

**EXPLORATION OF THE DEVELOPMENT CHALLENGES THAT ARE FACED BY  
THE RESIDENTS OF INFORMAL SETTLEMENTS NEAR RAILWAY LINES: THE  
CASE OF DUKATHOLE INFORMAL SETTLEMENT**

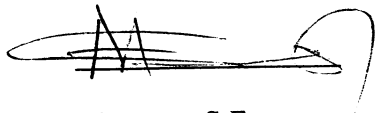
**SYLVESTER FOLAE MMONWA**

**A research report submitted to the Faculty of Engineering and the Built Environment, University of the Witwatersrand, Johannesburg, in partial fulfillment of the requirements for the degree of Masters of Science in Housing.**

**Johannesburg, 2007**

## DECLARATION

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

A handwritten signature in black ink, appearing to be 'Mmonwa S.F.', with a large, stylized flourish at the end.

Mmonwa S.F.

On the 10<sup>th</sup> Day of DECEMBER 2007.

## **ABSTRACT**

As a result of vacant and unregulated land close to railway lines, poor people tend to build their informal structures in such areas, thus putting their health and well being at risk, for instance the danger of being ran over by trains. Such occupation also threatens to disrupt the railway services. This problem is not unique to South Africa and in this study I draw on cases from India and Kenya. These countries were identified, because they have set precedence in informal settlement upgrading and their experience can guide the policy formulation process in South Africa. This study explores the development challenges that are faced by informal settlers on railway reserves, using a case study of Dukathole informal settlement in Ekurhuleni Metropolitan Municipality (EMM). During the investigation it was found that the interviewees at Dukathole informal settlement are not able to participate in the process of dealing with their own development challenges and are not aware of any development planning taking place for Dukathole, although such planning is underway. This is in contrary to the way in which informal settlers are treated in the case studies of India and Kenya, where they are regarded as active role players in addressing their own development challenges.

## ACKNOWLEDGMENTS

I would like to express my gratitude to the following people without whose support and co-operation this study would not have been completed:

- ▶ To all informal settlers who participated in the interviews for this study.
- ▶ Thanks to my parents, especially my mother for all her emotional support and words of encouragement to work hard and deal with difficulties in a constructive way.
- ▶ My maternal grandparents for instilling feelings of self-confidence and ability to achieve my career prospects.
- ▶ Not forgetting all my friends, colleagues, brothers and sisters who also supported me during this period of completing my research project
- ▶ My thanks go to Ekurhuleni Metropolitan Municipality Ward 35 Councillor Xakambana, Willem Odendaal Gauteng Department of Housing, Mr. Minnie former Ekurhuleni Metropolitan Municipality, former Ward 35 Councillor and EMM official, for taking time out of their busy schedules and granting interviews.
- ▶ Lastly, I would like to say thanks to Professor Marie Huchzermeyer for her supervisory skills, guidance and assistance in completing this research project.

## **ABBREVIATIONS AND ACRONYMS**

<b>COHRE:</b>	Centre on Housing Rights and Evictions
<b>DOH:</b>	Department of Housing
<b>EHSC:</b>	Emergency Housing Steering Committee
<b>EMM:</b>	Ekurhuleni Metropolitan Municipality
<b>ESP:</b>	Essential Services Programme
<b>EPWP:</b>	Expanded Public Works Programme
<b>GEAR:</b>	Growth, Employment and Redistribution
<b>HIV/AIDS:</b>	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
<b>IDP:</b>	Integrated Development Plan
<b>LED:</b>	Local Economic Development
<b>MDGs:</b>	Millennium Development Goals
<b>MIG:</b>	Municipal Infrastructure Grant
<b>NGO:</b>	Non-Governmental Organization
<b>NSDF:</b>	National Slum Dwellers Federation (India)
<b>PHP:</b>	People's Housing Process
<b>RDP:</b>	Redistribution and Development Programme
<b>SRCC:</b>	South African Rail Commuter Corporation
<b>WCED:</b>	World Commission on Environment and Development

## **LIST OF FIGURES**

- Figure: 1      Group of informal settlers using gambling as a survival strategy
- Figure: 2      Location of Dukathole Informal Settlement
- Figure: 3      Neighbours sharing home brewed beer (social networks)
- Figure: 4      Broken barricade wall used by informal settlers (including children) to dump rubbish or relieve themselves close to the rail.
- Figure: 5      Rubbish dumped between barricaded wall and railway line.
- Figure: 6      Shacks burning on the 3<sup>rd</sup> of March 2007 in Dukathole
- Figure: 7      Water tap with contaminated water

## TABLE OF CONTENTS

<b>Declaration</b>	<b>i</b>
<b>Abstract</b>	<b>ii</b>
<b>Acknowledgements</b>	<b>iii</b>
<b>Abbreviations and acronyms</b>	<b>iv</b>
<b>List of figures</b>	<b>v</b>

### CHAPTER 1 - INTRODUCTION: SETTING THE SCENE

1.0. Introduction	1
1.1. Context of the research	2
1.2. Problem statement	3
1.3. Focus of the study	5
1.4. Aims of the study	5
1.5. Research question	5
1.6. Assumed findings /hypothesis	6
1.7. Conceptual framework	6
1.8. Methodology	6
1.9. Limitations of the study	8
1.9. Structure of the research report	8

### CHAPTER 2 - CONCEPTUALISING INFORMAL SETTLEMENTS

2.0. Introduction	11
2.1. Informal Settlements	13
2.2. Formation of informal settlements close to railway reserves	15
2.2.1. Urban Migration	15
2.2.2. Livelihood strategies	16
2.2.3. Inadequate basic needs	16
2.2.4. Affordability	17
2.2.5. Poverty	19
2.3. Development Challenges Faced by Informal Settlers	19
2.3.1. Inadequate living conditions	19
2.3.2. Risks and vulnerability	20
2.3.3. Tenure and eviction threats	20
2.3.4. Lack of participation	21
2.3.5. Regulatory framework as a challenge	23
2.3.6. Resettlement as a challenge	24
2.4. Challenges of Sustainability	26
2.5. Relevant International Cases for informal settlements on inhabitable land	
2.5.1. Case study of Mumbai	27
2.5.2. Case study of Nairobi	29
2.6. Conclusion	30

### **CHAPTER 3 - POLICY AND LEGISLATION PERTAINING TO INFORMAL SETTLEMENTS NEAR OR ON RAILWAY RESERVES**

3.0. Introduction	32
3.1. Railway reserves and illegal occupation	33
3.2. South African eviction and railway Legislation	34
3.3. Emergency Housing Programme	35
3.4. <i>In situ</i> Upgrading of Informal Settlements	37
3.5. Conclusion	39

### **CHAPTER 4 - EKURHULENI METROPOLITAN MUNICIPALITY (EMM) AND ITS APPROACH TO DUKATHOLE INFORMAL SETTLEMENT**

4.1. Introduction	41
4.2. Background on Ekurhuleni Metropolitan Municipality	41
4.3. Ekurhuleni Metropolitan Municipality's approaches to informal settlements	43
4.3.1. Intervention strategies in dealing with new or existing informal settlements	43
4.3.2. Approach to the rights of the informal settlers	44
4.3.3. Approach to upgrade informal settlements	45
4.3.4. Involvement of the informal settlers in the process of development	46
4.3.5. Approach to incorporating livelihoods and social capital of the dwellers on railway reserves	48
4.4. Background on Dukathole Informal Settlement	49
4.5. Development Plan of Dukathole Informal Settlement	51
4.6. Challenges faced by the EMM in carrying out the proposed plan	52
4.7. Conclusion	53

### **CHAPTER 5 - DUKATHOLE RESIDENTS' PERCEPTION OF DEVELOPMENT CHALLENGES IN THEIR SETTLEMENT**

5.1. Introduction	54
5.2. Background on the informal dwellers	54
5.3. Reasons for residing on/close to the railway line in Dukathole	55
5.4. Risks of staying close to the railway line	56
5.5. Impact of the railway line on livelihood strategies	59
5.6. The impact of railway line on development of Dukathole	59
5.7. Formal or informal organization of informal settlers at Dukathole	60
5.8. Availability of services in Dukathole	60
5.9. Knowledge of the proposed development plan at Dukathole	62
5.10. Conclusion	62



## **CHAPTER 6-CONCLUSIONS: IMPLICATIONS FOR PLANNING AND RECOMMENDATIONS**

6.1. Introduction	64
6.2. Conclusions on the development challenges faced by residents of informal settlements near railway lines	65
6.4. Recommendations	67

<b>REFERENCES</b>	<b>70</b>
-------------------	-----------

### **APPENDIX A**

Map 1: Existing informal settlements in the EMM

Map 2: Informal settlement surrounding Dukathole informal settlement

Map 3: Aerial photograph of Dukathole informal settlement

### **APPENDIX B**

Interview schedules, which were personally administered to officials and informal settlers

### **APPENDIX C**

Table of informal settlements near railway lines or on railway reserves in Gauteng Province

### **APPENDIX D**

List of informal settlers interviewed at Dukathole informal settlement

## **CHAPTER 1 - INTRODUCTION: SETTING THE SCENE**

### **1.0. Introduction**

Informal settlement dwellers in most countries are faced with development challenges such as poor infrastructure, limited access to basic services and lack of tenure. Development is defined by UNHCHR (undated) as based on economic growth, equal distribution of resources, empowerment of people and also increasing their choices. Development is also based on the improvement of the wellbeing of the whole population, on the basis of active participation and fair distribution of resources UNHCHR (undated). In this study development challenges can be defined as involving social, economic and political aspects that impact negatively on the health and wellbeing of society, specifically in the field of housing. Their residents often reside in unsafe environments such as in proximity to railway lines, on river banks or within flood lines. It is very difficult to determine who should develop informal settlements and how the informal settlers' problems could be addressed (UN-Habitat, 2003). Poverty and vulnerability has been identified by UN-Habitat (2003) as common characteristic of informal settlements, and the majority of informal settlers have a low income, along with other factors, which makes them vulnerable to health epidemics. For instance, one who does not have sufficient money to meet his daily subsistence may not afford the cost of traveling to primary health care facilities, even if health care are provided for free. Each informal settlement is shaped by unique interplay of historical, social, cultural, political and social forces (UN-Habitat, 2003).

Kim (1997) further states that there are generally three lines of action which complement each other in dealing with development issues and one is not complete without the other. One line of

action is based on the state's involvement in addressing development problems, the second is based on the participation of the community members in dealing with their own problems and the third line is based on the involvement of the voluntary agencies from the private sector. Therefore, it is very crucial for informal settlers, the state and relevant stakeholders to work collectively in order to address the development faced by informal settlers in society.

In view of fiscal constraints, poor economic growth, increase in population and the need to reconstruct social life in South Africa, it is noted in the UN-Habitat (2003) that government cannot accept the sole role of addressing needs of all citizens of South Africa. Thus, for development to occur there must be a collective responsibility and cooperation among various stakeholders. These include the formal welfare sector which is subsidized by the state, non-governmental organizations (NGOs), the private sector and community networks.

### **1.1. Context of the research**

The research should be seen within the context of global shifts in dealing with housing issues and high rate of inequality in society. One needs to understand that South African domestic policy and legislative framework are affected by influences that are defining or shaping the world today. South Africa introduced the Housing Act, no. 107 of 1997, Housing Code in 2000 and also Breaking New Ground plan for housing in 2004 in order to provide adequate housing to its citizens. These initiatives are in line with the United Nations Millennium Development Goal (MGD), one of which seeks to achieve a significant improvement in the lives of 100 million informal dwellers globally by 2020. In drawing up national policies, it is important to comply with

international policies. A fundamental argument in this statement is that when dealing with housing issues we need to draw some intervention strategies globally. In doing this, one would learn various intervention strategies that need to be adopted when addressing housing issues.

## **1.2. Problem statement**

The majority of informal settlers in settlements adjacent to railway lines face common development challenges. They have been driven to invade land that is unsuitable for habitation, i.e. railway reserves; they face particular housing problems; they live in constant danger because of the passing trains; they have limited access to basic services or have to depend on neighboring communities to access services; and they live in uncertainty – it is usually clear that their settlements cannot be upgraded *in situ* because of the unsuitable location, but they still resist relocation as they have social ties and fragile livelihoods which they will lose with relocation. Other challenges they face have to do with their relationship with government because in most cases you will find that the settlement is represented by the ward committee, which is not competent in terms of developing the area, and which excludes the community members from dealing with their issues. This makes it difficult for a speedy development to take place.

One key to the ideal society identified by Homan (1994) is that community development and participation are central to any development initiative. This means that people are valuable resources. White (1992:30) defines participation as active involvement of the local population “in decision-making concerning development projects or their implementation”. Participation of the beneficiaries plays a crucial role in the sense that it promotes their needs, protects their interest

and empowers them (Brager and Specht, 1969). Therefore, for human sustainable development to be effected, efforts should be made not only to get people involved but also to ensure that they participate actively in the development process. However, it should be noted that participation is a process and it can take a lot of time for people to realise the necessity of participating. For instance, some of the informal settlers look up to the development practitioners for continual guidance. Therefore it is crucial for the development practitioners to create an environment that shows the informal settlers that their participation is crucial and appreciated. Development practitioners should not be tempted to provide all the answers to community problems, because this can hinder the opportunity for the community members to grow.

Mamphiswana (2000:111) confirms the above statement by emphasizing that:

*“to entrench a concept of participation amongst the community requires that the development worker be patient, understanding and move at people’s pace and he or she must remember that some communities are slow to engage in the development process and that they should not be rushed.”*

There is a tendency to ignore the input of special groups in the society such as women, youth, elderly and the disabled. Therefore, when the development practitioners try to address the challenges faced by informal settlers in places like the case study in this research report they must try by all means to involve them. Finally, development practitioners must bear in mind that participation can be in a form of consultation, financial contribution, mass action or self help (White, 1992) and that participation has a fundamental value for the participants in a sense that it

encourages them to be self reliant and most importantly it guarantees that a felt need is being dealt with. Therefore, it is very important for the developers to involve the community members in the process of making decisions relating to the development that would be taking place at Dukathole.

### **1.3. Focus of the study**

This study explores the development challenges that are faced by informal settlers who are residing near railway lines with a particular focus on the case of Dukathole informal settlement. Dukathole informal settlement is located near the railway line in Ekurhuleni Metropolitan Municipality (EMM).

