated through thorough planning and quick action.

In person interviews would have been beneficial to this study as it would have allowed for clearer communication, however for this study I believe that online interviews were ideal as they were faster to arrange a date to conduct the actual interviews and also provided a calmer environment, where the professionals were able to participate from the comfort of their own spaces. Even though the anticipated number of interviews was not achieved, 6 interviews were held with 1 member of SERI, 3 COJ officials from human settlements, 1 COJ official from City Transformation and Spatial Planning; and 1 official from Planning policy and Research in the inner city. In spite of the fact that the targeted number of interviews were not held, the amount of data that was obtained through the interviews was very rich with all of the participants going into sufficient detail and representing their disciplines effectively. Ultimately, adequate information was still able to be collected in spite of the limitations that were encountered on the way.

Chapter 4: Findings

4.1 Introduction

In the introduction chapter, the data collection method of individual structured interviews as a form of qualitative research and its relation to this study were introduced. Through the field work period, a total of 6 people were interviewed, namely a policy planner at the City of Johannesburg, a researcher at the city of Johannesburg, 3 people from the Human Settlements department at the City of Johannesburg and a researcher from SERI, who has been involved in research related to bad buildings in the inner city, including the Commission of Inquiry that held the city accountable for the deaths of 72 people in the Usindiso building fire (Socio-Economic Rights Institute of South Africa, 2024). The findings of this data will be presented making means of a thematic analysis, which consists of finding themes that actively construct patterns, which could assist in answering the research question. These themes are useful as they allow for categorisation of useful data instead of treating the information as a summary (Kiger & Varpio, 2020). These themes were identified during the review of the data. In the methodology, the first four steps—becoming familiar with the data, generating initial codes, searching for relevant themes, and reviewing the themes—were completed. In this chapter, the themes will be defined and presented as the findings (Maguire & Brid, 2017).

An underlying aim of this paper is to assist the town planning field in finding means of supplying adequate housing. In this chapter, the concept of adequate housing will be unpacked and more context will be given into bad buildings in terms of their location, estimated quantity and some buildings which have been significant in plans, policies and frameworks. This will assist in developing a deeper understanding of these buildings themselves especially in the unique context of Johannesburg and assist in investigating the legitimacy of bad buildings as a form of adequate housing. This will be followed by the findings broken down into the key themes of informality and its significance, integration compared to possible considerations of new policy and the anticipated challenges especially in related to people. This will reveal the important information which was discovered through the interview process. This chapter will serve as the foundational information, which will then be analysed, and conclusions will be drawn to answer the research questions (Parker, 2023).

4.2 Bad buildings case studies within inner-city Johannesburg

4.2.1 Usindiso Building

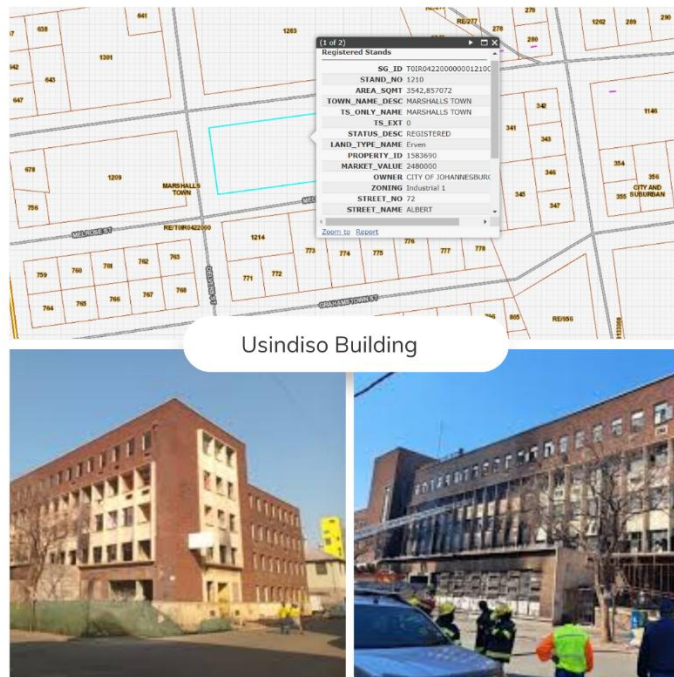


Figure 4: Usindiso Building (Source: (Manzini, 2024))

Beginning with the building which opened the scene for this report is that of Usindiso building. Usindiso building is owned by the City of Johannesburg, zoned as Industrial, standing at Erf 1210 Marshalls Town and has not always been a place of tragedy as it's known as today. The building as can be seen by the picture as being 5 stories tall with a beautiful red face brick exterior and great accessibility falling on Albert Street, Marshalltown in the heart of the CBD.

The Usindiso building was initially home to the city's Pass Office under the apartheid regime, in which black South Africans would apply for documents to allow them to work and travel through the previously white-run city (Mabasa, 2024). After the fall of apartheid, the building stood empty for a short amount of time before it was taken over by the Transvaal Provincial Administration in the 1990s. In 1994, the building once again found a new use when a non-profit organisation converted it into a shelter for abused women and children known as the Usindiso Ministries Women's Shelter. This shift marked not only a new beginning for the building itself but also stood as a monument of change that a previously male dominated space could now function for women. This provided a sense of empowerment to the previously disadvantaged, which was a goal for the new post-apartheid government. In 2007, the building was recognised and declared by the City of Johannesburg's Department of Arts, Culture and Heritage as an official heritage site (Kgosiemang, 2015).

Unfortunately, the non-profit organisation that took over the building ran out of funding and the building ended up being hijacked by a Cartel group that is unknown by the city of Johannesburg, resulting in the buildings state of despair, which went up in flames (Mabasa, 2024). In the Commission of Inquiry which was held after the fire which shook Usindiso building, it was found that the building had been abandoned

by the COJ and Johannesburg Property Company (JPC) dating as far as back as 2019. This was seen through the lack of various health, fire-safety, town planning and building control all at the hands of, or lack thereof JPC, Johannesburg Water, City Power and Pickitup (Socio-Economic Rights Institute of South Africa, 2024). In addition to the characteristics of the Usindiso building, even though the building had been formerly converted into a woman's shelter, it still to this day, falls under the zoning of Industrial rather than Residential. It was also noted in the Commission of Inquiries findings that if the city and/or owners had fulfilled their duties, the consequences of the fire could have potentially been mitigated (Socio-Economic Rights Institute of South Africa, 2024). This indicated that owners and municipality have a responsibility to ensure that their properties are in suitable consideration for their occupiers and their failure to do some are a contributing factor to the development of bad buildings. The characteristics listed above all fall in line with what could be considered inadequate housing and embody what bad buildings in themselves are.

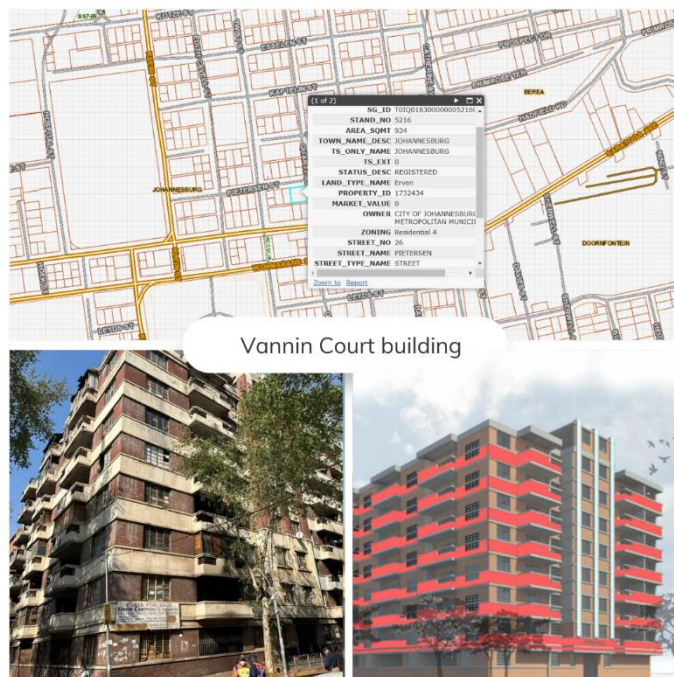
Soon after the disaster struck Usindiso building, the Temporary Emergency Accommodation (TEA) policy which was developed in 2021, for cases of disaster such as this, kicked in. This policy was adopted by the city as a means of addressing the delivery of temporary affordable housing in the inner-city and providing shelter for displaced residents, especially in cases of eviction and recurring fire disaster such as that seen through Usindiso (Banda, 2024). According to COJ, this temporary housing is provided to those who require emergency housing in accordance with the TEA or Temporary Relocation Area (TRA) and should not exceed a period of six months (City of Johannesburg , 2021). After the shock of the fire, the city had to take immediate action to rehouse the survivors and resorted to placing the previous residents in various shelters across the city. This solution was not sustainable and shortly after this, the residents were relocated once again to a settlement known as Denver (Mutandiro, 2024).

Denver settlement, which is located in an industrial area outside of the city, was home to the survivors of a fire which occurred in Delvers Street in 2023 as well as the evictees of another bad building known as Remington Court. Despite the settlement already housing an existing population, it lacked services and requires its residents to cross railway tracks to access the shops (Mabasa, 2024). Supporting this, Mutandiro (2024) added that the community relies on two communal taps for water and women suffered health complications from the conditions of the chemical toilet. During the rainy seasons, the inadequacy of the settlement is brought to light as seen through the amount of families who have suffered flooding, which has destroyed the few existing possessions they had left (Mutandiro, 2024). In terms of physical appearance, the settlement consists of a collection of hundreds of one room homes built with paper thin

corrugated walls. Many professionals are referring to this emergency housing as an informal settlement in itself (Carte Blanche, 2024).