### **1.4. Aims of the study**

The aim of this research is to explore the development challenges that are faced by dwellers of Dukathole informal settlement. From this understanding of challenges faced by residents, and by situating these in the debates in international and South African literature, conclusions can be drawn for the improvement of the lives of people living in informal settlements adjacent to railway lines.

### **1.5. Research question**

What are the development challenges that are faced by the dwellers of Dukathole informal settlement?

### **1.6. Assumed findings /hypothesis**

This is exploratory research and therefore it is not driven by a clearly defined assumed solution or hypothesis. However, it is expected that the findings from this study would provide a better understanding of the complexity of development challenges faced by informal dwellers at Dukathole informal settlement.

### **1.7. Conceptual framework**

This study will focus on the concept of participation, basic needs and resettlement with a particular focus on development challenges that are faced by residents of Dukathole informal settlement. A clear understanding of these concepts will help in terms of developing a position on the issue and a framework for intervention. The above mentioned concepts are spelt out in detail in Chapter 2 of this report.

### **1.8. Methodology**

This study can be classified as exploratory-descriptive research because it is attempting to explore, describe and understand development challenges to be researched. Extensive examination of literature on development challenges faced by informal settlers, intergovernmental relations and planning also was undertaken. These include books, journal articles, presentations, discussion and reports, press statements, newsletters, news articles, lectures, website searches, government legislation, policies, strategies and programmes aimed at addressing development challenges faced by informal settlers. The literature review was also based on reading across the development

challenges faced by informal settlers, intergovernmental relations and planning paradigms. However, the emphasis was largely on the concepts of participation, basic need and resettlement. Most significantly, the literature review also explored and examined the South African legislative framework that informs informal settlements programmes.

In terms of empirical work, 10 community members, ward 35 councillor, housing consultant and at least 2 officials were interviewed in depth, using a case study of Dukathole informal settlement and the interview schedule was administered personally. Before conducting the interviews, permission was asked from the ward councillor. Since I already know the ward councilor and community members it was easy for me to conduct my interviews. The interview schedule was pre-tested with one resident in order to determine if the questions asked were clear or not. Interviews were supplemented by my own observations through site visits to the area and observations were captured electronically in the form of pictures to show informal structures at Dukathole informal settlement. An open-ended interview schedule was used and one hour was spent with each of the interviewees. The interviewees were told that their information would not be shared with anyone else without their permission and that it would be used for academic purposes only. The raw data was analyzed and presented qualitatively in the form of verbal descriptions.

**The main research methods were:**

(a) Literature review substantively exploring the concepts of participation, basic needs and resettlement;



- (b) Legislative and policy review encompassing the informal settlements programmes; policies, strategies; and implementation in South African context;
- (c) Secondary data collection on development challenges faced by informal settlers in South African and international context; and
- (d) Interviews with the relevant stakeholders in Ekurhuleni Metropolitan Municipality (EMM) and the Department of Housing in Gauteng Province and Interfaith Community Development Association.

### **1.9. Limitations of the study**

- (a) The interview schedule was administered in English and the interview was carried out in an African language. This may affect the accuracy of the findings. However, I translated to my best ability from English to Sotho and Zulu and back.
- (b) My presence may have influenced the respondents to reply in a way that is regarded by the society as morally good and this may affect the validity of the findings (see Babbie and Moutton, 2001).

### **1.10. Structure of the Research Report**

**Chapter 2** conceptualizes development challenges faced by informal settlers. The chapter looks at various theories and concepts behind informal settlements intervention in the South African context and international context. Furthermore, this chapter also investigates relevant international

cases that would help in terms of developing a framework of planning and intervention in addressing development challenges faced by informal settlers on railway reserves.

**Chapter 3** reviews policy and legislation pertaining to informal settlements near or on railway reserves. Most importantly it also highlights some of the programmes initiated to deal with informal settlements in South Africa with a view of eradicating all informal settlements by 2014.

**Chapter 4** focuses on a brief background of EMM, certain intervention strategies applied at EMM since it was highlighted by Odendaal (2006: pers, com) as a municipality that has many informal settlements in Gauteng Province and a brief background of Dukathole informal settlement since it is the focus of the study.

**Chapter 5** presents and analyses Dukathole residents' perception of development challenges in their settlement, their reasons for residing at Dukathole, risks of staying close to the railway line, impact of the railway line on livelihood strategies, impact of the railway on development of Dukathole, development issues presented by the railway line, formal or informal organization of the informal settlers at Dukathole, availability of services in Dukathole and knowledge of the proposed development plan at Dukathole.

**Chapter 6** makes conclusions based on the development challenges faced by residents of Dukathole informal settlement, and Ekurhuleni Metropolitan Municipality strategies of addressing informal settlements in its jurisdiction. This chapter also concludes by making recommendations

for policy and intervention strategies that could play a crucial role in terms of addressing development challenges faced by informal settlers close to railway reserves.

## **CHAPTER 2 - CONCEPTUALISING INFORMAL SETTLEMENTS**

### **2.0. Introduction**

This chapter conceptualizes development challenges faced by informal settlers. It looks at various theories and concepts behind informal settlement intervention in the South African and international context. Furthermore, this chapter investigates relevant international cases that would help in terms of developing a framework of planning and intervention in addressing development challenges faced by informal settlers on railway reserves.

On the 2<sup>nd</sup> September 2004, the South African Department of Housing approved a 'Comprehensive Plan for the Development of Sustainable Human Settlements called 'Breaking New Ground'. Breaking New Ground is a multi dimensional plan that intends to increase social inclusion and promote integration of poor communities by catering for socio-economic infrastructure instead of only providing houses (Department of Housing, 2004a). This plan is very crucial because it focuses on improving the living environment, new tenure alternatives, empowerment, fast tracking delivery, and it also puts an emphasis on anti-corruption measures (Department of Housing, 2004a). Most importantly, it consists of new programmes and adjustment of existing programmes in order to promote sustainable housing delivery and improve quality of living environments (Department of Housing, 2004a).

In terms of this plan, for one to bring about quality environments, it is very important to eradicate informal settlements (Department of Housing, 2004a). However, the term 'eradication' is linked to

upgrading of informal settlements as highlighted in the Breaking New Ground plan (2004a). The Breaking New Ground plan states that upgrading must be based on cooperation with the informal settlers and relevant stakeholders, and integration of human settlements (Department of Housing, 2004a). This means that the plan follows a holistic approach that focuses on community needs.

van der Waldt (2004, presentation) highlights that in 2001 about 1367 705 households were living in informal settlements. Mohamed (2004, presentation) also mentions that in each of the six largest municipalities in South Africa there are about 21% of households living in informal settlements and that 16% of South African households live in informal settlements. In addition, Scott (2004) posits that in 2004 there were eight hundred informal settlements close to the railway reserves in South Africa. Mkhabela (2007, pers.com) states that informal settlements are breeding grounds of criminal activities because they are congested. Looking at the above information, one may state that the number of households living in informal settlements may lead to an alarming number of the emergence of gangs and illegal activities in South Africa. However, there is a need to understand that not all the informal settlers are involved in illegal activities, since they have unique reasons for residing on a particular land informally.

The Constitution of the Republic of South Africa Act 107 of 1997 highlights that everyone has a right to have access to adequate housing and it is the responsibility of the state to fulfill this obligation by using its available resources. It furthermore emphasizes that people's health, safety must be promoted and they must have secure tenure. Therefore, one needs to understand that where constitutional rights are applicable, informal settlers are also beneficiaries and it is the responsibility of the state to fulfill their needs with its available resources regardless of them

staying on a certain portion of land illegally. In doing this the state would be respecting and promoting their dignity and rights. Most importantly, informal settlers should be assisted to meet their basic needs.

However, Mohamed (2004, presentation) states that local government is facing challenges of dealing with housing rights. For instance, there is violation of housing rights and also lack of the incorporation of socio-economic rights protection in informal settlements strategies (Mohamed, 2004, presentation). This means that local government is more concerned about the quantity of houses rather than meeting socio-economic rights. Fortunately, the Breaking New Ground plan addresses difficulties faced by local government by changing officials' approach of conflict and neglect to one of integration and cooperation when dealing with informal settlers (Huchzermeyer, 2006). Mohamed (2004, presentation) supports the above statement by stating that officials need to affirm that informal dwellers are the citizens of South Africa by encouraging them to participate in issues that affect their lives and they must also strive to empower them during their interactions. Finally, Mohamed (2004, presentation) states that "due to their unauthorized status, informal settlement communities experience lack of full political representation and powerlessness, which opens opportunities for political exploitation". This means that communities living in informal settlements are facing many development challenges and also lack of security against violation of their constitutional rights.

## **2.1. Informal Settlements**

Informal settlements can be defined as a form of settlement whereby the dwellers do not have secure tenure (UN-Habitat, 2003). According to the UN-Habitat (2003:105) "squatters are people

who occupy land or buildings without the permission of the owner” and the condition of squatting applies when a resident has no claim to the land where he or she is residing. Huchzermeyer (2004:83) states that informal settlements “result from the exclusion of a section of society from the formal processes of settlement formation”. UN-Habitat (2004) indicates that in the cities of continents such as Latin America, Africa and Asia about 50% of the population lives in informal settlements. Currently there are approximately 1 billion people living in slums world wide and this number is expected to reach 1.6 billion in the year 2020 (UN-Habitat (2004).

In Brazil these forms of human settlements are referred to as '*favelas*'. *Favelas* occur as a result of the urbanization process and also as a result of failure in national housing policy (Fernandes, 2000). While new *favelas* are increasingly forming in peripheral areas, older *favelas* are often located close to the central business district in the inner city, meaning that the dwellers can access services easily in the city centres (Fernandes, 2000). The residents view *favelas* as a solution to their housing problems since the state and private sector has failed to provide for the poor (Fernandes, 2000). In many cases the dwellers of *favelas* do not have a relationship with the local state because they are seen as corrupt and causing violence in the cities (Fernandes, 2000).

In South Africa, informal settlements are at times called 'squatter camps' and were to some extent caused by unjust political policies during the Apartheid era which led to social, economic and political exclusion (Huchzermeyer, 2004). An exclusionary legal framework regulated these forms of exclusion (Huchzermeyer, 2004). This impacted negatively on certain racial groups in terms of accessing accommodation in the city (Huchzermeyer, 2004).

## **2.2. Factors leading to the formation of informal settlements on the railway reserves**

### **2.2.1. Rural Urban Migration**

Rural urban migration refers to a process whereby people move from rural areas to urban areas (UN-Habitat, 2003). UN-Habitat (2003) further posits that this movement of people from rural to urban areas is caused by deprivation and displacement. The above view is confirmed by Mkhabela (2007, pers.com.) who is a housing consultant for the City of Johannesburg and EMM by highlighting that the majority of people who are residing in informal settlements are from rural areas and they reside close to the railway lines or risky land because they do not have relatives who can accommodate them in urban areas. Therefore, they resort to staying on vacated land that is not regulated and where they need not to pay rent. This is very important, as they would be looking for jobs (Mkhabela, 2007, pers.com.). Mkhabela (2007, pers.com.) posits that people reside on risky urban land because of their settlements' proximity to facilities such as schools, clinics, police stations, hospitals and proximity to factories where they can look for jobs. Most importantly, he argues that, "if there is access to water near urban land that is poorly managed, such land would likely attract informal settlers to reside on it illegally". Finally, Mkhabela (2007,pers.com) highlights that most of informal settlements have limited access to basic services and their proximity to businesses influences business owners to relocate because of informal dwellers' behaviour of stealing. Looking at the above statement one would argue that Mkhabela (2007, pers.com) has a negative attitude towards informal settlers as he tends to generalize their behaviour. I disagree with his statement, because the informal settlers are unique and have different reasons for residing on a particular land illegally. Thus they should be viewed as human



beings who need to be assisted to improve their living development challenges rather than judging them.

### **2.2.2. Livelihood strategies**

Livelihood is defined by Chitekwe and Lephoto (2004, presentation) as consisting of capabilities, assets and resources needed for a means of living and that they are not common. Mkhabela (2007, pers.com) supports this view by stating that people reside close to railway reserves or in informal settlements because this setting assists them to boost their livelihoods. For instance, Mkhabela (2007, pers.com) mentioned that some of the informal settlers reside in risky land such as railway reserve informally because they are close to their workplaces and because they do not want to pay rent. Thus informal settlers are not concerned about quality housing, because they want to send more money to their families in rural areas instead of paying rent and this also shows that informal dwellers make rational decisions as they understand that if they could stay in a social housing/ mortgage bond house they would end up having little money to send to their families in rural areas (Mkhabela, 2007, pers.com). Finally, Chitekwe and Lephoto (2004, presentation) state that issues such as relocation or evictions often destroy social networks, reduce saving capacities and increase crime or vulnerability to crime for the informal settlers. These impacts negatively on their livelihood and, their survival strategies.

### **2.2.3. Inadequate basic needs**

Malsow suggested that within every individual exists a hierarchy of basic needs (Simmons, Irwin and Drinnien, 1987). The hierarchy includes (a) physiological needs, (b) need for safety, (c) social

needs, (d) need for esteem and (e) need for self-actualization (Simmons, Irwin and Drinnien, 1987). The physiological need covers hunger, shelter and other bodily needs. Safety covers a need for security and protection from physical and emotional harm. Social needs covers need for love and belongingness or friendship. Esteem covers needs for aspects such as respect, autonomy and status. Self actualization covers self fulfillment and achieving one's potential (Simmons, Irwin and Drinnien, 1987). These forms of needs are interconnected because as each need becomes satisfied, the next need becomes dominant and the individual moves to the next step of Maslow's Hierarchy of needs (Simmons, Irwin and Drinnien, 1987). However, if a person is unable to meet needs on the lower rank of Maslow's hierarchy of needs (physiological needs, need for safety and social need) it will be difficult for him or her to grow or achieve his or her potential (Simmons, Irwin and Drinnien, 1987). The relevance of this concept in this study is that it is trying to raise the fact that if people continue to struggle in terms of meeting their basic needs, they would obviously resort to living on unsuitable land like railway reserves, lack safety or be evicted or resettled without consideration of social bonds that they have established. Ultimately, they would never have a chance to realise their dreams and potential. Therefore, it is very crucial for the officials to bear the above-mentioned aspects in mind when attempting to assist informal settlers to deal with their daily development challenges if they do not want to jeopardize their basic needs or hinder their growth.

#### **2.2.4. Affordability**

Kim (1997) states that there is not enough funding from the private sector that can be accessed by the low income groups in order to build their houses or buy them. This is caused by the fact that

the low income earners cannot afford to repay their loans and that it is risky for the banks to lend them money because it is assumed that they may default. Kim (1997) and Gardner (2003) emphasize that housing loans from big banks are not appropriate for the poor, because they cannot afford to pay back loans. Only the creation of micro finance, provision of housing subsidies and a good environment that is conducive for the micro lenders to provide loans to the poor can help in terms of reducing housing problems faced by the low income earners. It is also mentioned that a regulatory framework is needed in order to support economic development and mortgage lending institutions (Kim, 1997). The above view is supported by Venter (2006, presentation) who states that the Banks Act of South Africa, regulates the operation of banks and encourages them to make a certain profit from loans provided to the clients. If they fail to do this, they may find themselves in problems of being cancelled from the Banking Council. Therefore, it is this fear of being cancelled from the Council that prevents banks to extend formal housing finance to lower income groups. For instance, it is assumed that the low income earners may default and if they default banks may not get any valuable asset from low income earners home, which they need to recover their money (Venter, 2006, presentation). This view is also supported by Hendler and Pillay (2002) who state that in South Africa, banks provide housing finance to only the middle and high income earners since they believe that they can afford to repay the loans. Therefore, the lack of finance provision from the private sector contributes to the large number of informal settlements. However one needs to understand that there is no way the private sector organisations can risk their functioning by lending to a person who does not have job security or where house value may be declining, because as soon as he/she loses his/her job, he/she will default and the private sector would suffer the consequences.

### **2.2.5. Poverty**

UN-Habitat (2003:17) states that “slums do not occur in a vacuum rather they occur as a result of poverty or low incomes with inadequacies in the housing provision system”. This situation may result in encouraging poor people to reside in informal areas. In addition, factors such as cost of land, unsuitable location of government subsidized housing, rising levels of inequality (i.e. very uneven wealth distribution) also lead to the formation of informal settlements (UN-Habitat, 2003). Finally, it is noted by the UNCHS (1996) that exclusion is one form of poverty indicator which does not only include people’s exclusion from meeting their basic needs as a result of low salaries but it also extends to their exclusion from civil rights and political rights. Thus poverty can compel a person to live in inadequate housing conditions or informal settlements, which has development challenges.

## **2.3. Development Challenges Faced by Informal Settlers**

### **2.3.1. Inadequate living conditions**

The informal settlements are characterized by challenges of limited access to basic services, overcrowding, inadequate building structures, high density, unhealthy living conditions, and hazardous areas where there are dolomatic conditions (UN-Habitat, 2003). In order to confirm the above statement it was found in the case of Nairobi by the UN-Habitat and the Government of Kenya, Central Bureau of Statistics and the Nairobi City Council cited in UN-Habitat (2003) that 85% to 90% of people living in slums did not have access to basic services such as sanitation, 60%

were living in one room and 60% of them use wood, charcoals and paraffin for cooking instead of electricity. Similarly, it was also found by Xakambana (2007, pers.com) that people who are staying in informal settlements of South Africa and also close to the railway lines are characterized by the same development challenges identified by UN-Habitat (2003).

### **2.3.2. Risks and vulnerability**

A majority of the informal settlers suffer from risks and they are vulnerable (UN-Habitat, 2003). Mkhabela, (2007 pers.com.) supports the above statement by highlighting that residents of informal settlements on railway reserves are at risk of being run over by trains, lose their properties because of fire caused by sparks from the train wheels or die if a train could derail. He also mentioned that the informal settlers lack a sense of privacy, may suffer from various diseases as a results of pollution from the rails and that they can be harassed by the railway authorities (Mkhabela, 2007, pers.com.). Finally, Mkhabela, (2007 pers.com.) also highlights that the informal settlers lack political representation since they are unauthorized communities and this opens chances for political exploitation. This means that informal settlers are at risk of having limited protection against violation of their rights and are vulnerable to different forms of exploitation.

### **2.3.3. Tenure and eviction threats**

The informal settlers are also at risk of being evicted, because they do not have secure tenure. Tenure refers to the right to occupy the land without a threat of being evicted and it affects the

behaviour of the residents in relation to their housing (Angel, 2000). For instance, if a person has tenure security, he/she is likely to care or maintain his/her house and also invest their savings based on home improvements. Doebele (1987) posits that every society must formulate a pattern of land tenure that optimizes effectiveness and maintains equity in order to keep the society stable. Therefore, when looking to the South African scenario one would realise that the government is well informed about its role by taking some measures to deal with the issue of tenure. For instance, COHRE (2005) states that people should not be evicted from their residential area without a court order or being provided with the alternative. However Odendaal (2006, pers., com.) argues that this only applies if a person has resided in a certain area for not less than six months. To make sure that the courts adhere to the above sub section, the government also established vital housing Acts that are cited in the Housing Code of South Africa (Department of Housing, 2000). However, plus or minus 20% in South Africans live in insecurity of tenure in informal settlements.

#### **2.3.4 Lack of Participation**

Participation refers to the situation whereby the community members are involved actively in the process of dealing with their own issues (Ife, 1995). However, Njoh, (2002) posits that there are various challenges to community participation. For instance, Njoh, (2002) looks at the barriers to community participation in development planning with a particular focus on the Mutengene (Cameroon) self-help water project. It was found by Njoh (2002) that there are eleven barriers in this project which are, paternalistic posture of authorities, prescriptive role of the state, embellishment of successes, selective participation, inattention to negative results, hard issues

bias, intra/inter-group conflicts, gate-keeping by leaders, excessive pressures for immediate results, lack of interest, population size and belief systems.

Njoh (2002) highlights the most important aspects, which should be considered when fostering the community participation process because, they may prevent people from participating in community activities. Njoh (2002) did not mention the issue of health; which can also impact negatively on the participation level of the community members. Thomas (2006) cited in Huchzermeyer and Karam (2006) states that there is approximately a fifth of people living in informal settlements in the urban areas of South Africa and most of them are living in the conditions that are threatening their health and safety. HIV/AIDS infection is high in the informal settlement because of sexual practices, migration and poverty (Thomas, 2006). Due to high prevalence of HIV/AIDS infection in informal settlements if someone is ill there is no way he or she could take part in community activities also friends and relatives' time is required for care giving. Therefore this must be seen as a serious challenge to the level of community participation.

Homan (1994) also states that one key to the ideal society is when community development and participation is central to any development initiative. This means that people are valuable resources. White (1992:30) defines participation as active involvement of the local population "in decision-making concerning development projects or their implementation". Participation of the beneficiaries plays a crucial role in the sense that it promotes their needs, protects their interest and empowers them (Brager and Specht, 1969). Therefore, for sustainable development of humans to occur, efforts should be made not only to get people involved but also to ensure that they participate actively in the development process. However, it should be noted that participation is a

process and it can take a lot of time for people to realize the necessity of participating. For instance, some of the informal settlers look up to the development practitioners for continual guidance. Therefore, it is crucial for the development practitioner to create an environment that shows the informal settlers that their participation is crucial and appreciated. Development practitioners should not be tempted to provide all the answers to community problems, because this can hinder the opportunity for the community members to grow.

Similarly Mamphiswana (2000:111) agrees by emphasizing that

*“to entrench a concept of participation amongst the community requires that the development worker be patient, understanding and move at people’s pace and he or she must remember that some communities are slow to engage in the development process and that they should not be rushed”.*

Mamphiswana (2000) furthermore states that there is a tendency to ignore the input of special groups in society such as the women, youth, elderly and the disabled. Therefore, when the development practitioners try to address the challenges faced by the informal settlers in places like Dukathole informal settlement must try by all means to involve them.

### **2.3.5. Regulatory framework as a challenge**

The regulatory framework can impact negatively in terms of encouraging people to stay in informal settlements. For instance, there can be delays in terms of approving subsidies. Other factors are an exclusionary land market, exclusionary zoning, and inadequate planning and



budgeting for housing. All the above aspects can contribute in the process of encouraging or forcing people to occupy land illegally and live in poor conditions. Payne and Majale (2004) support this statement by emphasizing that regulatory frameworks that have been adopted recently are not functioning, therefore the majority of people live in slums in developing countries. Thus, there is a need to come up with new regulatory frameworks that are inclusive, not undermining development and encouraging partnership amongst various stakeholders and the community members, in order to avoid the increase in numbers of informal settlements.

### **2.3.6. Resettlement as a challenge**

Informal settlers are also at risk of facing relocation to well located land or worse, land that is not well integrated into the urban fabric. Relocation/ resettlement is a plan that occurs in a state where the occupied land is considered unsuitable for residential occupation (Huchzermeyer, 2006). Examples are hazardous places that cannot be rehabilitated or a situation whereby the municipality wants to create a space for important infrastructure (Huchzermeyer, 2006). Relocation should not take place to a location that is distant from the existing settlement, and the relocation site should be approved by the community (Huchzermeyer, 2006). It is stated by Huchzermeyer (2006: 5) that “*in situ* upgrading (which does not involve relocation) is more likely to be responsive to poverty and vulnerability, and to lead to social inclusion, than a relocation process, due to the socio-economic disruption (of delicately balanced livelihoods) associated with the latter”. This means that relocation can cause a serious disruption in the lives of the residents involved.

Huchzermeyer (2006) posits that the projects that are undertaken as resettlement should promote the notion of spatial restructuring, integration and participation of the parties involved. Most importantly, they must strive to overcome social, spatial and economic exclusion. This means that informal settlers would have a chance to choose land that would least jeopardize their basic needs during the process of relocation. Given that most informal settlements on railway reserves are not considered suitable for upgrading, these principles should apply to such settlements.

Department of Housing (2000) states that participation of the people involved in the process of relocation must be encouraged, because if they are not involved actively, their desired needs may not be met. For instance, in the case of Thamboville informal settlement in 2006 (near Benoni) in Ekurhuleni Metropolitan Municipality, the residents ended up fighting with the police, because the residents were arguing that they have been sent far from their workplaces and they were worried about transport cost from their new settlements to their workplaces (Mail and Guardian online, 2006). As a result of this, 800 residents blocked the main street to the settlement singing revolutionary songs. The angry mob was told that their protest was not legal and they were given 15 minutes to go away. However, they did not disperse after 15 minutes. Unfortunately, the police fired rubber bullets in order to disperse them. The residents responded by throwing stones at the officials, Red Ants and the police. Eventually, eighteen people were injured during the shooting, and were taken by ambulance to separate hospitals and the residents were told to pack up their belongings and move to Albert Luthuli settlement, where they have been allocated 167 houses (Mail & Guardian online, 2006). This incidence demonstrates that, it is very important for informal settlers to be involved actively in terms of addressing their development challenges, including those of relocation.

## **2.4. Challenges of Sustainability**

Sustainability is defined by (WCED, 1987) as based on achieving and protecting the needs of the present generation without jeopardizing the ability of future generation to meet their needs. The relevance of this concept is that it guides the developers to make sure that they promote the sustainability of the land or houses when relocating or upgrading informal settlements. There is a concern about the future generation globally, because the earth is becoming exhausted as natural resources are not managed properly by the society. Therefore, this will make it difficult for the future generation to access natural resources because they may be depleted (WCED, 1987). There is also a need to start promoting a sustainable development in order to promote health and well-being of human beings and species and also to conserve the environment (WCED, 1987). The above statement implies that the more we protect our environment, the more future generations would be able to meet their needs. But if we consume more we will probably need more resources or worlds or else the environment would not be able to meet our needs.

In terms of human settlements, the above statement implies that sustainable human settlements could play a crucial role in a sense that they provide the needs of all its citizens on an equitable environmentally friendly basis, promote the eradication of poverty and promote an equal distribution of resources (Irurah and Boshoff, 2003). Sustainable human settlements are guided by socio-economic approaches such as promotion of community participation, diversity, protection of health, safety and security, community centres, business centres, clinics, schools/crèches, protection of livelihoods, provision of employment and recreation (UN-Habitat, 2003). It is also guided by urban integration which is based on the issues revolving around location, housing,

layout, densification, land, nature conservation, urban agriculture, transport, geotechnical attributes of the land and roads or infrastructure (UN-Habitat, 2003).

Finally, sustainable human settlements are also guided by environmental aspects such as materials used, waste management (re-use, recycle & reduce), energy use efficiency, and water management (Irurah and Boshoff, 2003). Thus sustainable human settlements are important in terms of meeting the socio-economic, environmental and urban integration.

## **2.5. Relevant International Cases for resettlement on inhabitable land**

### **2.5.1. Case of Mumbai**

In the international case of Mumbai in India about 60 000 informal dwellers residing close to the railway line illegally were relocated without any of them being forced to leave the area (Patel, d'Cruz and Burra, 2002). The main aim for resettlement was to improve the railway system (Patel, d'Cruz and Burra, 2002). This group of people who invaded the land close to the railway tracks were low income earners who wanted to access job opportunities and resources in the city (Patel, d'Cruz and Burra, 2002). This led to an increased number of accidents on the railway tracks, which claimed the lives of the people, and it also disrupted the trains in providing services to the commuters (Patel, d'Cruz and Burra, 2002). This project was funded by the World Bank, which in this case encouraged the slum dwellers to participate in dealing with their problems. SPARC, the National Slum Dwellers Federation (NSDF) and Mahila Milan which is a union of the slum residents and women pavement dwellers played a crucial role during the process of resettlement

and also ensuring that alternative accommodation was provided to the needy slum dwellers during relocation process (Patel, d'Cruz and Burra, 2002). It is normal that the livelihood and social networks of the residents would be affected during the relocation. However, the residents of Mumbai were happy because of the fact that they were promised and given secure tenure, complemented by adequate supply of basic services (Patel, d'Cruz and Burra, 2002). Factors that led to the success of this resettlement process were based on the approach of the World Bank by providing contracts to the local community members who were able to perform certain tasks needed during the relocation process (Patel, d'Cruz and Burra, 2002). Mumbai planners gave the community organizations power to deal with their own issues (Patel, d'Cruz and Burra, 2002).

Most importantly the resettlement strategy guaranteed the provision of adequate housing not far from their existing settlement (with basic services) to the slum dwellers, the railway line was cleared and affected people were allocated 20.8 square meters apartments free of charge and also transit shelters measuring 120 square foot with basic services were built for people who lost their buildings as a results of unplanned demolitions (Patel, d'Cruz and Burra, 2002). This process did not affect livelihoods strategies of people negatively because they were not moved far away from their existing settlements and their social networks (Patel, d'Cruz and Burra, 2002).