A year after the Usindiso building went up in flames, many news platforms such as ENCA and Carte Blanche have followed up on the situation, revealing that the residents have gone from one extreme—fires—to another, dealing with floods. The property in which the Denver informal settlement is located was intended to be a parking lot for impounded vehicles. However, the flatness of the Denver informal settlement and the lack of slabs, which the shacks were supposed to be erected on, were not provided. Instead of finding permanent housing for these survivors, the city is planning to expanding their informal settlements. The plan for the Denver settlement, as confirmed by city officials, is to demolish the informal settlements and return the site to an impound lot as initially planned. Carte Blanche, who broadcasted this story, stated that this seems like a waste of materials (Carte Blanche, 2024). The Usindiso fire revealed inadequacies in the cities plans and policies catered for Bad buildings and informality as a whole.

4.2.2 Vannin Court Building



Another bad building which has made headlines before Usindiso is that of Vannin court. Located on 19 to 27 Pietersen Street in Hillbrow and zoned as Residential 4, Vannin court is an amazing 8 story tall building which was once coveted for its location (Grange, 2019).

Figure 5: Vannin Court Building (Source: Authors Own)

When addressing the challenges of bad buildings and in particular that of Vannin Court, Herman Mashaba, the mayor at the time, described the phenomenon as a major problem where the people of South Africa are living in deplorable conditions and being mistreated and abused by slumlords who extort them for

money (City of Johannesburg , 2018). The financial significance he was referring to can be seen in the Vannin court case, in which the occupiers were renting beds in the units for anywhere ranging from R250 up to R1200 per person (City of Johannesburg , 2018). These occupiers distinguished the receivers of their rent as the 'owners' of said building, even though the building was under the possession of the municipality at this particular time (Times live, 2017).

Vannin Court has had a rocky history of potential upgrades, however none of these attempts have ever surfaced. Looking into this in January of 2019, Vannin Court was announced as one of the first three of eighty-four buildings which had been earmarked for development. The contractor who was awarded this upgrade or rather revamp opportunity worth R45 million was ECG Construction (Mkize, 2019). These efforts were supported by eviction raids, which occurred in the building in June of the same year. Despite this, it was confirmed by ward councillor, Cabral Mmbengwa, that within a few days, the occupants had already moved back (Sibanyoni, 2023). Following this, multiple further shut down attempts were had, failing at the hands of residents not wanting to leave and threats.

Another contractor was once again awarded the upgrade in June of 2019. On this occasion, the plans and designs were all complete, however the project was halted at the financial stage. There have been many accounts of why this upgrade failed. From the JPC side, they believed the project failed due to the building being hijacked and developers lacking funds (Nchwe, 2024). The Spokesperson of the Sowetan was under the impression that the failure was to the accord/on the account that the hijack of the building slowed down the development process, a lack of alternative accommodation for the building occupiers and a lack of funding in these regards (Sibanyoni, 2023). The upgrade of the Vannin Court building would have been a victory for the city as it would have not only show their capability to upgrade a single building, but would spark the possibilities of interfacing upgraded bad buildings with the neighbouring building owners and precinct management to integrate the building into an existing urban amenity (Grange, 2019).

Years after talks and plans for the upgrade of the Vannin Court building were put into motion, nothing has happened. The project had been swept under the rug and brought back to light with the rise in media attention, following the Usindios building fire. A week after this fire occurred, the government once again returned to inspecting the Vannin Court building as if it hadn't been earmarked and planned for development over 4 years prior. The ownership of the building had been a battle between the municipality and the hijackers who ended up victorious as they were able to continue business as usual after the failed upgrade attempt from the city, according to the officials of JPC (Sibanyoni, 2023). The residents of many bad buildings, including Vannin Court, have been instructed to vacate the premises on many occasions as

it was found that the buildings are unsafe for human habitation (Sibanyoni, 2023). One of the city's acts that regulates this is the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (PIE). This act entails a protection which states that people cannot be evicted without receiving a court order, which is made after careful consideration of all relevant circumstances. This protects residents in these buildings on the basis that, occupiers who would be rendered homeless by an eviction cannot be evicted, unless the state provides alternative accommodation (Dugard & Ngwenya, 2019)

According to PIE, it would be the municipalities' responsibility to find temporary housing for these people during the process, however due to the high costs of alternative housing, upgrading efforts continue to fail. Dodd, who was one of the architect subcontractors appointed to redesign the larger units in the Vannin Court building into smaller, more affordable self-contained units, also notes the municipalities failures by stating it's saddening to see the city focus their attention of the same building that has been problematic over the years as a scapegoat when confronted with their inability during the Usindiso case (Sibanyoni, 2023). All of these factors put together paints a picture that bad buildings as a whole are a struggle for the municipality to wrap its head around and the plans they have developed, such as those seen above for the Usindison building and Vannin court building cases shown above, are inadequate since they continue to fail. This failure is primarily at the hands of the City of Johannesburg and is rooted in misuse of funds and resources which often leads to plans and initiatives failing at implementation stage.

From the two cases above, similarities and differences can be drawn amongst the buildings and with the characteristics that constitute bad buildings. In terms of the characteristics, it can be seen that both the buildings are all lacking efficient bulk services as a result of negligence and disaster as well as physically having a dilapidated appearance. These buildings are typically unlawfully occupied by marginalised groups, including the disabled, foreigners and the poor (Wilhelm-Solomon, 2016). Therefore, it can be concluded that these two buildings align with the requirements of bad buildings. These two examples above are perfect for illustrating the difficulties and dangers that are associated with bad buildings. Remaining on the dangers, it can also be seen that each of the buildings have been victims of crime related fires and have never had upgrade efforts or further attention given to them post-fires.

4.3 Findings

Through the data collection phase, the interviews had been catered towards attempting to answer the research questions of which the main research question was "Can classifying Johannesburg's inner-city's bad buildings as informal settlements and treating them as such assist in assist in the provision of adequate housing and rid the city of bad buildings?". The first part, which stands out, is if the bad buildings

can be classified as informal settlements. When beginning the interview process, it was important to first establish what the participants consider to be an informal settlement. The City of Johannesburg has not released their own official definition of an informal settlement, however, the Housing Development Agency (HDA)'s definition, which has already been unpacked, states that an informal settlement is "an impoverished group of households who have illegally or without authority taken occupation of a parcel of land (with the land owned by the Council in the majority of cases) and who have created a shanty town of impoverished illegal residential structures but mostly from scrap material without provision made for essential services; and which may or may not have a layout that is more or less formal in nature." (Housing Development Agency, 2014:10). Below, a deep dive will be taken into establishing what the various professionals believe an informal settlement is and if these characteristics align with what they see across bad buildings in the inner-city align.

4.3.1 Informality and its significance

When the interviewees were to provide their definition of an informal settlement, a factor which remained consistent through all six interviews was the fact that informal settlements are occupied unlawfully, they are not planned, they don't have land use rights and are lacking in basic services. The definitions of the participants were supported by Huchzermeyer and Karam (2006) who define an informal settlement as a settlement of urban poor, which has developed through the unauthorised occupation of land.

Once the definition of an informal settlement was established, it was vital to then understand if based on their definitions and the characteristics of an informal settlement if they would in their professional opinions define bad buildings as informal settlements. In the table below, the answer to the previous question can be found and the specific response the participant gave in support of their answer. The table also indicates the organisation and department the participant was representing to link their line of work and expertise to their opinions.

With the definition you provided of an informal settlement would you consider the bad buildings of inner-city Johannesburg as informal settlements?

Interviewee	Organization	Department	Yes or No?	Response
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<i>Interviewee 1</i>	City of Johannesburg	City Transformation and Spatial Planning	No	"In my understanding bad buildings and informal settlements are two different phenomena"
<i>Interviewee 2</i>	City of Johannesburg	Planning policy and Research	Yes	"They're lost places"
<i>Interviewee 3</i>	City of Johannesburg	Human Settlements	No	"Not entirely"
<i>Interviewee 4</i>	City of Johannesburg	Human Settlements	Yes	"Ohh confidently yes, I would"
<i>Interviewee 5</i>	City of Johannesburg	Human Settlements	No	"I wouldn't necessarily say they're informal settlements, I recognize that indeed there is huge informality in those buildings and I recognize that there is formality in those particular buildings"
<i>Interviewee 6</i>	Socio-Economic Rights Institute of South Africa	Research	Yes	"I mean a lot of it bears a lot of the characteristics of an informal settlement"

Table 5: professionals standing point on bad buildings being considered informal settlements (Source: Authors Own)

From the table above, it can be seen that the opinions of the participants were split in the middle with 3 believing that the bad buildings were informal settlements and 3 believing that they were not. It is of importance to note that even those who were on the side of "no" still managed to acknowledge that the bad buildings had some informal characteristics. Interviewee 6, being the researcher from SERI, made an interesting analogy stating that labelling an area as an informal settlement doesn't mean any significance to the residents of the building unless the situation on the ground is changed. The question then arises of what is the significance of labelling an area as an informal settlement? Zarate (2016) states that by

providing an area with a label such as informal, shack, favela and so forth, it highlights their negative characteristics and a connotation of disapproval. In other words, by labelling an area as an informal settlement, it acts as an adjective to describe the physical conditions of the settlement and its general inhabitability (Zarate, 2016). Branan (2010) has also offered an opinion stating that settlements are categorized to determine distinct things which could set objects apart and allow individuals to comprehend those differences and process and categorise their environments .