This is a similar case to the one which the study is trying to address and if this approach can be adopted to address the development challenges that are faced by the Dukathole informal settlers which are discussed in chapter 5 of this report, informal dwellers might meet their basic needs of adequate housing through resettlement. Therefore, it is up to informal settlers at Dukathole

informal settlement to make choices based on the resources that are available in their municipality and address development challenges, which they might be facing.

### **2.5.2. Case of Nairobi**

In the case of Kenya an NGO known as Pamoja Trust and the Muungano wa Wanvijiji which is the urban poor federation in the informal settlements of Kenya are attempting to address housing problems (Weru, 2004). It is stated by Weru (2004) that a high number of people are living in informal settlements in Kenya's urban areas. Weru's (2004) approach centres around the issue of the development of consensus amongst the informal settlers when dealing with issues relating to land, structure entitlements and capacity building of community members prior the process of negotiating with the state on issues such as land and infrastructure.

Weru (2004) posits that in the past the organizations of the poor focused a lot on blaming the state when they are not able to meet their needs, but in Kenya, Pamoja Trust and Muungano wa Wanvijiji managed to work together with the state in the process of meeting the informal settlers' needs. Pamoja Trust was established in 2000 to assist the urban poor of Kenya to organize themselves in terms of dealing with the issues of forced evictions, to oppose demolitions and to be involved actively in the process of developing plans to meet their needs of adequate housing and also to access basic services (Weru, 2004). Pamoja Trust is a member of Slum Dwellers International (SDI) and it works individually and collectively to improve the conditions of slum and shack dwellers (Weru, 2004). The formation of this trust occurred as a results of government's

persistent support for the breaking down of informal structures and also evicting the occupants of the informal structures (Weru, 2004).

When there was a decrease in the process of demolitions in Nairobi, because of the state's adoption of a Poverty Reduction Strategy Paper, its involvement with UN-Habitat and a strong opposition from the low income groups and NGOs, Pamoja Trust decided to pay more attention to assisting the low-income earners to improve their housing conditions and basic services (Weru, 2004). This was done in cooperation with Muungano wa Wanvijiji. Muungano wa Wanvijiji has a saving scheme which is based on the provision of a community governance structure and also housing initiatives. Both Pamoja Trust and Muungano wa Wanvijiji intend to "improve housing both through regularization and upgrading of the settlements in which urban poor groups currently live (including getting tenure of land they occupy) and through new land tenure projects" (Weru, 2004: 48). Therefore, there is a need for NGO's like Community Organization Resource Centre, Utshani Fund and the Federation for the Urban Poor in South Africa to adopt similar strategies used internationally in order to show the community members that they have potentials to deal with their development challenges.

## **2.6. Conclusion**

This chapter attempted to give a brief description of the development challenges faced by informal settlers using international and local literature. What stands out in this chapter is that there are various factors that could lead to the formation of informal settlements on railway reserves and that there are various development challenges that prevent informal settlers from meeting their

basic needs locally and internationally. Looking at international and local literature used in this chapter one would realize that all informal settlers are facing almost similar development challenges and they are forced by similar difficulties to establish or reside in informal settlements irrespective of living in diverse contexts. It was stated in this chapter that participation of relevant stakeholders can play a crucial role in terms of addressing development challenges faced by informal settlers but how do we determine that there is enough participation to address development challenges faced by informal settlers.



## **CHAPTER 3 - POLICY AND LEGISLATION PERTAINING TO INFORMAL SETTLEMENTS NEAR OR ON RAILWAY RESERVES**

### **3.0. Introduction**

There are several pieces of legislation that protect informal settlers from being evicted or having their house demolished in South Africa even if they do not have security of tenure. These include, the Extension of Security of Tenure Act (no. 62 of 1997), the interim Protection of Informal Land Rights Act (no.31 of 1996), and the most common Act known as the Prevention of Illegal Eviction from and Unlawful Occupation of Land (Act 19 of 1998), which emphasizes that no one should be evicted from land that he/she occupied for more than 6 months. It also sets out eviction procedures and specific measures for vulnerable groups. This act is based on, the Constitution of the Republic of South Africa, section 26 Act 107 of 1997 that states that no one may be evicted or have their shelter destroyed without a court order (COHRE, 2005). This chapter will dwell more on how the above-mentioned acts protect the interests of the informal settlers who are staying close to railway lines, but also these settlers impact negatively on the South African National Railway Acts.

The chapter will also focus on various programmes implemented to deal with informal settlements in South Africa with a view to upgrading or relocating all informal settlements in 2014. The government's primary housing objective is to undertake housing development, which is aligned to section (1) of the Housing Act, No. 107 of 1997. This Act is defined based on the creation and maintenance of sustainable public and private residential environments and also to promote integrated households and communities in order to allow a suitable access to economic

opportunities, health, educational and social amenities for all the citizens of South Africa on a progressive basis. The Act also promotes tenure security on residential structures, which play a crucial role in terms of ensuring internal and external privacy (Department of Housing, 2000). This Act is broadly seen to be in line with the United Nations Millennium Development Goal that seeks to achieve a significant improvement in the lives of 100 million informal settlers globally by 2020. The target for upgrading informal settlements in South Africa is approximately 193,000 households per annum over a period of 75 years (Department of Housing, 2000).

### **3.1. Railway reserves and illegal occupation**

According to Scott (2004) railway reserves are becoming suitable areas for unlawful occupation by informal settlers and as mentioned in chapter 1, in 2004 there were 800 informal settlements that were built on the railway reserves in South Africa. The most important Act that is in charge of removing informal settlers in South Africa is the Prevention of Illegal Eviction from and Unlawful Occupation of Land (Act 19 of 1998) (Scott, 2004). This Act highlights various steps that need to be followed when evicting people and it posits that without a court order informal settlers could not be evicted (Scott, 2004).

In addition, it is stated clearly in Chapter 13 of the South African Housing Code, Department of Housing (2004b) that no one should be evicted from their settlements without alternative accommodation that is close to their existing settlements and people should be moved to serviced land. Scott (2004) mentions that the issue of providing alternative accommodation makes it difficult for the Railway Company to evict. Consequently, informal settlements on railway

reserves are a challenge to the daily activities of the Railway Company, as it considers the issue of providing alternative accommodation on serviced land which is beyond its ability (Scott, 2004).

The above statements seem to be true, because there is no way a train can run smoothly if there are informal settlements close to the rails. Informal settlements on railway reserves impact negatively on the railway business and one needs to bear in mind that there is no consensus as to whether it is the obligation of the railway company to provide housing for the informal settlers. However, they have to see to it that their vacant land is adequately protected from invasion.

### **3.2. South African eviction and railway legislation**

The National Railway Safety Regulator Act (Act 16 of 2000) was introduced with the purpose of promoting safe railway operations by identifying risks associated with the operations of trains and also coming up with strategies that should be adopted to combat the identified risks (Scott, 2004). However, even if the railway company views informal settlers as obstructing their operations, there is no way they could evict them without a court order (COHRE, 2005). Thus the National Railway Safety Regulator Act (Act 16 of 2000) must be applied in conjunction with the Prevention of illegal Eviction and Unlawful Occupation of Land (Act 19 of 1998) in a sense that it cannot be applied without considering all the relevant circumstances required in terms of the Prevention of illegal Eviction and Unlawful Occupation of Land (Act 19 of 1998) and the Constitution of the Republic of South Africa (Scott, 2004).

However, the railway operators attempted to apply another Act known as Occupational Health and Safety Act (Act 85 of 1993) in order to evict informal settlers (Scott, 2004). This Act stresses that people's health and safety should be safeguarded at work, and those who are not involved directly at work should be protected from suffering from hazards emerging from activities of those who are working. The Railway Company is concerned about the health and well being of its employees, as they understand that some illegal settlers on the railway reserves may disrupt the robots and this may cause accidents on the rails which may harm the health and well being of their employees. Scott (2004) further posits that the railway company is not only concerned about health and wellbeing of its workers rather it is also aware that some people may get injured by trains while crossing the rails or if a train can derail. Therefore, the challenge is to ensure that the railway operators also consider the safety of those that for various reasons resided on the site of the railway operators and informally occupy their land.

### **3.3. Emergency Housing Programme**

This programme focuses on helping people whose shelter has been destroyed by natural catastrophes or evictions and on people who are staying on uninhabitable land which impacts negatively on their health, safety and well being (Department of Housing, 2003). This programme which is in chapter 12 of Housing Code offers the above-mentioned group of people temporary shelter. This form of help occurs in a scenario where there is an emergency situation of housing need (Department of Housing, 2003). Emergency situations have been highlighted under this programme as a situation whereby people are homeless because of natural disasters, because they live on haphazardous land, their homes have been demolished, they have been evicted, live in the

way of municipal infrastructure engineering, or live in conditions that pose threat to their lives, safety and well being (Department of Housing, 2003). This programme is in line with section 26 of the Constitution of the Republic of South Africa Act 107 of 1997 which states that everyone has a right to have access to adequate housing and that the state must use its available resources to meet the progressive goal of this right (Department of Housing, 2003).

The emergency housing programme is introduced in terms section 3 (4) (g) of the Housing Act, 1997 (Department of Housing, 2003). In terms of this programme, the municipalities get assistance from the National Department of Housing in the form of grant so that they can respond quickly to emergency situations in housing by providing land, installing municipal infrastructure engineering and also shelter (Department of Housing, 2003). This programme also encourages relocation or resettlement of people on a voluntary basis and in a cooperative way in relevant cases (Department of Housing, 2003). However, where resettlements or relocations are alternatives the programme highlights that the settlers should not be moved far away from their existing settlements and this process must take place under the approved framework of the municipality (Department of Housing, 2003). This means that the municipality in which an emergency scenario has emerged must apply for the grant through the Provincial Government's Department of Housing from the Emergency Housing Steering Committee (EHSC) in the National Department of Housing rapidly in order to address the emergency situations in its jurisdiction.

Finally, unlike the Housing Subsidy Scheme this programme does not exclude people because they do not qualify to benefit from the South African housing subsidy i.e. they earn above R3500.00 on a monthly basis, they have previously benefited from the housing subsidy, they are

not first time home owners, they are illegal immigrants or they are single and under 21 years of age (Department of Housing, 2003). Where informal settlements on railway reserves are attacked by immediate threats to their lives, this programme can apply for temporary relocation. However, if the threat is not immediate, a permanent solution should be sought through chapter 13 of the Housing Code, which follows.

### **3.4. *In situ* Upgrading of Informal Settlements**

The informal settlement upgrading programme is established in terms of section 3(4) (g) of the Housing Act, 1997, and is called the National Housing Programme: *In situ* Upgrading of informal settlements and chapter 13 of the Housing Code (Department of Housing, 2004b). In terms of this programme the assistance takes the form of grants to municipalities to enable it to respond rapidly to informal settlement upgrading needs by means of providing the land, municipal services infrastructure and social services (Department of Housing, 2004b). Most importantly, it also encourages informal settlers to participate in dealing with their accommodation problems (Department of Housing, 2004b). It covers the possible relocation and resettlement of settlers on a voluntary and cooperative basis during the process of development of the human settlements (Department of Housing, 2004b). The programme applies to the *in situ* upgrading of informal settlements as well as in cases of relocation (Department of Housing, 2004b). The programme also highlights that when relocating, people involved should be consulted and given an opportunity to make rational decisions concerning their human settlement development (Department of Housing, 2004b). The municipalities also need to bear in mind that everyone has a right to benefit from this

programme irrespective of him or her being excluded from benefiting from the Housing Subsidy Scheme (Department of Housing, 2004b).

The programme aims to achieve tenure security by promoting the concepts of citizenship, decreasing vulnerability, and establishing and maintaining the relationship between state and the residents (Department of Housing, 2004b). However, it is highlighted that illegal immigrants can cause difficulties in the process of upgrading because one needs to understand that the benefits provided by this programme will not necessarily be available to them (Department of Housing, 2004b). Therefore, the municipality needs to liaise with the Department of Home Affairs (Department of Housing, 2004b).

The programme also intends to promote health, safety and well-being by facilitating the provision of sustainable municipal engineering infrastructure, restoring dignity and reducing vulnerability to diseases (Department of Housing, 2004b). This means that the well-being of informal settlers is being safeguarded.

The programme also intends to empower communities by dealing with aspects of their social and economic exclusion, and promote their social and economic integration (Department of Housing, 2004b). Through social development facilitates the provision of services such as sport fields, or community halls to meet the needs of the residents. It also establishes a platform for the future secondary and tertiary delivery of services such as schools, hospitals and police stations (Department of Housing, 2004b). Under economic development it facilitates the development of municipal by leveling economic structures such as transportation, workspaces and markets

(Department of Housing, 2004b). It also promotes job creation as it works with part of Expanded Public Works Programme by enhancing community based labour intensive construction methodologies (Department of Housing, 2004b).

In addition, the programme also boost the social capital of communities by encouraging the active involvement of communities in the process of designing, implementing and evaluating their own projects (Department of Housing, 2004b). This aims to establish and maintain a strong relationship between the government and communities in upgrading informal settlements (Department of Housing, 2004b). The processes of engagement also foster social networks and reduce crime and household vulnerability (Department of Housing, 2004b). The programme also applies to informal settlements that have to be relocated (as a last resort) due to unsuitability of the land. It should, therefore, be applied to informal settlements on railway reserves.

Finally, the Informal Settlements Upgrading Programme follows a holistic approach with a less negative impact on social networks and support structures (Department of Housing, 2004b). This ensures that informal settlements are integrated and upgraded appropriately (Department of Housing, 2004b). In doing this, the programme would be contributing towards meeting the United Nations Millennium Development Goals.

### **3.5. Conclusion**

This chapter looked at policy and legislation pertaining to informal settlements near or on railway reserves. Based on this chapter one would realize that the Prevention of Illegal Eviction from



Unlawful occupation of Land Act (Act 19 of 1998) with the help of the court undermines National Railway Safety Act (Act 16 of 2002) by emphasizing that informal settlers should be evicted with a court order or be given alternative accommodation within the proximity of their existing settlements and on serviced land. This causes serious problems for railway operators because their mission and vision is not based on providing shelter for people who invaded their land.

In terms of the programmes initiated by the state in order to deal with informal settlements, one would argue that the state is attempting to align itself with the Millennium Development Goals. However, there is still much that should be done to stop the increasing number of informal settlements or to tackle development challenges faced by informal dwellers. Finally, there is also a need to review the conflicting aspects of the above mentioned legislations because unlawful occupiers will continue to live in land that has development challenges and also pose a threat to their health and wellbeing.

## **CHAPTER 4 - EKURHULENI METROPOLITAN MUNICIPALITY (EMM) AND ITS APPROACH TO DUKATHOLE INFORMAL SETTLEMENT**

### **4.1. Introduction**

The chapter gives a brief background of the EMM, certain intervention strategies applied by EMM in terms of addressing development challenges faced by informal settlers within its jurisdiction and background of Dukathole informal settlement since it is the focus of the study.

### **4.2. Background on Ekurhuleni Metropolitan Municipality (EMM)**

EMM was established in December 2000 after the municipal elections and the implementation of ward participatory systems of local government and a mayoral executive. EMM has 175 councillors and it is known as 'Africa's workshop' because it comprises of the big industries in Africa (EMM, 2006). EMM's key sectors are manufacturing which includes machinery, metal, plastics, chemicals, food, agriculture, skills development and business services (EMM, 2006). Most importantly it is home to the Johannesburg International Airport/ OR Tambo International Airport and it provides 23% of the gross domestic product (GDP) of Gauteng (EMM, 2006). EMM held a summit on the 23<sup>rd</sup> and 24<sup>th</sup> January 2006 with the aim of establishing sustainable human settlements. The municipality is believed to have a large number of informal settlements in Gauteng Province with about 112 informal settlements with 180 000 units (EMM, 2006). Of these, 14 are old informal settlements that are close to the railway reserves (Mkhabela, pers.com.,2007).

These 14 informal settlements include Barcelona, Zesfontein, Ivory, Ulana, Dukathole, Goodhope, Driehoek, Mandela, Thokoza, Uluna, Rooikop, Windmill Park, Holomisa and Zonkesizwe (Mkhabela, 2007, pers.com) (Refer to appendix C). The unemployment rate in EMM is 40 percent and 28 percent of the population in EMM lives in poverty (O' Reilly, 2006). It is mentioned that about 100 000 families live under terrible conditions and that more than 50 000 are still on a waiting list to get sustainable human settlements. Mr. Sambo who is a member of the Mayoral Committee for Housing in Ekurhuleni (cited in EMM, 2006:4), also highlighted that "the challenge we are facing is to curb the mushrooming of shacks to allow development to take place". Sambo (cited in Ekurhuleni, 2006) also mentioned that 6 700 stands were serviced and 10 300 houses were delivered in the financial year of 2004/05. In addition, Ekurhuleni Executive Mayor, Clr Duma Nkosi also showed that he is concerned about sustainable human settlement by injecting R294.6m in the housing sector for 2006/07 budget and he also highlighted that they have a challenge to construct about 11 500 houses that are planned (Ekurhuleni Metropolitan Municipality, 2006).

Furthermore, EMM (2006) states that the municipality has committed itself to building sustainable human settlement that restores dignity and security to the residents and also to make sure that the residents' access houses on land that is not harmful to their health and well being. Ekurhuleni which means a place of peace, has about 2,5 million dwellers, has 31 000 industries and businesses and it is 190 000 hectares in size (EMM, 2006). Therefore, a large number of people flock into this area in order to look for jobs and it is stated that about 7.5 percent of people from other South African countries move to this area in order to look for jobs (O' Reilly, 2006). The

biggest problem with these people is that they do not have accommodation in the area and ultimately they reside in informal settlements (O' Reilly, 2006).

Finally, the EMM has a department of housing, which is involved actively in terms of addressing issues relating to subsidies, social housing and also the informal settlements (EMM, 2004). The EMM adopted a Human Settlement policy with the aim of ensuring that housing developments are integrated with basic services such as clinics, hospitals, schools, libraries, economic opportunities, transport and sanitation (EMM, 2004). EMM is divided into three Service Delivery Regions (SDR), which include those of the South, North and East (EMM, 2004). Kotzee (A housing official in EMM) (cited in Huchzermeyer *et al*, 2004) states that all the informal settlements in the EMM have access to basic services such as water through stand pipes, and sanitation in a form of 'dry system'. The municipality is also responsible for collecting waste in all the informal settlements in the EMM. Kotzee (cited in Huchzermeyer *et al*, 2004) further states that if the informal settlements are deemed to be upgraded the EMM install permanent water pipes but if it is not suitable for upgrading then the EMM uses water tanks to distribute water.

### **4.3. EMM approaches to informal settlements**

#### **4.3.1. Intervention strategies in dealing with new or existing informal settlements**

According to Odendaal (pers.com., 2006), if an informal settlement has been in existence for more than six months on a piece of land that is not suitable for human settlement, alternative accommodation will be provided to the settlers. This means that if they have resided on land that

is not suitable for human settlement for less than six months, they will be evicted. Odendaal (pers.com., 2006) further supports the above statements by emphasizing that “no alternative accommodation is required if the informal settlers have resided in a certain land for less than three months but a court order will be required”. The PIE Act makes special provision for the elderly and vulnerable groups in the society when evicting people.

In addition, Kotzee cited in Huchzermeyer *et al*, (2004) states that in a situation whereby the informal settlements are on uninhabitable land such as dolomite, the EMM relocates them to greenfield areas, applying the Emergency Housing Policy of the National Department of Housing (Chapter,12 of the Housing Code). The EMM has also drafted an 8 year plan to supply all the informal settlements in their municipality with habitable stand and basic services (Kotzee cited in Huchzermeyer *et al*, 2004). To ensure that the 8-year plan is accomplished the EMM decided to buy land in advance so that it could accommodate the informal settlers adequately (Kotzee cited in Huchzermeyer *et al*, 2004).

#### **4.3.2. Approach to the rights of the informal settlers**

Kotzee (cited in Huchzermeyer *et al*, 2004) states that all the informal settlers have rights irrespective of the fact that they occupied the land illegally. For instance, Xakambana (pers.com., 2007) posits that they are considered to have a right to emergency services and that it is the responsibility of the EMM to fulfill this right.

Odendaal (pers.com., 2006) (Gauteng Province) made it clear that the informal settlers' rights are protected and respected. For instance, Odendaal (pers.com., 2006) states that:

*“they have certain rights to proper eviction procedures and those who have resided for more than six months are entitled to be given suitable alternative shelter when relocated or evicted”*

Thus EMM consider parastatal land as private. But they have the rights to be allocated with alternative accommodation. Furthermore, Kotzee (cited in Huchzermeyer, Baumann and Mohamed, 2004) also indicates that all the informal settlers are recognized in terms of the Constitution of the Republic of South Africa as citizens in the city who must enjoy their rights covered in the constitution and that they are also protected by the Prevention of the Illegal Evictions Act which emphasizes the provision of alternative accommodation when evicting the informal settlers.

#### **4.3.3. Approach aimed at upgrading informal settlements**

The upgrading policies must focus on “the provision of secure tenure for slum dwellers and the implementation of innovative practices regarding access to land, innovative access to credit, adapted to the economic profile, needs and requirements of slums dwellers and communities” (UN-Habitat, 2003: 130). The above statements emphasize the issue of secure tenure and access to resources. Odendaal (pers. com., 2006) states that:

*“you cannot upgrade an informal settlement on a railway reserve”.*

This means that the residents living close to the rail reserves should be relocated in the view of Gauteng Province.

In order to upgrade the informal settlements, the EMM applies for funding from the Programmes of Gauteng Province such as Incremental Housing, and the Municipality serves as a developer (Huchzermeyer, *et al* 2004). The funding covers services such as land, water, electricity and sanitation. All the above aspects are financed via capital subsidies ( Huchzermeyer, Baumann and Mohamed, 2004). The People’s Housing Process (PHP) and Essential Services Programme play a crucial role in promoting most of the housing developments or informal settlements upgrading in the EMM (Huchzermeyer et al, 2004). The city is also providing more alternatives in order to deal with the housing backlog for instance social/ rental housing for those who can afford to rent/buy houses, hostel upgrading and rightsizing for people who are no longer affording to pay mortgage bonds (EMM, 2004). These are seldom alternatives for informal residents.

#### **4.3.4. Involvement of the informal settlers in their process of development**

According to Mohamed (2004, presentation) there are various frameworks for community participation in South Africa. For instance, the Constitution of South Africa (1996) emphasizes that everyone has a right to participate on issues that are taking place in this country irrespective of his ethnicity, culture, religion or race. The white Paper on Local Government also emphasizes the issue of promoting local democracy and mechanisms of citizen participation. The municipal

Structure Act (1998) also encourages that Ward Councilors to encourage local communities to participate in community issues, and the Municipal Strategy Act entrenched the Integrated Development Plan that encourages participation of relevant stakeholders in planning for the future of the country (Mohamed, 2004, presentation).

In the EMM, most of the informal settlements are represented by the ward structures, since the organizations such as PHP and Landless People Movement are not active in the EMM (Kotzee, cited in Huchzermeyer, Baumann and Mohamed, 2004). It was also stated by Kotzee (cited in Huchzermeyer, Baumann and Mohamed, 2004) that not every informal settlement in the EMM has a representative structure. For instance, Kotzee (cited in Huchzermeyer, Baumann and Mohamed, 2004) states that informal settlements that are dominated by illegal foreigners do not have representative structures. She furthermore stated that the EMM interacts with informal settlers through community development officers who are involved actively in the process of informing the informal dwellers about developments that are likely to occur on their land (Ekurhuleni, 2004). However, Kotzee (cited in Huchzermeyer *et al*, 2004b) states that there is not enough funding to support this initiative.

In addition, Odendaal (pers.com., 2006) states that it is a standard procedure in South Africa to involve the informal settlers in the process of making decisions on issues that are affecting their lives through the use of the Integrated Development Plan (IDP) process. According to Harrison (2001), IDP is a process, and a municipal manager is in charge of putting an IDP plan together. It represents the goals of the elected council and it must have strategies to achieve set goals. In addition, it must have projects that are achievable and financial plan. The Constitution of South



Africa provides a background under which the integrated development plan can operate. The strategies outlined in an IDP must be in line with the national or provincial plans and the spatial development must include guidelines for land use management, sectoral plans needed by other pieces of legislation which include transport, waste management, water plans, disaster management plans and housing strategies. It is stated by Harrison (2001) that a successful IDP will lead to capacity building and through it there will be a better decision making, because during its preparation participation by relevant stakeholders is encouraged through forums and ward committees in order to make sure that there is participation by various sectors. However, participation can be limited in a situation where the relevant stakeholders are not willing to participate actively. The interviews reported in Huchzermeyer, et al (2004) were reported before the Breaking New Ground plan and Chapter 13 of the Housing Code came out. Therefore, based on the information provided by housing official from EMM (Kotzee) and the findings of this report one would realize that there is a contradiction, because the interviewees in this report states that they are not involved in terms of dealing with their issues that will be taking place at Dukathole.

#### **4.3.5. Approach to incorporating livelihoods and social capital of the dwellers on railway reserves**

The EMM use the local labourer during the development of their land and encourages the contractors to train them (EMM, 2004). In addition, the EMM intends to integrate the human settlements with economic opportunities such as good agricultural land, and encourages the communities to receive agricultural training (EMM, 2004). As a result of this, the livelihood of the

residents would be boosted and there would be a decrease in poverty level. However, one needs to understand that there may be obstacles and limitations to this. For instance, the following picture (figure: 1) shows a group of informal settlers gambling which might be providing a livelihood for some or it must certainly erodes the resources of others.



Figure: 1 Group of informal settlers using gambling as a survival strategy

#### **4.4. Background on Dukathole Informal Settlement**

Dukathole is included in the 112 informal settlements that are in the EMM. According to Xakambana (pers.com., 2007) who is ward 35 councilor, Dukathole settlement was established in the late 1950 (Xakambana, pers.com., 2007). It was occupied by the Coloured and Indian communities in formal structures. The informal settlement emerged in the early 1990s as a result of political unrest at Katlehong, Thokoza and Voslorus (Xakambana, pers.com., 2007). This obliged people to relocate to Dukathole illegally (Xakambana, pers.com. 2007). Therefore, currently Dukathole has two sections, the older one with formal structures and the more recent one

with informal structures (Xakambana, pers.com., 2007). Most of the informal structures are close to the railway line (Xakambana, pers.com., 2007). Xakambana (pers.com., 2007) also posits that places such as Katlehong, Kleipotjie, Voslorus, Germiston extension 9, Rondebult and Ramaphosa consist of many people who have been relocated from Dukathole informal settlement over the past decade. Dukathole informal settlement is located in the industrial zone of Germiston and close to the railway line and it is in the EMM (Xakambana, pers.com., 2007) (see figure: 2).



Figure: 2 Location of Dukathole Informal Settlement

Dukathole has a population of 15,000 people (Xakambana, pers.com., 2007). The unemployment rate is said to be between 80% and 90% (Mc Coy, 2006). The settlement is faced with problems such as poor infrastructure, poor hygiene, inadequate supply of basic services and high density (see figure: 2, 5, 7, and map 2 in appendix A) the residents are staying in a hazardous environment that would end up affecting their health and wellbeing negatively (Xakambana, pers.com., 2007). The majority of the informal settlers at Dukathole informal settlement live in poverty (Xakambana, pers.com., 2007). However, there is a range of different living conditions.

There are about 500 formal housing or residential plots with limited services whereas the rest of the area is occupied illegally and have no access to adequate services (Minnie, pers.com., 2007) (former Dukathole and ward 35 councilor). But there are public toilets and water taps in certain parts of Dukathole. Some informal dwellers that are staying at Dukathole illegally connected electricity in their shacks (Xakambana, pers.com., 2007).

In addition, Xakambana, (pers.com., 2007) posits that there are no formal or non-governmental organizations at Dukathole informal settlement. However, there are street committees who are in charge of dealing with the community problems and also reporting to him about any development proposals by community members or problems faced by community members.

#### **4.5. Development Plan of Dukathole Informal Settlement**

Xakambana (pers.com., 2007) highlights that the development plan for Dukathole informal settlement is based on formalizing stands and also providing full services such as water, electricity, sewerage and sustainable housing. It was stated that people who applied for subsidized housing between 1996 and 1998 will be relocated to Driefontein and Balmoral Land (Xakambana, pers.com., 2007). Xakambana (pers.com., 2007) mentioned that the community is aware of this development plan but they are not willing to move to the above mentioned areas because they believe that the relocation site is far from economic opportunities in EMM (Xakambana, pers.com., 2007). In terms of the foreigners it was stated by Xakambana (pers.com., 2007) that those who do not possess legal documents to be in South Africa will be deported to their countries and there is also a rental housing project initiated at Pirroville Development (First Phase) to

accommodate South Africans who do not qualify for subsidy and who do not have South African identity document (Xakambana, pers.com., 2007). Xakambana (pers.com., 2007) states that *in situ* upgrading will also take place on residential areas close to the industries.