Beginning with interviewee 1, the planning policy maker, this participant found the significance of categorising an area as an informal settlement, on a general plane, lies in determining if the area itself qualifies to be an informal settlement and facilitating resource allocation processes. On more of a policy maker side, she finds significance in creating initiative, which are specifically tailored to meet the needs of the population. She then proceeded to hand the baton to the Human Settlements Department, as they work together in the identification process to create plans or incorporate these areas into existing or proposed plans, such as the UISP..

The human settlements officials and in particular interviewee 4 supported the sentiments of interviewee 1 by stating that once due diligence has been done in the actual process of registering and categorising an area as an inform settlement, it allows for other departments to also fulfil their respective roles in implementing directorate and running the USB programme accordingly. By extension when an area is labelled as an informal settlement it opens the door to further investigation of understanding the dimensions of the informal urban phenomena, the quantity and characteristics of the communities residing in these settlements and what interventions can be taken to deal with the challenges (Samper , et al., 2020). Interviewee 3, also falling in the human settlements department, summed this up by stating that the importance of labelling an area as an informal settlement opens up way for the next steps within the UISP which consists of conversations revolving around upgrading and formalisation while simultaneously allowing service delivery measures to kick in.

The consequences of not labelling areas as informal settlements can be seen across many international cases in which the governments refuse acknowledge the existence of informal settlements leading to the undermining of city-wide sustainable development and prosperity (UN-Habitat, 2015). Based on this, it is vital that the city officials see the importance of classifying areas as informal settlements. In the same breath considering that bad buildings have similar characteristics to informal settlements, by not labelling bad buildings and preparing them for intervention they also have the potential of undermining city wife sustainable development and prosperity. The development process, which was mentioned by interviewee

3 is as follows: in order for upgrading processes to begin the settlement first needs to be classified as an informal settlement through having all the relevant characteristics that constitute to an area being an informal settlement, identifying the area as an informal settlement by means of specific documents and policies such as the UISP from this an assessment of what action (catered to the specific settlement) needs to take place between upgrading, provision of services and relocation will be established in order for the budget to be availed for said action.

Three of the participants, when taking bad buildings into mind, did not consider them as informal settlements. To validate their response, it needed to be established why they did not see these buildings as informal settlements especially after some of the characteristics of these buildings aligned with that of informal settlements. From interviewee 1, on the slide of planning policy development, the nature of how the settlement was created is what pushes her on the side of not categorising bad buildings as informal settlements. She states that informal settlements arise from broader issues and multiple failures such as the lack of affordable housing, inadequate planning and insecure tenure bad buildings are more a result of poor construction practices, inadequate maintenance and a lack of enforcement of buildings codes. Similar to this and in the same department, interviewee 3 had the sentiment that in the case of high-rise residential and commercial buildings the people have occupied these rooms as it was initialled planned for but with minimal up keep. He added however, in the case where this occupation is occurring in previously industrial buildings with the development of shacks inside them, this can be seen as an informal settlement. In this participant's sentiment, the zoning of the buildings played a bigger role in the consideration of informality.

The third instance of disagreement of bad buildings being considered informal settlements came from interviewee 5, being one of the professionals in the Human Settlements department. He stated that while he can recognise informality in bad buildings, he also often recognises aspects of formality. He goes on to add that these buildings are located in appropriate areas and, at one point, had characteristics that identified them as formal. These buildings have gone through a transformation by means of a change of use and in some instances the hijacking process which has invited in elements of informality. One of the important characteristics which make this participant not consider bad buildings as informal settlements is that of the buildings being identifiable by formal addresses, which is contrary to informal settlements where one may not be able to tell someone where their shack is located by a stand number and street address. In this sense, the challenge is not necessarily one of land use or a lack or presence of formality or informality but rather that if building compliance.

From these three opinions the factors of origin, zoning, ownership or hijacking status and presence of formal addresses are the methods which are used to differentiate between formality and informality in settlements. Owen and Wong (2013) have done some research on the methods which should be considered when differentiating informal settlements from other settlement typologies and advocates for the use of discriminant function. A discrimination function is the process of separating observations into district groups based on their specific variables. This process can be seen being used most effectively through the use of variables such as vegetation and patch size, entropy on roads, profile convexity, vegetation compactness, road density and soil coverage. This is in line with the ideology that informal settlement occurs sporadically on open pieces of land (Owen & Wong, 2013).

4.3.2 Integration or development of new policies

Should bad buildings be integrated into existing policy for informal settlements or a new policy?

<i>Interviewee</i>	Organization	Department	Yes or No?	Response
<i>Interviewee 1</i>	City of Johannesburg	City Transformation and Spatial Planning	No	Bad buildings would best benefit from its own policy
<i>Interviewee 2</i>	City of Johannesburg	Planning policy and Research	Possibly	
<i>Interviewee 3</i>	City of Johannesburg	Human Settlements	No	"The dynamics of the Inner-City are different as opposed to other areas" existing policies won't do problem justice.
<i>Interviewee 4</i>	City of Johannesburg	Human Settlements	No	"A new policy is needed"
<i>Interviewee 5</i>	City of Johannesburg	Human Settlements	Maybe	Wouldn't fit as bad buildings are not informal settlements but "would open up funding from National"
<i>Interviewee 6</i>	Socio-Economic Rights Institute of South Africa	Research	Yes	Seems sensible and would be something that could be supported by SERI.

Table 6: Integration of bad buildings into existing policy for informal settlements or a new policy

The table above indicates the responses of the participants when they were asked if bad buildings should be integrated into existing policy for informal settlements or if a new policy should be created instead. The aim of this question was to establish if bad buildings could still benefit from the policies created from informal settlements even though they have not been classified as such. From the responses of the participants it was seen that 3 were in disagreement of this feeling that bad buildings should just have their own separate policy and interventions as they are a separate phenomenon; 2 were undecided feeling that bad buildings are not informal settlements but could possibly benefit from other policies such as financial assistance from a national level through the UISP; and 1 felt that bad buildings could benefit from the policies created for informal settlements, regardless of if they are categorised as informal settlements or not. The significance of these answers and the potential of integration of bad buildings into other policies and initiatives will be discussed in detail further below.

The significance of establishing an area as an informal settlement has been divulged above. The idea behind this study is that by identifying bad buildings as informal settlements, this could possibly assist the municipality to deal with the challenge of bad buildings and the provision of adequate housing. To determine this, the next two questions which were presented to the participants revolved around firstly determining if a reclassification of this magnitude would even be possible and secondly if they believe in their professional opinion that it would actually make a difference in the municipality's aim to reduce the city of bad buildings (City of Johannesburg, 2018). Across all the participants it was revealed that a reclassification such as this would be possible however very complex. Interviewee 4 went into further detail by breaking the complexities of this task varying from determining ownership of the buildings, going through court cases to claim buildings where the owners cannot be located, court cases in which the owners of these bad buildings are suing the city for the unlawful occupation, conversations between the municipality and owners around topics of possible sale to the municipality and plans of relocation in the cases where owners are not willing to part ways with their properties. Overall the current methods that the municipality has taken on to deal with bad buildings are quite confusing and don't necessarily have a set course of action which makes them difficult to follow.

In spite of all of the challenges and complexities that the municipality is dealing with in regards to bad buildings as seen from the above, they still have a constitutional responsibility to ensure that the conditions in the bad buildings are habitable as there are inhabitants. Municipalities struggle to deliver services has mainly affected marginalised communities which could be argued require the governments

assistance the most. The dissatisfaction of citizens has resulted in a rise in large-scale protests across the county since 2008 (Chili, et al., 2023). The biggest one of these challenges which has slowed down many of the upgrade efforts as revealed by interviewee 4 is the ownership of the buildings. In the cases where the buildings are not owned by the municipality the municipality needs to first locate the owner. However, based on the challenges of maintenance and upkeep of these buildings becoming too challenging for the owners (as revealed in the background which resulted in the abandonment of many of the buildings which can be seen today) the municipality is unable to locate said owners. Interviewee 3 gave some insight into this stating that even though these buildings are in a dilapidated state, they are still an asset and possible upgrade efforts would bring the value of these assets up, based on this the municipality cannot make formalisation or upgrade plans for buildings which they do not own.

The next step would be to investigate the possibility of reclaiming these buildings to the possession of the municipality through court cases. However, court cases of this nature take years which is time that the residents of bad buildings do not have. Ultimately, the most viable, if not the only option, becomes relocation. Through uncovering this process, one begins to question how it would differ in cases where people settle on privately owned land and erect shacks. The professionals reiterated that the same process previously established would apply, ultimately leading to relocation. Interviewee 6 as the researcher from SERI gave an important statement to this, noting that regardless of if unlawful occupation occurs on abandoned or hijacked land or buildings the municipality still has to ensure that the residents have access to basic services. In this regard it seems that before relocation efforts are considered, provision of services should be prioritised.

The processes developed by the municipality for addressing bad buildings and informal settlements appear to share similarities. The lack of sufficient plans specifically suited to bad buildings suggests that integration may be the most practical solution.. However, it is also important to note that even though this reclassification and treating of bad buildings as informal settlement is possible many of the professionals, especially those that do not view the bad buildings as informal settlements, do not necessarily believe this would be the best plan of action. Instead, based on the differences of bad buildings and informal settlements which were unpacked in the literature review and the earlier on in the findings, they rather suggested specific plans developed for bad buildings as a phenomenon themselves instead of as an integration as hypothesised in this study. Contrary to this, from SERI's perspective, they wouldn't necessarily see challenges in a reclassification such as this and would instead be something they would support. This belief was on the basis that the policy that already exists has shown to be beneficial and as

stated is already there. This participant felt that a new policy may take time to be established and the people who reside in bad buildings and are affected by them daily are looking at any policy that would better their lives regardless of what it is.

Through this report, it has been established that the occurrence of bad buildings revolves around people seeking economic opportunities in cities. Based on this, the two major cities which are faced with the challenge of bad buildings are Durban and Johannesburg, which are also two of the eight metropolitan municipalities in the country (ABC News, 2023). Thus, it can be seen that bad buildings are not a national challenge. This is also evident in the lack of mention of bad buildings in national housing policies and frameworks such as the National Housing Code. When referring to the question of if classifying bad buildings as informal settlements could actual make a difference in the municipalities aim to ride the city of bad buildings, interviewee 3's perspective stood out. This participant did not believe that bad buildings are informal settlements but had an opinion that by classifying them as such it could potentially unlock communication, resources and funding from national and provincial levels. However, in the same breath the use of a policy which was not created with bad buildings in mind could also lead to other challenges such as inappropriate intervention . This would be crucial, as one of the key challenges the municipality has expressed in addressing bad buildings is a lack of funding, particularly when considering the costs of upgrading, formalising and implementing Temporary Emergency Accommodation (TEA) processes.4.3.3 Residents and factors which could be a challenge to reclassification and upgrade

Residents and Possible challenges anticipated from the professionals

<i>Interviewee</i>	Organization	Department	Anticipated challenges
<i>Interviewee 1</i>	City of Johannesburg	City Transformation and Spatial Planning	Residents often don't want to be relocated during upgrades.
<i>Interviewee 2</i>	City of Johannesburg	Planning policy and Research	Creating and implementing a new policy will take time and budget that the municipality may not have access to.
<i>Interviewee 3</i>	City of Johannesburg	Human Settlements	"some are foreign nationals with no documentation, which deems them unable to qualify for state housing"
<i>Interviewee 4</i>	City of Johannesburg	Human Settlements	The first challenge would be finding the owners of the buildings as upgrades can not be done without them.

<i>Interviewee 5</i>	City of Johannesburg	Human Settlements	Some residents are there by choice due to low rentals to hijackers and may not accept rental costs post upgrade.
<i>Interviewee 6</i>	Socio-Economic Rights Institute of South Africa	Research	Residents are not challenges, they are the recipients and should be catered for. They would accept anything that improves their living conditions.

Table 7: Residents and possible challenges anticipated from the perspective of professionals.

The broader purpose of this report is to find methods of providing more adequate housing. From this, it can be seen that this research is for the beneficiaries who have been suffering in poor living conditions in bad buildings while they constitutionally also have a right to habitable conditions. Based on this, it was important to get the perspective from an organisation which has been known to represent marginalised communities such as that of the residents of bad buildings. In this regard, the organisation which was chosen was SERI. SERI is a non-profit human rights organisation that works with communities, social movements, individuals and other non-profit organisations in the country in order to advocate and assist with developing and implementing strategies which challenge inequality and realise socio-economic rights (Socio-Economic Rights Institute of South Africa, n.d.).

As seen through the Vannin Court case where the residents refused to move out or returned days after evictions occurred (Sibanyoni, 2023), the people themselves also pose as an element of difficulty in development attempts. With this in mind, one can possibly consider the challenges that may potentially be involved from and concerning the relevant communities. The people in themselves should not be considered a challenge as they are simply seeking a better quality of life and sense of dignity. This was reiterated by the researcher from SERI in which he stated that no one would want to live in conditions where they do not have access to basic services and as the municipality they should cater to the needs of the people and not necessarily that of financial benefits as seen through prioritisation of more affluent areas and investment initiates into bad buildings over purchasing and upgrading efforts.

From the researcher from SERI's opinion, the communities in themselves are not a challenge when consulted. A step which is often by passed or not as highly considered for plans of this magnitude is community participation. Community participation can be defined as a theory and practice which is

related to the direct involvement on citizens and action groups whose interests are affected by certain decisions and actions in their area. From this a statement it can be seen that those who are affected by a decision have the right to be a part of the decision-making process (Lachapelle & Austin, 2014). In this regard the opinions of the owners of bad buildings and the occupiers of said buildings need to be taken into consideration as the custodians and beneficiaries of these inner-city properties. When there is a lack of effective community participation, the communities often reject plans and upgrades as they do not cater to their needs.

4.4 Conclusion

When wrapping up this chapter, a few points of interest can be made for analysis. Firstly, it can be noted that through the interviewing process the participants were split down the middle between those that consider bad buildings to be informal settlements and those that do not. However, all of them were able to find aspects of informality in formality and aspects of formality in informality. Possibly the line which separated the two is not as definite as was revealed in the literature review. When looking into what significance labelling an area as informal holds, it did not seem to possess as much of a conceptual meaning as it did a methodological one. The significance was not so much in the physical state of the building alone but also had heavy significance as a step towards an identification, categorisation and initiation of a potential upgrading process. This further illuminated the ideology of the line between informal and formal not being as definite as was assumed.

Bad buildings may not be exactly the same as informal settlements as seen by their differences which were revealed in the literature review. However, with the line between formality and informality being blurred bad buildings may not have to necessarily be considered informal settlements in order for them to be treated as such. The similarities in how the municipality deals with informal settlements and bad buildings, through means such as the provision of basic services, upgrading initiatives and support through emergency services, despite was established. The benefit of also possibly unlocking funds and assistance from national level through integrating bad buildings into existing initiatives such as the UISP was a point which stood out. However, another possible avenue which could be considered is to create a new initiative for bad buildings as a whole (based on their differences) and integrating this plan as a national phenomenon instead of just that of local government.

When taking a look into the people themselves and how they could potentially be affected or behave at the account of a new initiative or the integration of bad buildings into existing initiatives, it was found that they wouldn't necessarily be concerned by what the buildings are referred to but more with what changes

that would have to their standard of living. In the context cases such as Vannin Court, it was found that even through the municipality's efforts, people wished to continue to reside in these bad buildings at the account of more economic opportunities and financial challenges (Sibanyoni, 2023). In the case of Usindios where people were migrated to a settlement which was in an industrial area far from economic opportunities, they lost their sense of empowerment and were unable to make a good quality of life (Carte Blanche, 2024). A disconnect in communication between the city which is creating the plans and the people who the plans are supposed to be created for was found due to a lack of adequate community participation. To understand the themes above and their relation to the study, they need to be analysed and compared to other concepts such as the right of the city, the extents of informality and housing options which are not necessarily considered the norm.

Chapter 5: Analysis

5.1 Introduction

Through the previous chapter of findings, three themes have been unlocked as informality and its significance, possibilities of integration or the development of new policies, and residents and factors which could potentially be a challenge to reclassification and upgrade processes. These three themes align with the three sub questions and will be used to support and answer the main research question. The main research question being 'To what extent can classifying Johannesburg's inner-city's bad buildings as informal settlements and treating them as such with in situ upgrading assist in the provision of adequate housing and rid the city of bad buildings?'. To answer this research question, it will be broken down into three further sections and related back to the three themes that were unlocked in the findings chapter and the three sub questions that were developed in the first chapter.

5.2 Analysis

Beginning with the first part of the main research question '**to what extent can classifying Johannesburg's inner-city's bad buildings as informal settlements**', which revolves around determining if it is possible to classify the inner cities bad buildings as informal settlements. This links to the findings theme of informality and its significance. Continuing with the next part of the research question **and treating them as such with in situ upgrading**, in simpler terms in this part of the research question we are investigating if in situ upgrading, such as that developed in the UISP, could be used to treat the bad buildings in the inner city. This section related back to the findings theme of possibilities of integration into existing policies or the development of new policies for bad buildings. The final section of the research question as **assist in the provision of adequate housing and rid the city of bad buildings**, is centred around the purpose of why this study is being done to improve the housing situation in the inner-city. This ties back to the findings theme of residents and factors which could potentially be a challenge to reclassification and upgrade processes. Through this process it can be seen that in the chapter we will be relating the work back to the conceptual framework developed in chapter two and comparing it to the hypothesis and the theoretic claims which have been made and determining if they are in fact truth.

5.2.1. Why is it problematic and not very useful to classify Johannesburg's inner city bad buildings as informal settlements?

When taking into consideration the opinions of the professionals that were interviewed, it was clear to see that half of the participants fell on the side of agreement that bad buildings are informal settlements and the other half did not. The side of agreement was on the basis that bad buildings are not a form of adequate housing and foster informal activities such as illegal trade and other crimes. Whereas the half

that was in disagreement was on the basis that the buildings have been planned for as seen by the sustainable materials used, the previous formality and the suitability of the location of these buildings to economic opportunities.

Continuing with the side that does not see bad buildings as informal settlements, the work of Hoogendoorn and Giddy (2017) in “Does this Look Like a Slum? Walking Tours in the Johannesburg Inner City”, has gained popularity for its relevance in the human settlement’s world. In this report, geographical boundaries of the area were used as a means of defining an area as an informal settlement. By doing this, the report looked at Johannesburg inner-city as a whole being a slum instead of establishing specific buildings or areas within the city that could be informal settlements such as what this paper is attempting to display. This aligned with the reasoning of why the inner-city wouldn’t be considered an informal settlement as Frenzel (2014) has stated that informal settlements have a territorial stigma especially when looking at issues of ethics and racialising certain environments. Based on this, Hoogendoorn and Giddy (2017) argue that giving this territorial stigma to Johannesburg inner-city would be unfair as it is still a place of high economic power, mixed land uses and aesthetically does not match the criteria of slum tourism. In addition to the above, it is important to note that in Hoogendoorn and Giddy’s (2017) report, the classification was made for the purpose of tourism and not as an investigation for improving housing policies. It has already been established that many people may not see the informality of bad buildings as they are masked by the formality of previously formal business blocks, based on this, the conclusion of in Hoogendoorn and Giddy’s (2017) report does not align with the purpose of this paper.