#### **4.6. Challenges faced by the EMM in carrying out the proposed plan**

The most challenging problem perceived by EMM is that after people were given subsidized housing they rent them or sell them and go back to construct their shacks on uninhabitable land (Xakambana, pers.com., 2007). For instance, in the last phase of housing provision at Rondebult, Spoornet funded the developers to build 900 houses for people who were staying close to the railway line, but only 300 people are actually staying there. The other 600 are still staying at Dukathole informal settlement (Xakambana, pers.com., 2007). Looking at the above statement one would posit that people came back to Dukathole after relocation, because their social networks have been affected negatively (see figure:3 which illustrates social cohesion amongst some of Dukathole residents) or the relocation site is far from their work.



Figure: 3 Neighbours sharing home brewed beer (social networks)

Therefore, this creates a serious conflict between the EMM and Spoornet, because Spoornet needs its land and it is emphasizing that it is willing to help the EMM to eradicate the informal settlements close to the railway reserves only if the EMM can promise them that the informal dwellers could not come back and erect their shacks close to railway lines (Xakambana, pers.com., 2007). The other challenge is that, even if the EMM is attempting to allocate suitable housing, informal dwellers complain about the distance from the proposed development areas to their workplaces in Germiston (Xakambana, pers.com., 2007). I also think that people would definitely come back to Dukathole if they are relocated to places like Rondebult, because it is far from their workplaces. For example, they have to pay transport fees and this will have a negative impact on their remuneration.

#### **4.7. Conclusion**

This chapter highlighted important aspects that could play a vital role in addressing development challenges faced by informal settlers. It looked at the background and vision of Ekurhuleni Metropolitan Municipality, background of Dukathole informal settlements and its proposed development plan and the extent of participation. Of the most importance, this chapter showed that it is significant to allow community members to address their own development challenges. Otherwise they will benefit from subsidised housing programme but sell their houses and return to their former uninhabitable land, because of its proximity to job opportunities or social networks. Thus it is crucial for informal settlers to work collectively with relevant stakeholders in order to address their own problems.

## **CHAPTER 5 - DUKATHOLE RESIDENTS' PERCEPTION OF DEVELOPMENT CHALLENGES IN THEIR SETTLEMENT**

### **5.1. Introduction**

This chapter will highlight the background of informal settlers of Dukathole, including their reasons for residing at Dukathole, and their risks of staying close to the railway line and impact of the railway line on their livelihood strategies. It further looks at the impact of the railway on development of Dukathole and development issues presented by the railway line. Finally, it will focus on the formal or informal organization of the informal settlers at Dukathole, the availability of services in Dukathole and knowledge of the proposed development plan of Dukathole by informal settlers.

### **5.2. Background on informal dwellers**

In the interviews conducted, questions were asked about the previous residence of the informal dwellers at Dukathole. It was found that some informal dwellers come from hostels within EMM, others from rural areas in various provinces of South Africa, others had been staying in their employers' yards, and some had been staying with their parents in formal areas in Ekurhuleni Metropolitan Municipality. The interviewees were also asked about their ethnic background and I found that a wide range of ethnic groups were present. Households were composed of Zulus, Xhosas, Coloureds, Indians, Tsongas, Pedis, Tswanas and Sothos. This means that this particular informal settlement accommodates people from various backgrounds and ethnic groups.

### **5.3. Reasons for residing in Dukathole informal settlement**

Those who had been staying in hostels mentioned that they left because they were not feeling safe. One respondent mentioned that “I decided to stay at Dukathole informal settlement because it is much safer than a hostel”. This means that some of the informal settlers are not concerned about bad conditions at Dukathole or they are not afraid that they may be relocated, as they view the settlement as a safer place than a hostel.

One of those who had been staying in their employer’s yard mentioned that her employer was not giving her a time to relax. For instance, she mentioned that :

*“I was working unpaid overtime, then I decided to move to Dukathole in order to have a break”*

This means that she was running away from exploitation. Those who had been staying in rural areas mentioned that they cannot afford to buy or rent houses in Germiston, because they are not earning enough money to meet their family needs and also pay mortgages or rentals. This means that Dukathole offers them affordable accommodation. Those who had been staying with their parents mentioned that they moved out because they wanted to be independent. Thus there are various reasons that encourage people to reside in Dukathole informal settlement. One needs to understand that affordability also plays a crucial role, because if one of the Dukathole households could afford to stay in an adequate formal house, they would not choose to stay in a shack or on land informally.



#### 5.4. Risks of staying close to the railway line

All the interviewees residing close to the railway line mentioned that they are afraid that one day a train would derail and demolish their structures and also kill them. The interviewees also mentioned that they also saw a person killed by a train while digging sand close to the railway line in 2003. One of the interviewees mentioned that:

*“we dig sand and collect gravel from the rails to do floors in our shacks”.*

However, the respondent allege that even if they dig sand or fetch gravel from the rails they are afraid that one day they or their children would be run over by trains. For instance, one of the interviewees mentioned that: *“our children like playing on the railway line because they are naughty and one day they could be run over by trains”* (See figure:4).



Figure: 4 A broken barricade wall used by informal settlers (including children) to dump rubbish or relieve themselves close to the rail

Looking at the above picture I think that there is a need for the EMM in cooperation with the community members to provide adequate services (e.g. sewerage system) at Dukathole. However, this should be done if the settlement is deemed to be upgradeable. Therefore, if it is not upgradeable I think that it will be advisable for informal settlers to be relocated in order to avoid the above-mentioned problems.

The interviewees also mentioned that they are afraid that because they live on a railway reserve without security of tenure they would be relocated or evicted and be accommodated far from their workplaces in Germiston. They also stated that they do not like the environment at Dukathole informal settlement because it not healthy and that it impacts on their health negatively (See figure: 5).



Figure: 5 Rubbish dumped between barricaded wall and railway line.

In addition, one of the interviewees states that : *“there is lot of air pollution from trains, people who are using coal for cooking, air pollution from things dumped between the barricade wall and railway line, and also water pollution since there is no sewerage system”* .

Thus there is a need for intervention in order to assist the informal settlers in the process of dealing with their development challenges at Dukathole. Such intervention could help to combat diseases such as cholera, tuberculosis and other air born diseases.

Interviewees from Dukathole informal settlement also mentioned that since their informal structures are congested, they are also afraid that they would lose their properties if one person can leave his paraffin stove or candle unattended (refer to figure: 6).



Figure:6 Shacks burning on the 3<sup>rd</sup> of March 2007 in Dukathole

What is important about the above statement is that informal dwellers are aware of the risks that they are putting their lives into, but because of their inability to access adequate houses in the market or delays in terms of the approvals of their subsidized housing and they find themselves having no alternative to residing on hazardous land.

### **5.5. Impact of the railway line on livelihood strategies**

Most interviewees contemplate that living in an informal settlement helps them to save money and send it home because they do not have to pay rent for residing in Dukathole informal settlement. When asked about their reasons for staying close to the railway line they mentioned that in Dukathole there is suitable land for their informal structures and it is close to their workplaces. They furthermore, mentioned that they do not have to pay rent to stay at Dukathole. This statement is interesting because most people would assume that informal settlers reside on particular land illegally because they are unemployed but in this case some of the informal dwellers pointed out that they want to save money and send to their homes in rural areas. In the case of Dukathole informal settlement, all the interviewees made it clear that living in informal settlements has a positive impact on their livelihood strategies in that they do not have to spend money on paying rent or bond.

### **5.6. The impact of railway line on development**

Nine of the interviewees mentioned that they have been staying at Dukathole informal settlement from 1993 but nothing has been done to improve their environment, and when asked about the factors that encourage lack of development, interviewees mentioned that they do not know the reasons for why their environment is not being improved to date because they applied for subsidized houses in Germiston several times and they have still not accessed adequate houses until now. One interviewee who is a member of Dukathole Block Committee mentioned that the EMM and Spoornet staff do not want people to stay close to the railway lines and therefore

relocation is inevitable. They also mentioned that some of structures are built on top of the proposed municipal infrastructure or on Spoornet land. Most informal settlers interviewed do not have an understanding about the impact of the railway lines on development of Dukathole informal settlement. They do not know that the EMM and railway staff does not want to see structures on railway reserves.

### **5.7. Formal or informal organization of informal settlers at Dukathole**

According to all the interviewees there is no formal organization at Dukathole informal settlement. However, there is a block committee with representatives from each block of Dukathole informal settlement and they are responsible for reporting any matter arising in the community to the ward councilor. Two committee members stated that at this moment the committee is not functioning properly, because the councillor does not want them to come to his house and report matters arising in the community and he is failing to help them to deal with the housing problems. However, (Xakambana, pers. com., 2007) mentioned that he is trying by all means to address the problems faced by Dukathole informal settlers but “they do not want to cooperate and they do not attend community meetings”. This statement shows that there is a conflict between the ward councilor and the community members.

### **5.8. Availability of services in Dukathole**

All the interviewees mentioned that they appreciate the municipality’s attempts to provide water taps, public toilets, a clinic and a school in the settlement. However, they mentioned that the EMM

must also focus more on the issue of helping them to meet their needs of adequate housing with basic services in their stand, because services that are used by the public are not hygienic (refer to figure: 7). For instance, one of the interviewees residing close to the railway line mentioned that:

*“the place where I fetch water is dirty and I am afraid that one day I would suffer from cholera”.*



Figure: 7 Water tap with contaminated water

The above statement and picture shows that the residents are not happy about services at Dukathole. However, one needs to encourage the community members to be responsible for keeping their environment healthy rather than expecting the EMM to provide services and also to clean their environments. What I noted is that informal settlers at Dukathole tend to blame the municipality for not caring about their environment, instead of mentioning that they need to work collectively with the municipality and relevant stakeholders in order to make sure that they have access to basic services and they reside in adequate or sustainable human settlements. The process of engagement would help informal dwellers to be self-reliant and also to address their

development challenges. However, the problem of the ward councillor not wanting reports from block committee really ties the hands of ordinary community members and their representatives.

### **5.9. Knowledge of the proposed development plan at Dukathole.**

According to ward 35 councillor Xakambana (pers. Com., 2006) some of the informal settlers residing close to the railway and applied for subsidized housing in 1998 will be relocated from Dukathole. However, the interviewees (the street committee members and residents) posit that they are not informed about the proposed development plan of their own settlement and they mentioned that they do not think that there would ever be a development on their land. However, they mentioned that sometimes the EMM officials come and place stickers on their doors without explaining the reasons for placing those stickers. When asked about their feelings around this issue, they mentioned that they feel useless, because the EMM and the ward councillor are failing to inform them about any activity that is taking place in their settlement. This issue is very sensitive, because any activity or development should be based on involving community members so they can voice their felt needs. Thus community members could also assist in terms of coming up with rational alternatives on how to tackle needs identified by the participants.

### **5.10. Conclusion**

It was discovered during the investigations that there are various factors that encourage people from diverse backgrounds to reside on hazardous land such as that close to the railway line. For instance, it was found during the investigation that the interviewees had to reside close to the

railway line because of the availability of unregulated land, lack of shelter, low income and need for freedom and independence. The interviewees are aware of the diverse risks to their health and well-being, but few of the interviewees understand the reasons for lack of development at Dukathole. They posit that they are not informed about the proposed development plan for their settlement and that there is no formal organization that is representing informal settlers to deal with their development challenges. This issue is very sensitive, because for development challenges to be solved and also the basic needs of informal settlers to be met at Dukathole informal settlement, there is need for participation by the municipality, informal dwellers, NGOs and relevant stakeholders to be involved.

Finally, even if there are several development challenges identified, the issue of participation tends to stand out as a major problem because if Dukathole informal dwellers are not involved in terms of dealing with their own development challenges, they are prevented from developing their sense of independence. Lack of participation in Dukathole is caused by lack of formal structures in the community, lack of recognition of the existing block structure and poor relationship with the ward councilor. It was mentioned in chapter of the study that participation can play a crucial role in terms of assisting the community members to address their felt needs rather than somebody imposing his or her own need on the community members. Consequently, the informal settlers at Dukathole should be informed about activities that are taking place in their settlement and they would participate if given a chance. However, one needs to bear in mind that participation has limitations and that not all the informal settlers can participate if given a chance.



## **CHAPTER 6 - CONCLUSIONS: IMPLICATIONS FOR PLANNING AND RECOMMENDATIONS**

### **6.1 Introduction**

South Africa has a high rate of poverty, lack of job opportunities and high inequality, similar to many developing countries. However, the South African scenario is worsened by its historical background of racial, economic and spatial exclusion and the current growth oriented economic policy known as GEAR (Growth, Employment and Redistribution) or ASGISA. When the new democratic government took over, it introduced several interventions in order to address poverty, unemployment and inequality. Some of these policies yielded programmes such as Informal Settlement Upgrading Programme and Emergency Housing Situation Programme within a framework of intergovernmental cooperation and planning in order to provide adequate or sustainable human settlements for the citizens of South Africa.

The research report set out to establish the development challenges that are faced by informal settlers close to the railway lines, looking at the case of Dukathole informal settlement. Most importantly, it placed emphasis on the role that should be played by the state and communities in dealing with the development challenges that are faced by the informal settlers. In terms of the literature review, the participation of relevant stakeholders was emphasized in addressing the housing problems of the informal settlers and also eradicating them was established.

It was argued that the concept of participation could lead to a situation whereby the informal settlers are empowered and able to meet their basic needs. It was also established that South Africa's constitution embraces the concept of citizenship and sustainable development – whereby each and every citizen must feel proud to be a South African and meet his or her basic needs with the state assisting with its available resources where necessary.

However, one needs to understand that it is not easy to achieve goals set under each and every programme aimed at uplifting the standard of living for informal settlers, because for these programmes to succeed, good quality resources are needed. Most importantly, policies, intervention strategies, institutions and well informed officials must be responsive rather than failing to assist the citizens of South Africa from meeting their basic needs and realizing their aspirations.