The views of those who see bad buildings as informal settlements is also of importance and needs to be unpacked. Beginning with the private owners who have shared their views in court papers calling these bad buildings vertical informal settlements with cardboard partitioned dwellings instead of shacks (Mutandiro, 2023). This was on the basis that the conditions that people are residing in are undignified and inhumane. The UISP also acknowledges that if circumstances provide social stresses such as those which can be described as inhumane they should qualify for upgrading under the programme. Formality and informality especially in relation to settlements are considered as contrasts. However, in the findings chapter, a discovery was made that there are aspects of formality and informality that develop in bad buildings. The informality primarily lying in the unlawfulness of the occupation of these buildings, the materials which are used to subdivide the spaces inside the bad buildings, absence of secure tenure and absence of basic services. The formality, on the other hand, was identified through the presence of formal addresses, the use of formal materials for the exterior; interior and foundation of the bad buildings, formal

planning of the buildings even if it was not for the specific use the buildings have currently adopted and even though bulk services themselves are not present there is still infrastructure which can provide basic services such as water and sanitation. From this it can be seen that the old ideology of classifying settlements as formal and informal may not be adequate for these dynamics of urbanisation. The blur between urban and rural has already been discovered and unpacked above and in addition to this, when breaking down the settlement typologies in South Africa, informal settlements fell in both the typologies of urban and rural. The significance in establishing an area as an informal settlement seems to hold less weight and the question of what can be done to settlements portraying informality in order to make them means of adequate housing is the next question which needs to be explored.

Participant 3 made an interesting statement when distinguishing between informal settlements and bad buildings, expressing that in most cases people have occupied rooms that have been planned for that purpose or similar purposes but not maintained, which makes them bad buildings. On the other hand, there are industrial buildings that house shacks inside them and those kinds of buildings do qualify as informal settlements. When comparing this with Hoogendoorn and Giddy (2017)'s findings, a similarity is apparent that the phenomenon of bad buildings as a whole cannot be considered as an informal settlement as the economic vibrancy and sustainability of these buildings within the inner-city do not qualify for what is to be considered an informal settlement. Rather, certain buildings that are bear with individual shack like structures constructed on the inside would be considered informal. Participant 5 made a vital statement to these arguments that "it is not necessarily a challenge of informal settlements per say but rather one of building control". From this, it appears that bad buildings exhibit different degrees of informality. Buildings with rentable rooms fall under the category of bad buildings and primarily require rezoning and maintenance. In contrast, structures originally intended for industrial purposes, such as parking lots and factories, lack essential facilities like toilets and kitchens. These would require complete upgrades and could be classified as informal settlements.. In this case, labelling all dilapidated buildings located in Johannesburg inner-city as bad buildings seems to be the root of the confusion. By evaluating the degree on informality and amount of services available in these buildings, a more specific definition of bad buildings can be established and those which appear more as informal settlements can be declared and treated as such under the UISP. Some of the means of categorisation which could be used for this as seen through the ICHIP are Temporary Emergency Accommodation, Subsidised municipal rental rooms, subsidised private rental rooms, social rental housing, private sector rental and subsidised ownership. These categorisations are in line with housing in general and could be further broken down to cater for bad buildings. In line with this it is important to note that bad buildings

are not informal settlements but all dilapidated buildings are not bad buildings and therefore, need to be evaluated and distinguished between the two in order to determine how to deal with the challenge.

5.2.2 How policy limits the applicability of in situ upgrading to bad buildings

This part of the research question is centred around the validity of the possibility of in situ upgrading of informal settlements. Through reviewing the different policies and initiatives that have been developed for bad buildings in the literature review, it could be seen that each past mayor of Johannesburg has developed some type of plan or initiative to deal with bad buildings and informal settlements in the Johannesburg inner-city. Of these mayors, one which stood out is Tau. Mayor Tau fell between the period of mayor Masondo in which the ICPS had been developed and mayor Mashaba in which the ICHIP had been developed (City of Johannesburg , 2011). Mayor Tau had some substantial work done on the ICHIP during his reign and made strides in the world of informal settlements through the development of the reblocking system. In this system, informal settlements were reblocked in order to open space and allow for emergency vehicles to enter informal settlements and reducing the risk of disasters such as fires in informal settlements (Forster, 2014). This method of reblocking can be compared to that of the master plan developed for informal settlements in the Egyptian case. This plan as previously discussed was centred around the idea of removing random buildings to create formal residential communities. This plan would have been too costly in the Egyptian case as it would require new homes to be built and old buildings to be demolished. In the Egyptian case, this was also complicated as the informal settlements in Egypt are still characterised by formally built homes with sustainable material that would be difficult to relocate (Khalifa, 2015). However, in the South African case this was less of a challenge as informal settlements usually consist of weak single room homes with insufficient materials such as corrugated iron for the structure itself. From this, it can be seen that an idea that was developed for another country could still be reworked and integrated to work effectively in the South African case.

Moving on to the last part of the research question which states “assist in the provision of adequate housing and rid the city of bad buildings?”. This is ultimately the purpose of the report as the end goal, with the addition of further research, would be to assist in ridding the city of inadequate means of housing, such as the conditions seen in bad buildings, rather than ridding the city of the bad buildings as a whole. Earlier the works of Lefebvre in terms of the right to the city and how he described it as a cry and demand were unpacked (Lefebvre, 2003). The lack of citizen involvement in plans and initiatives for bad buildings has been discovered as a lack of community participation and a failure from government. The cry and demand of Lefebvre can be compared to the community participation principles of ‘invited’ and ‘invented’

spaced of participation. 'Invited' spaces refers to state-led efforts and platforms of community participation and would be comparable to Lefebvre's demand, whereas 'invented' spaces are seen as spaces which are claimed by those who have become frustrated and don't have a voice in the invited process and have created a voice for themselves through unconventional processes such as strikes and is comparable to Lefebvre's cry (Kitchin, 2016). The absence of the participation of residents in the plans has resulted in the plans not being relevant to the specific target group and is indicative of the continuous failure of said plans. This was supported by the findings established when unpacking the Breaking New Ground in Chapter 2, that one of the reasons why housing policies and initiatives, such as that, continue to fail especially at implementation stage is a lack of input from residents and treating these upgrades as a tick box activity instead of following a rights-based approach.

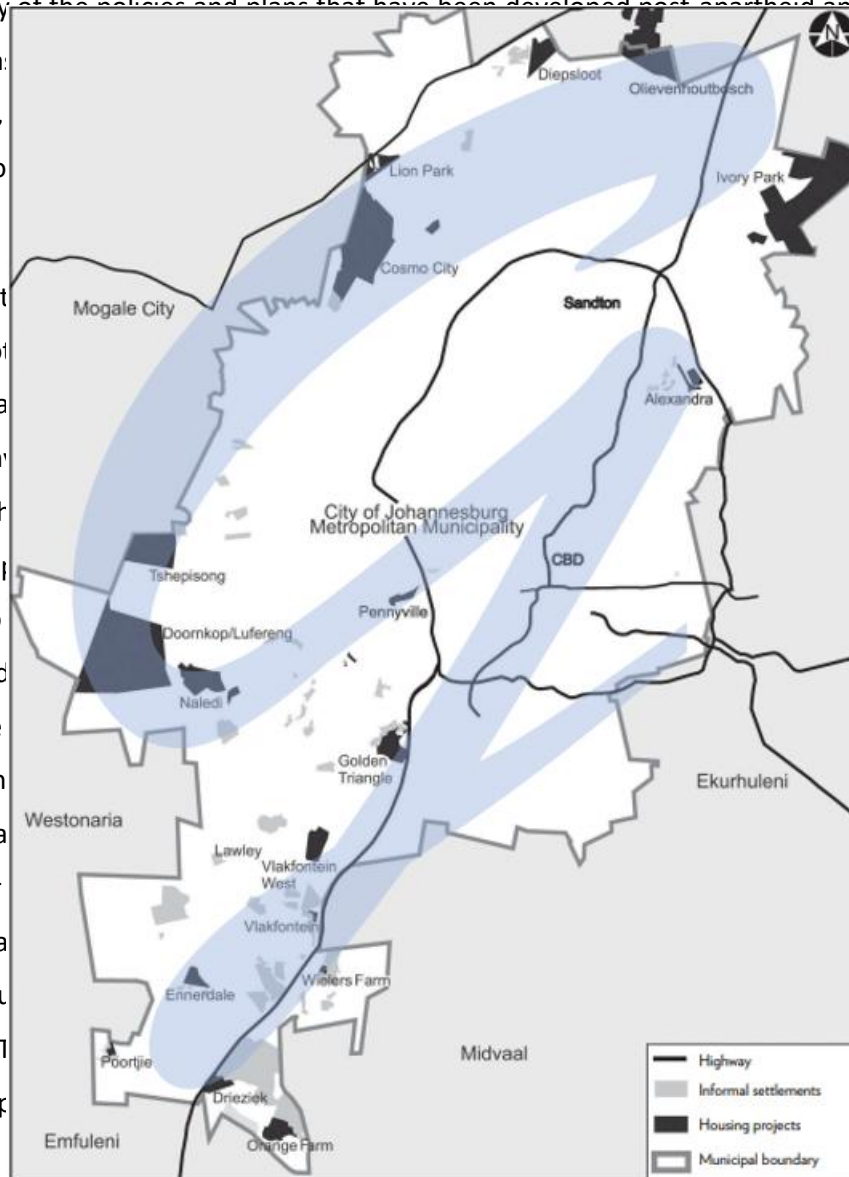
When dealing with informal settlements, councils often tend to lean to the three options of eradication, upgrade or simply ignoring them. Within South Africa, despite the launch of the UISP in 2004, the country still seems to lean towards eradication. This was observed through the resonance of the Cities Without Slums campaign, which was headed by the UN and the World bank, and the internal bureaucratic thinking of the South African Government. Settlements which house informality are driven by human needs and have proliferated over the past 12 years (Huchzermeyer, 2009). This was validated earlier on when it was established that these settlements will continue to prevail and formal development displaces informal settlements which mushroom in new areas around the city (Huchzermeyer, et al., 2014). Participant 6, being from outside of the municipality and speaking from a place of advocating for the residents, stated that the municipality and in fact the state as a whole has a constitutional responsibility to ensure that everyone has the right to adequate housing. In this case, the challenges that the municipality is having are irrelevant. Regardless of where informal housing is located, residents should have access to basic services before any discussions about upgrades take place. This is especially disheartening in the case of bad buildings as the infrastructure to deliver basic services is present but not functional, unlike in informal settlements where it is not existent.