## **6.2. Conclusions on the development challenges faced by residents of informal settlements near railway lines**

Based on the context of the development challenges highlighted in this study, various sectors of government have been working hard to come up with alternatives that could lead to the eradication of uninhabitable human settlements such as informal settlements near railway lines by the year 2014. However, one needs to bear in mind that our policies are still infants and that there is a demand to familiarize officials with robust intervention strategies that could assist them to intervene effectively in the process of promoting sustainable human settlements and that not all informal settlements need to be eradicated - some can indeed be upgraded. For instance, a large

part of Dukathole can be upgraded, applying chapter 13 of the Housing Code. Thus, there is still much work to be done as the processes unfold.

What can be said in terms of conclusions is to briefly go back to what this report intended to address. The study set out to investigate the development challenges that are faced by informal settlers close to railway line looking at the case of Dukathole informal settlement. This was in the context of participation, basic needs and resettlement. It furthermore acknowledged that the South African government has initiated crucial programmes in order to promote sustainable human settlements and that the global economic system poses serious challenges in realizing policy goals. Most importantly, it was argued in this report that participation is a significant tool that could end up empowering the community members in dealing with their issues and also relying on themselves. Consequently, their standard of living would be improved, their basic needs would be met and development challenges would be resolved.

It was further argued that the government officials need to find out about the Informal Settlement Upgrading Programme and apply relocation only as a last resort when relocating the informal settlers on land that is not suitable for human settlements, because their rights, dignity and livelihoods have to be respected irrespective of them residing on certain land illegally. This should also give informal settlers time to come up with their new survival strategies and also to establish new social networks.

Finally, the Gauteng Department of Housing and EMM intervention strategies were analysed and it was established that they are in line with the national policy and legislative framework

except that chapter 13 of the Housing Code is not being applied and this is a serious problem. But in terms of commitment both the Province and EMM have lack of interest in terms of cooperating with the people at grassroots level. This relates to problems of political representation through uncooperative ward councilors. For instance, some of the residents at Dukathole informal settlement are not informed about a development plan of their settlement. This shows that Dukathole informal settlers are excluded in terms of addressing their own development challenges.

### **6.3 Recommendations**

In terms of the study, development challenges are faced by every informal settlement globally. Irrespective of their proximity to railway line, they are mostly vulnerable to risk and live in uninhabitable environments even where structures are in place for cooperation and engagement. Issues of capacity building, skills and implementation of policies play a crucial role in delaying or speeding up the process of providing sustainable human settlements or eradicating settlements on uninhabitable land.

A few recommendations are made below for policy optimization and most of the areas have been exhausted in terms of policy and strategic documents in South Africa. Therefore, what is required is to commit resources.

In terms of the Ekurhuleni Metropolitan Municipality the following needs to be looked at when addressing the development challenges faced by Dukathole informal settlement:

- Development practitioners must bear in mind that participation can be in the form of consultation, financial contribution, mass action or self help (White, 1992) and that participation has a fundamental value for the participants in a sense that it encourages them to be self-reliant and, most importantly, it guarantees that a felt need is being dealt with (Mamphiswana, 2000). Therefore, it is very crucial for the developer to involve the community members in the process of making decisions relating to the development that will be taking place at Dukathole.

- EMM must implement Chapter 13 of the Housing Code.

- EMM must do awareness campaigns about how other informal settlers locally and internationally deal with their own challenges

- EMM must ensure that the rights, livelihoods, social networks and dignity of the informal settlers are protected and respected.

- EMM must empower and train railway, municipal officials and ward councillors in order to enable them to engage with processes competently and passionately when dealing with informal settlements

- Finally, programmes that are aimed at empowering communities that were previously disadvantaged should be initiated in the EMM. The target group must be women, youth, people with disabilities and historically disadvantaged communities.

## REFERENCES

Angel, S., 2000. Tenure. Chapter 23 in *Housing Policy Matters. A Global Analysis*. Oxford University Press, London.

Brager, G. and Specht, H., 1969. *Community Organising*. New York: Columbia University Press.

Centre on Housing Rights and Evictions, 2005. *Any Room for the Poor? Forced Evictions in Johannesburg, South Africa. Draft for Discussion, February*. Centre on Housing Rights and Evictions, Geneva. web: [www.cohre.org](http://www.cohre.org).

Chitekwe, N. and Lephoto, J., 2004. Project on informal settlement. Incorporating livelihoods into the informal settlement intervention. University of the Witwatersrand .

Department of Housing, 2000. *National Housing Code*. Department of Housing: Pretoria.

Department of Housing, 2003. *National Housing Code*. Housing Assistance in Emergence Housing Situations, Chapter 12. Department of Housing: Pretoria.

Department of Housing, 2004 (a). '*Breaking New Ground*': *A Comprehensive Plan for the Development of Sustainable Human Settlements*. (As approved by Cabinet and presented to MINMEC on 2 September 2004). Department of Housing: Pretoria.

Department of Housing, 2004 (b). *National Housing Code*. Upgrading of Informal Settlements, Chapter 13. Department of Housing: Pretoria.

Du Plessis, C., Irurah, D.K. and Scholes, R. 2003. The built environment and climate change in South Africa. *Building Research and Information* 31 (3-4), 240-256.

Ekurhuleni Metropolitan Municipality, 2003. *Spatial Development Framework*, February. Ekurhuleni Metropolitan Municipality, Ekurhuleni.

Ekurhuleni Metropolitan Municipality, 2006. *Integrated Development Plan 2006/2010 Preview*. Ekurhuleni Metropolitan Municipality, Ekurhuleni.

Ekurhuleni Metropolitan Municipality, 2006. *Siyakha*, February-March: Official Newsletter of the Department of Housing. Gauteng Province.

Gardener, D., 2003. *Getting South Africans under shelter: An overview of the South African housing sector*. Housing Finance Resource Programme, Johannesburg.

Giddens, A., 1984. Elements of the theory of structuration. Chapter 1 in Giddens, A., *The Constitution of society: Outline of the Theory of Structuration*. Polity Press, Cambridge.

Fernandes, E., 2000. The legislation of Favelas in Brazil: Problems and Prospects. *Third World Planning Review*, 22(2), 167-187.



Hendler, P. and Pillay, M., 2002. Housing Finance Trends: The United States of America, India, Europe, Thailand and South Africa. Presentation at a conference in Cape Town

Homan, M.S., 1994. *Promoting Community Change. Making it Happen in the Real World.* Brooks/Cole Publishing Company: California.

Huchzermeyer, M., 2001. Housing for the poor? Negotiated housing policy in South Africa. *Habitat International*, 25 (3), 303-331.

Huchzermeyer, M. and Mayekiso, M., 2003. (eds) *Confronting Fragmentation: Housing and urban development in a Democratising society.* Cape Town. UCT Press.

Huchzermeyer, M., Baumann, T., and Mohamed, S.E., 2004. *Background Report 3: Informal Settlement Practice in South Africa's Metropolitan Cities. Study into the Support of Informal Settlements.* Report prepared for the Department of Housing, Pretoria.

Huchzermeyer, M., 2006. The new instrument for upgrading informal settlements in South Africa: Contributions and constraints. In M. Huchzermeyer and Karam (Eds), *Informal settlements: A perceptual challenge*, pp.41-61. UCT Press: Cape Town.

Ife, J., 1995. *Community Development: Creating Community Alternatives.* Longman: Melbourne.

Ilrig, 1998. *An Alternative View of Globalization*, Series No: 1. Ilrig: Cape Town

Irurah, D.K., Silverman, M. Bannister, S. and Zack, T., (2002). *Towards Sustainable Settlements: Case studies from South Africa*. STE Publishers, Johannesburg.

Irurah, D.K. and Boshoff, B., 2003. An interpretation of sustainable development and urban sustainability in low cost housing and settlements in South Africa. in Harrison, P., Kim, K., 1997. Housing Finance and Urban Infrastructure Finance. *Urban Studies*, 34 (10), 1597-1620. (Section1, 2, and 4)

Mail and Guardian online, 2006. *East Rand relocation turns violent*, Johannesburg, South Africa. <http://www.mg.co.za> 29.12.2006.

Mamphiswana, D., 2000. Needs Assessment Tool: Dynamics and Processes for Sustainable Development. JUC Conference Paper

Mohamed. S.E., 2004. Project on informal settlement. From Ideas to Practice: the Involvement of Informal Settlement Communities in City-level Decision-making in SA. The University of Witwatersrand

Njoh, A.J., 2002. Barriers to community participation in development planning: lessons from the Mutengene (Cameroon) self-help water project. *Community Development journal* 37(3), 233-248.

O'reilly, T., 2006. Gauteng to launch alternative township housing. [www.ekurhuleni.com/ekurhuleni/article.jsp?id=1000758](http://www.ekurhuleni.com/ekurhuleni/article.jsp?id=1000758). 12.9.2006.

Patel, S., D'Cruz, C. and Burra, S., 2002. Beyond evictions in a global city: people-managed resettlement in Mumbai. *Environment and Urbanization*, 14 (1), 159-172.

Payne, G. and Majale, M., 2004. *The urban Housing Manual: Making Regulatory Frameworkers Work for the Poor*. Earthscan: London.

Pillay, M., 2006. Financial Engineering. Presentation at the University of Witwatersrand, Msc Housing programme.

Pugh, C., 1995. The role of the World Bank in Housing. Chapter 2 (34-92) in Aldrich, B. and Sandhu, R., (EDS), *Housing the Urban Poor: Policy and Practice in Developing Countries*. Zed Books, London.

Rendall, A. and Development Action Group (2004) In Situ Upgrading and Infill Development: International Experiences and Some Implications. A paper prepared for the South African Institute of Town and Regional Planners 1994 International Biennial Conference. Cape Town

Royston, L., 2003. Urban Tenure Reform in South Africa Social Redress, Sustainable Development or Both?

<http://www.utshani.org.za/Baumann%20and%20Mitlin%20SED%20March%202003.pdf>

Scott, I., 2004. Unlawful Occupations of Railway Reserves. Draft for discussion purposes. 30.08.2004. Spoornet, Johannesburg.

Simons, J. A, Irwin, D.B and Drinnien, B.A., 1987. Psychology. The search for Understanding. West Publishing Company, New York.

<http://honolulu.hawaii.edu/intranet/committees/FacDevCom/guidebk/teachtip/maslow.htm>  
09.03.2007.

Slum Dwellers International Report 7 (undated) Moving with the times: Rethinking resettlement in Mumbai (web) <http://www.sdinet.org/reports/r7.htm>

Smith, H., 1999. Theoretical framework: networks and spaces of negotiation in the provision of housing. Chapter 2 (pages 14-44) in Smith, H., *Networks and Spaces of Negotiation in Low income Housing: the case of Costa Rica*. PH.D. Thesis, School of Planning and Housing, Heriot Watt University, Edinburg.

Suzenet, G., Tal, A. and Boymanns, D., (undated). Sustainable water management for the city: technologies for improving domestic water supply. *Built Environment*, 28 (2), 138-151.

The Republic of South Africa, 1996. *The Constitution of the Republic of South Africa, Act 108 of 1996. (Subsection 26 and 27)*. Government of South Africa, Pretoria.

Thomas, E., 2006. The local government challenge of healthy development in informal settlements especially in a time of HIV/AIDS. Chapter 14 in Huchzermeyer, M. AND Karam, A. (eds) *Informal Settlements: A perceptual Challenge?* Juta/UCT Press. Cape Town.

Turner, J., 1972. Housing as a verb. Chapter, 7 (148-175) in Turner, J. and Fichter, R., (eds). *Freedom to Build: Dweller Control of the Housing Process*. Macmillan, New York.

United Nations Centre for Human Settlements Habitat, 1996. *An Urbanizing World: Global Report on Human Settlements 1996*. Earthscan Publications Ltd, London UK.

United Nations Centre for Human Settlements Habitat, 1996. *The Habitat Agenda; Goals and Principles, Commitments and Global Plan of Action*. United Nations Conference on Human Settlements [Habitat II], on 3-14 June in Istanbul, Turkey. Nairobi, Kenya.

United Nations Centre for Human Settlements Habitat, 2001. *Human Settlements in a Polarising World*. Chapter 1 (pg. 13-25) in UNCHS (Habitat), 2001. *Cities in a Globalising World: Global Report on Human Settlements 2001*. United Nations Centre for Human Settlements (Habitat), Nairobi, Kenya.

UNHCHR (Undated) Rights-based approaches: What is development from a human rights perspective? <http://www.unhcr.ch/development/approaches-02.html>. 29.11.2007

UN-Habitat, 2003. *The Challenge of Slums: Global Report on Human Settlements*. United Nations Human Settlement Programme, Nairobi.

UN-Habitat, 2005. *Financing Urban Shelter: Global Report on Human Settlements*, Earthscan, London.

UN-Habitat, 2005. *Financing Urban Shelter: Global Report on Human Settlements*, Earthscan, London.

Weru, J., 2004. Community federations and city upgrading: The work of Pamoja Trust and Muungano in Kenya. *Environment and urbanization*.16 (1), 47-62.

White, A., 1981. *Community Participation in Water and Sanitation: Concepts, strategies and methods*. IRC International Water and Sanitation centre. The Hague, Netherlands.

World Commission on Environment and Development (WCED), 1987. *Our Common Future*. Oxford University Press: New York.

van der Walt, L., (Undated) presentation to the informal settlement workshop: the national housing programme: upgrading of informal settlements.  
<http://www.wits.ac.za/informalsettlements/Louis%20va%20der%20Walt.ppt#327,3>, Introduction  
Louis van der Walt 19.04.2007.

van Donk, M., 2003. *Planning for a positive future: HIV/AIDS as an integral Component of Urban Development in South Africa*. *Urban Forum*.Vol.14.No.1. January-March.

Venter, P., 2006. Banking Sector. Presentation at the University of Witwatersrand, Msc Housing programme.

### **Personal Communication**

Minnie, Master, 21.02.2007. Ekurhuleni Metropolitan Municipality, Former Ward Councillor and Ekurhuleni Metropolitan Municipality official, interviewed by Sylvester Folae Mmonwa.

Mkhabela, Eshmael, 24. 04. 2007, Chief Executive Director of Interfaith Community Development Agency and Housing and Development Consultants (Pty) Ltd, interviewed by Sylvester Folae Mmonwa.

Odendaal, Willem, 09.09.2006. Chief Operations Officer, Department of Housing, Gauteng Province, interviewed by Sylvester Folae Mmonwa.

Xakambana, Alex, 20.02.2007. Ekurhuleni Metropolitan Municipality, Ward 35 Councillor, interviewed by Sylvester Folae Mmonwa.

## **APPENDIX: A**

Map 1: Existing informal settlements in the EMM

Map 2: Informal settlements surrounding Dukathole informal settlement

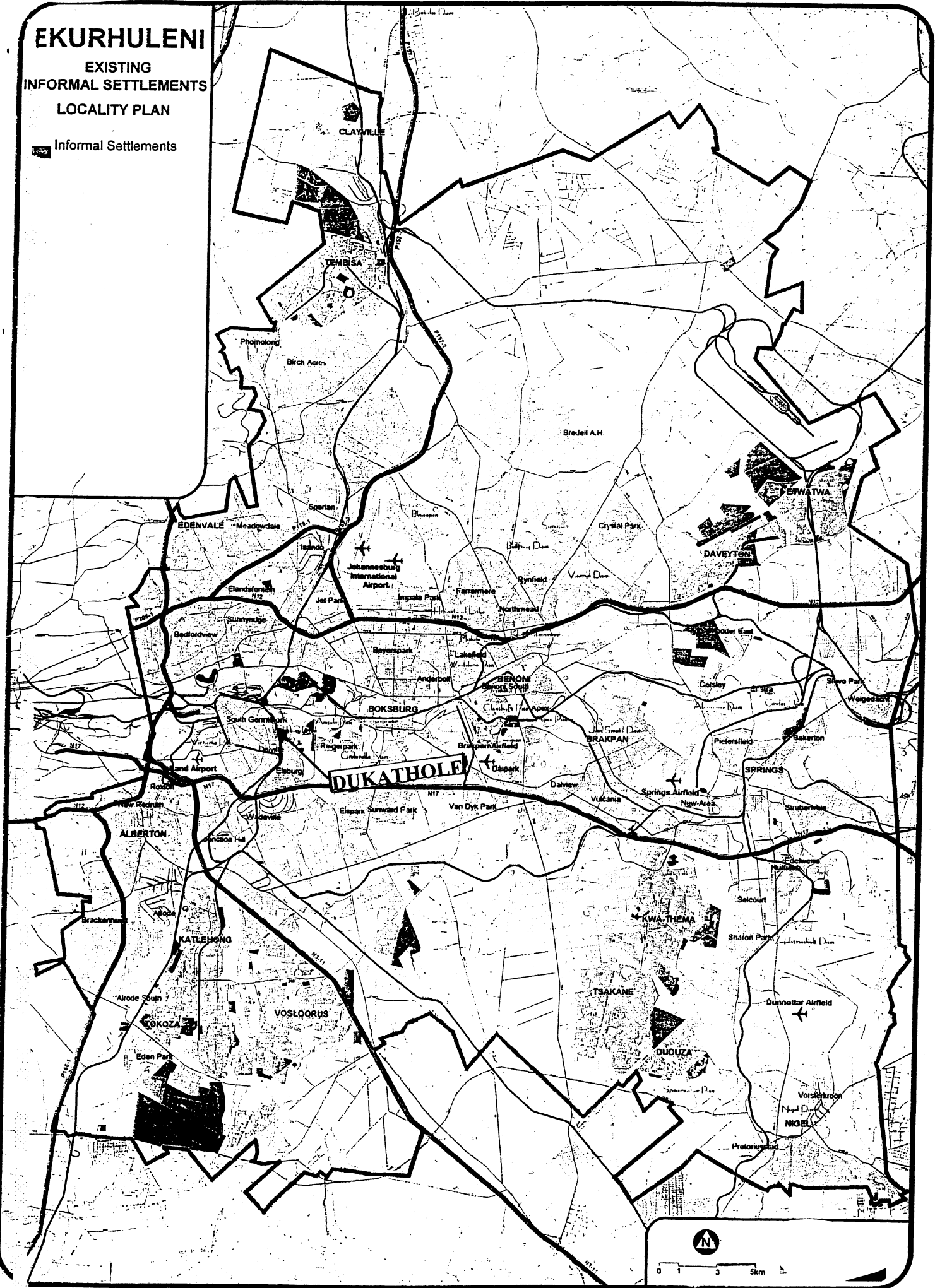
Map 3: Aerial photograph of Dukathole informal settlement



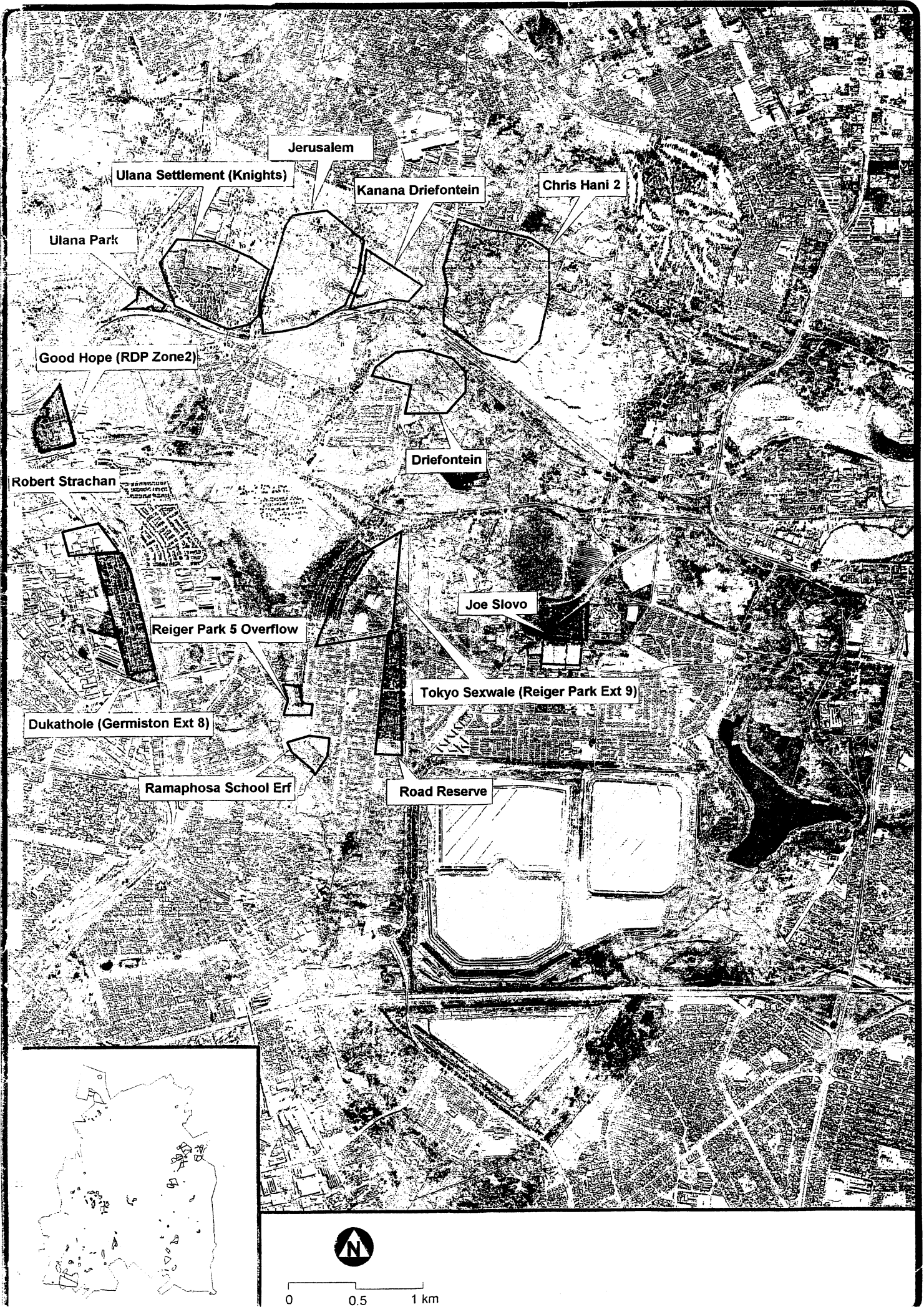
Map 1: Existing informal settlements in the EMM  
 Source: Ekurhuleni Metropolitan Municipality, 2003. *Spatial Development Framework*. Ekurhuleni Metropolitan Municipality, February, Ekurhuleni.

**EKURHULENI**  
 EXISTING  
 INFORMAL SETTLEMENTS  
 LOCALITY PLAN

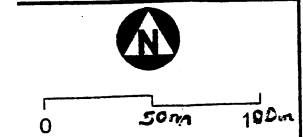
Informal Settlements



Map 2: Informal settlements surrounding Dukathole  
Source: Ekurhuleni Metropolitan Municipality, 2003. *Spatial Development Framework*. Ekurhuleni Metropolitan Municipality, February, Ekurhuleni



Map 3: Aerial photograph of Dukathole informal settlement  
Source: Ekurhuleni Metropolitan Municipality, 2007. Aerial photographs. Ekurhuleni Metropolitan Municipality, July, Ekurhuleni



## **APPENDIX: B**

Interview schedules, which were personally administered to officials and informal settlers

**Student Name :** Sylvester Folae Mmonwa      **Student Number: 0100142G**

**ARCH 532 :** Research Report (Master of Science – Housing)

**RESEARCH TOPIC**

**EXPLORATION OF THE DEVELOPMENT CHALLENGES THAT ARE FACED BY INFORMAL SETTLERS NEAR RAILWAY LINES: THE CASE OF DUKATHOLE INFORMAL SETTLEMENT.**

**INTERVIEW SCHEDULE FOR OFFICIALS**

1. What is the scale and nature of informal settlements on railway reserves in Gauteng Province?
2. Is there any criterion followed to gather information about the creation of informal settlements on railway reserves?
3. How do you intervene in order to address the issue of new or existing informal settlements close to railway lines? For instance, do you demolish the structures, upgrade or provide emergency housing for the informal settlers?
4. Do you involve the informal dwellers in the process of making decisions on issues of development regarding settlements on railway reserves?
5. What is your approach to the rights of the informal settlement dwellers on railway reserves?
6. Is there any approach aimed at upgrading informal settlements on railway reserves? Please specify.
7. Is there any approach aimed at integrating livelihoods and social capital of the informal dwellers on railway reserves?
8. Are there any difficulties that you are facing in carrying out your task of dealing with informal settlements on railway reserves?
9. Who are informal settlers on the railway reserves?

Student Name : Sylvester Folae Mmonwa Student Number: 0100142G

ARCH 532 : Research Report (Master of Science – Housing)

**RESEARCH TOPIC**

**EXPLORATION OF THE DEVELOPMENT CHALLENGES THAT ARE FACED BY INFORMAL SETTLERS NEAR RAILWAY LINES: THE CASE OF DUKATHOLE INFORMAL SETTLEMENT.**

**INTERVIEW SCHEDULE FOR DUKATHOLE INFORMAL SETTLERS**

1. Are there any specific reasons that encouraged you to stay at Dukathole informal settlement? **Please Specify.**
2. Is there any criterion followed when moving into the informal settlement like Dukathole? **Please specify.**
3. What are your livelihood strategies?
4. Is there something that prevents you from meeting your basic needs? **Please specify**
5. Are there any difficulties that you are facing in the community? **Please specify**
6. Do you have a formal or informal organization that helps you to confront some of the challenges that you are facing in the community? **Please specify.**
7. Do you have enough resources at Dukathole informal settlement? **Please specify**
8. Are you informed about the proposed development plan for Dukathole informal settlement? **Please specify.**
9. Is there something that is bothering you at Dukathole informal settlement? **Please specify.**

## **APPENDIX: C**

List of informal settlements near railway lines or on railway reserves  
in EMM

**LIST OF OLD INFORMAL SETTLEMENTS ON SPOORNET LAND IN EMM**

<b>Municipality</b>	<b>Settlement</b>	<b>Population</b>	<b>Structures</b>	<b>Distance from line</b>	<b>Section</b>
Benoni	Barcelona	80,000	198 000*	Next to STQ lodge	Sentrarand
Benoni	Zesfontein	500 000	98 000*	Next to service road	Katbosfontein-Slimesdam
Tembisa	Ivory	65 000	10 500	Next to railway	Kaalfontein-Olifantsfontein
Germiston	Ulana	2 600	8 000*	Between triangular lines	Apex& Mondrea
Germiston	Dukathole & Goodhope	80 000	16 500	Into & on the embankment	Kutalo-Elsburg
Germiston	Driehoek	10 000	3 300	5 meters	Driehoek
Alberton/Katlhong	Mandela	800 000	200 000	10 meters	Natalspruit
Katlehong	Thokoza	25 000	8 000	7 meters	Mpilisweni/Angus
Germiston	Uluna	80 000	9 800	20 meters	Knight/Delmore
Alberton	Rooikop	500	2 500*	50 meters	Rooikop
Springs	Windmill Park	55 000	9 800	Next to service road	Voelfontein-Rooikop
Springs	Holomisa	180	20	Next to service road	Rooikop
Heidelberg	Zonkesizwe	80 000	16 500	Next to service road	Fuelbridge-Boekie

**Source: Undated memo provided by Mkhabela on the 24.04.2007**

The discrepancy between number of shacks and residents (see \*) appears on the original information provided.



## **APPENDIX: D**

List of informal settlers interviewed at Dukathole informal settlement

## LIST OF INFORMAL SETTLERS INTERVIEWED

1. Block 2 Street Committee female member, 25.02.2007. Dukathole informal settlement, interviewed by Sylvester Folae Mmonwa.
2. Former Block 2 Street Committee female member, 26.02.2007. Dukathole informal settlement, interviewed by Sylvester Folae Mmonwa.
3. Two elderly male residents who relocated from Kuthalo hostel to Dukathole in 1990, 28.02.2007. Dukathole informal settlement, interviewed by Sylvester Folae Mmonwa.
4. Three female residents who moved from their employer's home to Dukathole in 1993, 28.02.2007. Dukathole informal settlement, interviewed by Sylvester Folae Mmonwa.
5. 29 years old male resident who moved from Limpopo Province to Dukathole in 1997. 29.02.2007. Dukathole informal settlement, interviewed by Sylvester Folae Mmonwa.
6. 25 years old male resident who moved from Mpumalanga to Dukathole in 2004, 03.03.2007. Dukathole informal settlement, interviewed by Sylvester Folae Mmonwa.
7. 27 year old male resident from Kwazulu Natal to Dukathole in 2006, 04.03.2007. Dukathole informal settlement, interviewed by Sylvester Folae Mmonwa.

**All the informal settlers interviewed are Africans, but I did not use their names for the sake of confidentiality.**