5.2.3 Housing pattern in the inner-city and why informal housing is pushed to the outskirts

Through all the policies that have been unpacked above, a similarity which can be found amongst them is that they all strive to achieve adequate housing. The concept of adequate housing has been unpacked in Chapter 2 above through its interpretation in policy and literature. However, this question is not aimed at the adequacy of the housing itself but more the lack of adequate housing policy and how it has resulted in a sprawl of inadequate housing. It has been established that most of the housing policies that have

been looked at through this report have fallen short or not been ideally suited to the specific housing crisis of bad buildings in the Johannesburg inner city. Through the background, it was established that South Africa has had a unique and difficult past through apartheid. Due to the injustices and difficulties of apartheid, many of the policies and plans that have been developed post-apartheid and in particular for Johannesburg are not well suited to the current challenges, the needs of its citizens.

The second part of the report is important to note that the current buildings with a mixed-use environment description of the city to be in the shape of an oval and tapering to the west, mainly be found in the inner city, arching up to the north to a cluster in the west. This, it can be argued, is a government for well located space. It is stated that the purpose of the development, space of densification



city, high levels of unemployment, the challenges, the needs of its citizens. The inner city. It is a pattern of high raised buildings as intended to be a mixed-use environment. It provides a graphic description of the area is considered to be in the shape of an oval and tapering to the west of said oval. Housing projects can be found in the inner city, arching up to the north to a cluster in the west. This, it can be argued, is a government for well located space. It is stated that the purpose of the development, space of densification

However, it is important to note that there isn't much space remaining in the inner-city for interventions of infill development to be possibly (Charlton, 2014).

Figure 6: Low-income housing projects and informal settlements in Johannesburg 2011. Source: Data source GDLGH (2011). Cartography by Abdul Abed. Edit by Author.

5.2.2 Possibilities of integration or upgrade processes for bad building policy.

Above it has been established that when considering the blurs between formal and informal in settlements the labelling of a settlement as formal or informal does not have much of a purpose other than the fact that it acts as a means of categorisation, begins possible upgrade processes and opens up

funding resources and allocations. However, when it comes to possible investment and upgrading opportunities that could be done with assistance from the private sector, labelling an area as an informal settlement may have an impact on the willingness of people and organisations of this nature. Before getting into private sector involvement and how it functions in the government, an understanding of what the government is also seeking to achieve needs to be established. Historically, governments at the local level were seen as an instrument to ensure the delivery of basic services to communities and implement regulations. This is on the basis that local governments are closer to communities and therefore are able to have direct contact with them. The developmental role of local government as seen through various policies such as the reconstruction and development programme, can be summarized by the four characteristics of maximisation of social development and economic growth, integration and co-ordination of a range of services and regulations and the activities of other spheres of government and service providers, leading and learning in the building of social conditions favourable to development, and democratising development, empowerment and redistribution, particularly in respect of marginalised groups.

The lack of adequate housing in the Johannesburg inner-city has an impact on both the private sector and government. This is because a lack of affordable housing results in serious social problems such as homelessness, overcrowding, inadequate conditions and lack of tax revenue due to many households not having enough income for the housing (Diamond, 2009). These challenges affect the private sector as homelessness, informality and decay of neighbourhoods can have a negative impact on investments. To maintain existing investments and promote future investments for the private and public sectors, they are required to work in partnerships with each other (Dube, 2013). It is important to note that even though it is ideal for the private sector and government to work together, it isn't always necessarily easy as in some cases one of the parties doesn't come to the table or one party may seem to benefit more than the other (Dube, 2013). This is due to the fact that even though both organisations have the goal of providing adequate housing in the inner-city. They have different reasons for fulfilling this goal. From the property owners and developers' point of view, their main aim is to create a profit from their investment and are often not necessarily concerned and do not prioritise the actual provision of shelter. This often results in property owners and developers not maintaining their investments if they are not creating a profit for them anymore (Dube, 2013). In many cases, this led to property owners in the inner city abandoning their investments, which contributed to the challenge of bad buildings seen today. Meanwhile, for the municipality, urban regeneration has remained a major priority, with a focus on providing good-quality rental accommodation on a non-profit basis (Dube, 2013). This is on the basis that if there is no affordable

housing within the inner city where there is economic activity, low income groups find themselves being displaced to the outskirts of the city and informal settlements.

The lack of affordable housing in the inner city leads to other cascading consequences for the urban poor such as high transportation costs and long hours to commute from the outskirts to the inner city, resulting in an over tired work force, peak hour traffic and a loss of economic and social linkages between the urban poor and the city (Oelofse, 2003). One of the solutions to this challenge is through investments and housing subsidies provided through social housing institutions and several private property developers. However, it has been found that in many cases the lack of willingness to participate in the partnership comes from governments side. The private sector is seeking to make a profit and therefore, want to reach the goal in the most efficient manner that makes use of the least budget, resources and time. The municipality, on the other hand, may have the challenge of housing on their agenda, but this is merely only one of the many services they have to provide. Private organisations have a smaller scope of work for specific clientele whereas the municipality works for all people in the city and are spread quite thin. This shows the need for the assistance from private sector in meeting mutual goals. The lack of resources from the municipalities side has affected their presence in partnership project as can be seen in the case of the Vannin Court Buildings discussed earlier in the report. In this case, multiple contactors had been appointed for the upgrade of the Vannin Court building with the second even completing designs and plans for the remodel, however this crumbled at the financial stage (Sibanyoni, 2023).

Through investigating investment in regards to upgrades for bad buildings, it can be seen that the private sector is willing to meet with the government and provide their expertise and funding to assist in these upgrades. The labelling of the settlement as formal or informal did not have much of an impact on the willingness for investors to partake in possible upgrades but rather worked to the advantage of the municipality as the characteristics that accompanied the informality of bad buildings (crime, grime and homelessness) would have potentially affected existing investments and would therefore, be the first priority of investors and developers from the private sector. However, the issue at hand comes from the governments side. Government's lack of funding, resources and willingness to leave incomplete projects is the real contributor to the lack of upgrades that have occurred in the Johannesburg inner-city.

Through the interview process, participant 4 made a point from the side of the city. She stated that in order for the city to upgrade a building, the city first needs to own the building. In many cases, these bad buildings are privately owned and have been abandoned in their state due to a failure to meet the maintenance of said buildings and the high cost of municipal bills. However, as participant 6 stated,

regardless of if the municipality owns the building or not, there are citizens residing in these buildings and thus, have the constitutional right to receive basic services. From this, the struggles that the municipality is facing can be seen and can be considered to be one of the factors stopping the municipality from coming to the table in partnership situations. However, in the same breath an external opinion is also given from outside the city indicative that even though the municipality may have some challenges they can still ensure that the living conditions in bad buildings are habitable. This is supported by the Usindiso case, in which the municipality was held accountable for the deaths of 74 people due to their negligence in the provision of services. In the same breath, if certain amenities such as services are available in some of these buildings, investors would have more confidence in sponsoring upgrades or even adopting buildings.

5.2.3. Why have existing plans and frameworks for housing in inner-city Johannesburg fail

There are six housing policies, namely BNG, Better Buildings Programme, ICPS ICHIP, and the National housing code with the addition of the UISP (which accounts for two policies). Unfortunately, when it comes to the case of bad buildings, these policies have not been tested to their full potential as they often fail during implementation phase, this creates an image that the existing policies are either be insufficient for the magnitude of the challenge or not directly involved with bad buildings themselves. In order to ensure that future plans don't follow in the steps of these plans and also fail, an understanding of why the plans failed needs to be established.

Beginning with the BNG, the purpose of the BNG as a whole was to put emphasis on the process of delivery housing through the planning, engagement and long-term sustainability of the housing environment (Tissington, 2010: 65). However as established in Chapter 2 when reviewing the policy it was established that the BNG did make strides in the subsidy system but fell short in implementation which portrayed the policy to be more of a rights-based approach rather than a security based approach (Pithouse, 2009). The stride in subsidised housing can be seen through the new funding mechanism, which was implemented to support upgrading on an arearather than an individual (South Africa Department of Housing , 2004). Before implementation could take place, cracks in the initiative began to show. These cracks were seen when the Minister of Housing at the time stated that there is no intention by the Department of Housing to build low cost houses on the doorsteps of R3 million houses. This statement showed that there wasn't sufficient political will to actually aid in the provision of increased density of cities and ensuring the poor have accessibility to well located housing (Pithouse, 2009). This displayed the right based approach over that of secure tenure, which was previously mentioned. Huchzemeyer (2004) speculated and cautioned

that in 2004, there may not have been mainstream political interest in, nor bureaucratic support for, such a progressive innovation (Huchzermeyer, 2004)

Moving on to the BBP which was aimed at transforming bad buildings in the inner-city into a viable productive economic asset that would address the housing needs for those households earning below R3500 a month (Koali, 2017). The BBP in itself was a success with many bad buildings being transformed for the better. The mayor at the time, Amos Masondo, even went as far as stating that due to the BBP the Johannesburg inner-city had gradually changed from a place of grim, unsafety and dilapidated buildings to one of excitement to entice potential residents and business (City of Johannesburg, 2011). The BBP was focused on the upgrade and improvement of specific buildings making the scope too narrow as the challenge of bad buildings is one that has grown beyond select bad buildings and has become a city-wide challenge. Based on this, the BBP did not necessarily fail but rather fell short for the scope of Johannesburg inner city and was replaced by the ICPS. The ICPS was focused on restoring resorting investors' confidence back into the inner-city and rejuvenate the bad buildings in the city and transferring them to private owners in order to create revenue for the municipality. From this, it was seen that the scheme was designed to address urban decay and accelerate the rejuvenation of the inner-city (Ndaba, 2001). The ICPS was found to potentially leave residents of bad buildings homeless as they would be unable to pay rental costs of rejuvenated buildings. This policy was intended to create a city that is open to economic growth and investment, instead the city fell into a trap of economic and social legacies of the past political regime promoting homelessness and the dilapidation of bad buildings and the inner city as a whole (Manoshe, 2018).

Another housing policy which was discussed previously is that of the ICHIP. The ICHIP is a housing strategy and implementation plan for Johannesburg inner-city which considers all sectors of the housing market, while also considering the needs of all income groups with emphasis on the poor (Rebel Group, 2016). In the findings of Colleen Osmond's (2022) work, where she investigated if the ICHIP has been a failure or success, it was established that the ICHIP was intended to integrate existing and new housing programmes into a bigger holistic housing strategy to address the bottlenecks and deficiencies across the whole of the inner cities housing supply chain. Unfortunately, it failed to get the instrumental support it required to deliver a policy of the scope and complexity intended for the ICHIP, resulting in implementation that was fragmented and diminished (Orsmond, 2022). Many of the barriers that came to the surface when unpacking the implementation of the ICHIP was that the COJ's housing department did not have adequate resources (such as budget and staff) to facilitate this program. In addition to this, the partnership and

communication between the state and the private was also flawed, with the municipality not sharing relevant information or not willing to communicate at all (Orsmond, 2022). Through investigating why the housing policies in the inner-city of Johannesburg have failed, the work of Hudson et al. (2019) is of importance. They state that policies are rarely complete failures as they can often boast small success, and this can be seen through the BNG which was established was a great advancement towards the subsidy system but failed during implementation. In this case, 'weak implementation' would be a better description than 'failed implementation' (Hudson, et al., 2019). This aligns with this report as none of these policies necessarily completed failed and in fact many were well planned and thought out but all seemed to go wrong at the implementation stage.

From the above, it can be seen that many policies failed due to a variety of reasons ranging from little political will, treating housing delivery as a tick box activity, poor implementation, rushed projects, weak structures and budget. The municipality, as the entity responsible for providing housing and developing the policies which cater to the provision of housing, is often at fault for these shortfalls in the policy. The participants from the department of human settlements were able to provide some clarity on some of these short fallings from the municipality's perspective. Most of these plans seemed to be concrete on paper but failed upon implementation.

Bad buildings are not a phenomenon which occurs on a nationwide level and therefore are seen as the responsibility of the municipality in which the bad buildings can be found, such as Johannesburg. Due to this, it has been established that municipalities do not get budgetary assistance from the national sphere of government. This lack of acknowledgment also displays a lack of support of the challenge, aiding to the difficulties the municipality is facing.

5.3 Conclusion

Three research sub questions have been developed in order to assist the validity in answering the main research questions. The three sub questions were centred around the housing pattern that has formed in the inner-city as a resulted of inadequate housing policy, informality and its effect on upgrade through investment; and why the housing policies which have been implemented in the Johannesburg inner-city has failed. The ideal call to these challenges would be the implementation of in situ upgrading to bad buildings. This would entail integrating an existing policy (UISP), which has not failed in the case of bad buildings but similar to other policies does not often pass implementation stage due to a lack of adequate resources, financial constraints and challenges of dealing with existing occupiers.. Potentially the use of the UISP for bad buildings could bring more infill development into the inner-city and open up housing

options within the inner-city instead of on the outskirts. These housing options would allow the urban poor population to live in the city and integrate their social and economic livelihoods into the city. Investors would benefit from this as the upgrade of these buildings could improve the overall appeal of the inner-city which could positively impact their existing investments and open the door for new investments.

In order for the above to work the municipality has to act as a middle man advocating for these housing option for the urban poor and subsidizing the housing where needs be, while also providing benefits for the investors such as tax pardons the provision of adequate basic services such as water. In situ upgrading would improves the negative physical conditions within informal settlements without negatively impacting the residents or their physical, social and economic capacity (Maina, 2013). Based on this, in situ upgrading would be ideal for cities as it provides an opportunity for cities themselves to be built more denser, climate friendly and equitably (Tayler, 2014). Therefore, it can be seen that the benefit of in situ upgrading is that it will promote economic development and social integration without displacing the urban poor population and should be considered as a viable option for dealing with bad buildings.

Chapter 6: Conclusion

6.1 Introduction

Throughout this report, we have been working towards answering the main research question “To what extent can classifying Johannesburg’s inner-city’s bad buildings as informal settlements and treating them as such with in situ upgrading assist in the provision of adequate housing and rid the city of bad buildings?”. Literature has been unpacked, a conceptual framework has been formulated, field work consistent of qualitative interviews have been conducted and the findings and analysis have been done to help answer this question.

In this chapter the report will be brought to a close and the research question will be answered as well as other avenue for future research will be explored. It is important to note that at the end of this study, an answer to this research question will be provided, however this answer is on the basis of this report and is open for future interpretation. The primary focus of this report was to assist in finding a solution to the challenge of bad buildings and the lack of adequate housing within the inner-city. The answer to this research report won’t directly assist in this but will act as a base level research for a plan of this magnitude to possibly move to adoption and implementation.

6.2 Recommendations and further places of study

It is important to note that, according to the UISP, an area does not need to be explicitly labeled as an informal settlement to be treated as one. It only needs to exhibit at least one of the five characteristics outlined earlier, which bad buildings have been found to meet, making them eligible for the program.. This factor supported by the findings through the interview process were indicative that bad buildings could benefit from upgrading initiatives that already exist in the National Housing Code, where the UISP can be found. The 2030 Agenda for Sustainable Development and the New Urban Agenda are both international goals which have an objective of developing policies that support integration in planning and development, especially in the cases where they could enhance synergies between urban and rural communities and spaces (Jeeva & Cilliers, 2020).

Throughout the interview process, the opinions of the researcher from SERI stood out in terms of a practical approach. He stated that the in-situ upgrade of bad buildings could be done in a storey by storey method. In other words, relocating residents to storeys higher up the building while they upgrade the floor below (depending on existing densities and if there would be space for that). This would be effective as it still achieves the ultimate goal of upgrade without displacing the residents. This is a possible avenue for how in situ upgrading can be implemented for the case of bad buildings.

Ideas from the Egyptian case have already been shown to be effective when reworked and implemented in South Africa. Similarly, ideas that have been developed for the favelas in Brazil could also be effective for the bad buildings of inner-city Johannesburg. One of the methods in the Brazil case which has been very effective is making the favelas habitable and embracing the favelas as a part of the country in order to make use of it as a tourist attraction instead of attempting to get rid of them and hide them away (Ferreira, et al., 2016). In this regard, South Africa can also make use of and buildings as a tourist attraction. This can be done through various methods; an example would be to have a tour of a bad building (that has been vacated) in order to display the severity of the living conditions in bad buildings. This could be followed by a tour of an upgraded building to allow residents to see what Johannesburg once looked like. In a sense, these tours could showcase Johannesburg before, during, and after apartheid, highlighting how far the country has come.

The purpose of this report was to make the first move in the direction of upgrading the bad buildings in the inner city of Johannesburg with the aim of ridding the city of inadequate housing. As a first step, this report was able to identify that bad buildings are not necessarily informal settlements but they do still have elements of informality that could potentially benefit from the integration of policies such as the UISP. The next step following this, would be to officially adopt the UISP for bad buildings and implement the initiatives of the UISP into the current programmes for bad buildings. This would act as a means of opening up any budget that would be needed from national level for these buildings and upgrading them accordingly without establishing them as informal settlement but rather acknowledging them as bad buildings that hold a high degree of informality.

6.3 Conclusion

This paper has established that settlements develop in different forms across the globe through diverse cultures, politics, histories and geographies. In this sense, what one country could consider as being informal, another country may not recognise (Jeeva & Cilliers, 2020). This was revealed through the Brazilian example of 'favelas' being the typology they consider as informal even though it's constructed with durable material and grows vertically instead of what is most commonly seen as horizontal in the South African case. Similarly, some of the professionals which were interviewed identified bad buildings as informal settlements where others did not. It is clear that formal and informal cannot be considered as being distinctly separate but rather the line which divides them is blurred, similar to that of urban and rural. From this, the idea of classifying an area as informal or formal may not be relevant anymore as there is almost always existing elements of informality in what's considered as formal and vice versa to informal.

In support of classification of settlements being less relevant for what the word in itself means, the researcher from SERI also stated that the importance does not so much lie in what a settlement is classified as but rather what the settlement needs.

In this regard, after the research of this paper I would personally identify the bad buildings of inner-city Johannesburg as informal settlements. In the same breath, I can acknowledge why some do not believe this and see it as more of a challenge of building controls rather than that of land use (even though the challenge of bad buildings seems way too large to just be considered as poor building control). Regardless of what bad buildings are identified as, the more important question is the possibility of treating them as informal settlements with in-situ upgrading. This, in my opinion, is the most reasonable means of dealing with the challenges. It has been noted that many of the participants were of the opinion that bad buildings require their own initiative and this is true however, based on the urgency and evidence that many plans fail during implementation phase due to constraints such as budget, bad buildings should be implemented into the UISP on a temporary basis while a new plan tailored to bad buildings in particular is developed and national government is included in this plan based on the population of people that are affected by bad buildings. The researcher from SERI suggested the possibility of upgrading bad buildings on a floor by floor basis allowing most of the residents to still reside in the building while their living conditions are improving, leading to minimal disruption to their everyday lives. A policy for this already exists through the UISP and, considering the classification of settlements has lost its relevance in the case of informal and formal for the purpose of this report, the next step moving forward would be to develop a pilot project to test if integrating bad buildings into the UISP would be feasible and Usindiso building considering its recent fire could potentially be a building to test the feasibility of this approach. This would also gain support and budgetary requirements from national level as well as align with the international 2030 Agenda for Sustainable Development and the New Urban Agenda (Jeeva & Cilliers, 2020).

In conclusion, bad buildings can be classified as informal settlements based on their undeniable similarities and the fact that they both have such a large impact on the livelihoods of their residents. Nonetheless, the classification of bad buildings as formal or informal is not as important as the treatment of these buildings in which in situ upgrading would not only be recommended but encouraged and would be supported by non-governmental organisations.

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Appendix A: Personal Communications List

Interview Participant 1	City Transformation and Spatial Planning (COJ) Johannesburg, Interviewed via Microsoft Teams on 17 September 2024.
Interview Participant 2	Planning policy and Research (COJ) Johannesburg, Interviewed via Microsoft Teams on 17 September 2024.
Interview Participant 3	Department of Human Settlements (COJ) Johannesburg, Interviewed via Microsoft Teams on 30 September 2024.
Interview Participant 4	Department of Human Settlements (COJ) Johannesburg, Interviewed via Microsoft Teams on 02 October 2024.
Interview Participant 5	Department of Human Settlements (COJ) Johannesburg, Interviewed via Microsoft Teams on 02 October 2024.
Interview Participant 6	Socio Economic Rights Institute of South Africa, Researcher

Johannesburg, Interviewed via Microsoft Teams on 01 October
2024

Dr. Mawabo Msingaphantsi

University of Witwatersrand, Supervisor

Johannesburg.

Dr. Neil Klug

University of Witwatersrand, Course Coordinator

Johannesburg.

Appendix B: Participant Information Sheet

UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG



University of the Witwatersrand,
School of Architecture and Planning
011 717 7623

Dear Sir / Madam

My name is Talita Mekgwe, I am a Masters student in the Masers of Science in Development Planning at the University of the Witwatersrand, Johannesburg. My supervisor is Dr Mawabo Msingaphantsi. I am conducting a research study about the possibility of Hijacked and abandoned buildings being handed in situ as informal settlements with the applicable policy. The study title is “The phenomenon of informal occupation in former business buildings: A case study of inner-city Johannesburg”.

I am inviting you to take part in an interview. If you decide to take part, your participation in this research study will last about 30 minutes. The interview will take place on Microsoft Teams during working hours (08:00 to 17:00)

With your permission, I would like to audio record. This data will be stored on a password protected laptop after being gathered and deleted after analysis. An external hard drive with a backup will be placed in a locked cabinet. Once the initial data has been transcribed and checked the originals will be deleted. The transcripts and checked data will be saved on my password protected laptop and on an external hard drive locked in a safe. All drafts will be stored in my password protected laptop and kept for a period of 10 years. Only the researcher (myself) will have access to the data.

The interview will be confidential and anonymous. When I share the results of the research study, I will not include your name or anything else that could identify you. With your permission, other researchers may use the data collected from this research study, but your name and any personal information will not be used or passed on.

If you decide to take part in the research study, it should be because you want to volunteer. You do not have to take part. You can stop being in the study at any time. You do not have to answer any questions if you do not want to. You will not get any direct benefits if you choose to join the research study. You will not lose any services, benefits or rights you would normally have if you decide not to join. Taking part in the research study will not cost you anything. You will not be paid for being in this research study.

The risks for this research study are no more than what happens in everyday life.

This research study will be written up as a research report. If you would like to receive a summary of this report, I will be happy to send it to you.

If you have any questions during or afterwards about this research study, feel free to contact me or my supervisor on the details listed below. If you have any concerns or complaints about the ethical procedures of this research study, you are welcome to contact the University Human Research Ethics Committee (Non-Medical), telephone +27(0) 11 717 1408, email hrecnon-medical@wits.ac.za.

Yours sincerely,
Talita Mekgwe

Researcher:
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Appendix C: Consent Form

Title of project: The phenomenon of informal occupation in former business buildings: A case study of inner-city Johannesburg

Name of researcher: Talita Mekgwe

I,, agree to participate in this research project.

I agree to the following:

(Please circle the relevant options below)

The research study was explained to me. I understand what this study is about.	YES	NO
--	-----	----

I understand that I can volunteer to take part in the study	YES	NO
---	-----	----

I agree that the interview may be audio recorded	YES	NO
--	-----	----

I agree that direct quotations from my interview may be used by the researcher in their research report	YES	NO
---	-----	----

I agree that my participation will remain anonymous (my name or other identifying data will not be used by the researcher in their research report)	YES	NO
---	-----	----

I agree that other researchers may use the information I provide in my interview (depending on their own ethics clearance being obtained) but my name and any personal information will not be used or passed on	YES	NO
--	-----	----

..... (signature)

..... (name of participant)

..... (date)

..... (signature)

..... (name of researcher/person seeking consent)

..... (date)

Appendix D: Sample Interview Questions

City of Johannesburg Departments

1. What would you constitute as the characteristics that make an area an informal settlement?
2. What is the significance of establishing an area as an informal settlement?
3. With this definition when thinking of the 'bad buildings' in inner-city Johannesburg would you consider them as informal settlements?
4. What are the main characteristics that differentiate bad buildings from other types of informal settlements in Johannesburg?
5. In your professional opinion do you believe that identifying and applying the relevant policy to the bad buildings in Johannesburg inner-city as informal settlements could make a difference in the municipalities aim to rid the city of bad buildings?
6. With the history of apartheid and the knowledge that the city was not planned to accommodate the full population, can the infrastructure such as sewerage, water and electricity be upgraded in order to accommodate this?
7. In your opinion how could reclassifying bad buildings as informal settlements impact the current housing policy and the actual housing situation on the ground?
8. The budget for housing in Johannesburg is limited, with this in mind could reclassifying the bad buildings of the inner-city have an impact on this and the resource allocation?
9. When taking in mind the Usindiso building, the residents who used to reside in that building have been relocated to a temporary housing site in Denver which consists of corrugated iron, 1 room homes would this be considered as an informal settlement and why?
10. What are the potential challenges that could be faced if these bad buildings were to be classified as informal settlements?
11. How do you think the residents of the bad buildings respond to this reclassification and possible in situ upgrading?
12. Are the people that reside in the bad buildings one of the challenges that are affecting upgrading processes?
13. It was found that the census 2022 count had missed a percentage of the population, what would bad buildings be classified as in a count such as this?
14. President Cyril Ramaphosa has launched the idea of post-apartheid smart cities and in particular that of Lanseria. Are these new projects taking up some of the efforts which could be used in the rejuvenation of the inner-city?

Socio-Economic Rights Institute of South Africa

1. What would you constitute as the characteristics that make an area an informal settlement?
2. What is the significance of establishing an area as an informal settlement?
3. With this definition when thinking of the Hijacked and abandoned buildings in inner-city Johannesburg would you consider them as informal settlements?
4. What are the main characteristics that differentiate bad buildings from other types of informal settlements in Johannesburg?
5. In your professional opinion do you believe that identifying and applying the relevant policy to the hijacked and abandoned buildings in Johannesburg inner-city as informal settlements could make a difference in the municipalities aim to rid the city of “bad buildings”?
6. With the history of apartheid and the knowledge that the city was not planned to accommodate the full population, can the infrastructure such as sewerage, water and electricity be upgraded in order to accommodate this?
7. In your opinion how could reclassifying bad buildings as informal settlements impact the current housing policy and the actually housing situation on the ground?
8. What are the potential challenges that could be faced if these bad buildings were to be classified as informal settlements?
9. How do you think the residents of the bad buildings respond to this reclassification and possible in situ upgrading?
10. Are the people that reside in the bad buildings one of the challenges that are affecting upgrading processes?

Individual SERI Questions:

1. Could the reclassification of bad buildings as informal settlements help optimize the allocation of resources and funding for SERI in terms of research and service provision, if so how?
2. From your research what specific resources are needed to improve conditions in the bad buildings?
3. How can SERI effectively engage with the residents, the municipality and other stakeholders to support the reclassification process?
4. In your experience with working with these buildings what are the best practices from implementing programs and interventions?
5. How can long-term solutions be integrated to prevent future issues with hijacked buildings and improve overall urban resilience?