

ANNEXURE "A"

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER/S WHO HAVE EXTENSIVE EXPERIENCE IN THE FIELDS OF SPATIAL PLANNING AND TECHNICAL EXPERTISE IN LOW INCOME HOUSING DEVELOPMENT TO ASSIST THE MUNICIPALITY DEVELOP THE SLUM CLEARANCE PROGRAMME

1. PURPOSE

The purpose of the terms of reference is to set parameters for the appointment of a suitable service provider/s to engage the municipalities in formulation of Prevention and Elimination of Re-emergence of Slums Programme as part of their Municipal Housing Sector Plan aimed at the eradication of slums through the promotion of sustainable human settlements.

2. BACKGROUND

The Department of Housing has identified a need to support the Municipalities develop Housing Sector Plans to ensure that there is housing focus for Integrated Development Plans. The role of the Housing Sector Plans is to ensure alignment and effective allocation of limited resource from various key role players to housing development initiatives. The formulation of the Housing Sector Plans also comprehensively addresses housing demand, land identification and acquisition, method for prioritizing housing projects and promotes sustainable housing delivery. Hence the Department is currently embarking upon a process of assisting the municipalities to draft and finalize Housing Sector Plans. However the existing Housing Sector Plans do not adequately address the challenge of elimination and prevention of re-emergence of slums.

In terms of Section 7 of the Housing Act, 1997 (Act No 107 of 1997), the provincial governments must enact legislation which will facilitate the achievement of the objective of providing adequate and affordable housing.

There is a huge backlog in provision of housing and economic development in rural areas. This backlog has resulted in the influx of persons to urban areas and the mushrooming of slums.

Eradication of slums in KwaZulu- Natal in the next five years is the one of the key strategic focuses of the Department of Housing. In terms of the Millennium Development Goals all slums should be eradicated by 2014. There is a need to compile guidelines and a consolidated report of all the slums in the Province to prevent and eliminate re-emergence of slums.

The Province has adopted the KwaZulu-Natal Elimination and Prevention of Re-emergence of Slums Act No 6, 2007 in order to achieve the above mentioned objective and ensure that sustainable housing delivery is not threatened by the unlawful use of buildings or structures for accommodation purpose in return for financial gains if such building have not been approved by the municipality in terms of regulations made under the National Building Regulations and Building Standards Act, 1997(Act No 103 of 1997).

The KwaZulu-Natal Elimination and Prevention of Re-emergence of Slums Act No 6 of 2007 objectives are:

- To eliminate slums
- To prevent the re-emergence of slums
- To promote co-operation between the department and municipalities in the prevention and re-emergence of slums
- To monitor the performance of the department and municipalities in the elimination and prevention of slums.
- To improve the living conditions of the communities in the Province.

The broad objectives of the Slum Clearance Programme are:

- To enhance the Housing Sector plan process by including a Slum Clearance Programme.
- To promote sector alignment in terms of IDP, Integrated Sustainable Human Settlements, Area Based Planning, Spatial Restructuring.
- Develop a plan of action and implement it together with the municipalities affected.
- To promote community participation in formulation and implementation of Slum Clearance Programme.

The main purpose of the project is to develop a slum clearance strategy/programme per affected municipality. Such strategy/programme should define strategic focus areas, land identification (including alternative parcels where necessary) as well as acquisition thereof, within the district and local municipalities, prioritized projects and budget implication for implementation.

3. SCOPE OF THE PROJECT

The deliverables of the projects must include although not limited to the following

- Phase 1

The consultant should consult the existing housing sector plans provided by the Department of Housing as well as the latest Census data as the point of

departure. The consultant should do a gap analysis of baseline information, identify and source additional information from the relevant stakeholders. The service provider must also consider other National, Provincial and local governments' integrated development planning tools and Strategies eg IDPs, Area Based Plans, LED, PGDS, LUMs, Urban and Rural Development Framework in analyzing the information and developing the Slum clearance Strategy :

- Detail the number and location of the existing slums within the local municipalities
- Detail in respect of each slum, the ownership and land price.
- Indicate the number of households/families that are affected.
- Description and estimated number of persons in occupation.
- Indicate unlawful occupiers of a slum and if they have been in occupation for more than six months..
- Establish the estimated cost, if any, of acquiring the available land or building for relocation of unlawful occupiers.
- Consult with the municipalities as to which slums, if any are suitable for upgrading.
- Indicate the possibility of integrating the slum occupiers with the existing housing projects
- Age, breakdown, area of origin, Poverty, unemployment, levels of education of each occupier.
- Identify the extent of the land need, problems and issues associated with land need and demand and urban land issues.
- Settlement patterns and type of buildings/structures
- Housing demand and backlog in the affected municipalities.

Phase 2:

Based on the findings and key issues identified in Phase 1, situation analysis report and spatial analysis of specific areas will be conceptualized and prioritized. Focus areas for implementation of the slum clearance programme will be developed with action plans, times frames, responsibility and estimated budget. A spatial map and digital information (ARCGIS shape files) showing the focus areas should be produced together with the broader contextual analysis of the district and local economic, social and spatial development conditions.

The proposed programme must consider the financial, institutional and human capacity challenges that will be encountered by the municipalities and sector departments in clearing the slums and providing safe and affordable houses. The end product of phase 2 will be slum clearance project plan containing project identification, activities, budget, time frames, resources required, and sector alignment. The information must be presented on a log frame template and Gantt chart.

Phase 3:

Prioritized focus areas will be defined in terms of district and local level, slum clearance and housing development potential. The housing subsidy and the appropriate housing product to be used in elimination and prevention of the slums will be identified.

Conceptualization of project should be done in consultation with the other sector initiatives and projects within the affected municipality.

The slum clearance programme and the proposed models must be in aligned to the broader government aims and objectives and address the Department of Housing core objectives

The slum clearance plan must take into account the IDP review process and link up with the budget processes of the respective district and local municipality.

Phase 4

Assist the municipalities to develop a mechanism to monitor and evaluate the progress in their programmes for the eradication of slums as part of their integrated development planning within their respective areas of jurisdiction. The plan should have clear key performance indicators to measure progress in the implementation of such programme.

4. METHODOLOGY

Collecting, presentation and analysis of information will be the key instrument for developing the strategy to clear the slums. The main source of data will be the Municipality Housing Sector Plans, IDP and other relevant documents.

The service provider is expected to liase closely with the municipalities as well as the communities affected in developing any strategy to clear the slums.

Spatial representation of existing slums and housing need and demand reflecting land use at municipality level will be reflected in the form of land use maps.

Analysis of Spatial Development Frameworks and LUMs in relation to existing slums and proposed slum clearance programme.

The aerial photography for the distinct and each local municipalities and desktop geotechnical and environmental information should be used to depict the nature and extent of the slum problem and implications to other spatial developments.

The successful development and implementation of the slum clearance programme relies heavily on active engagement of the municipalities, government departments, DOH regional offices as well as community based organizations.

The slum clearance plan will have to be endorsed by the Members of the Executive Council and approved by the HOD of the Department of Housing.

5. TOTAL PROJECT DURATION

The project duration will be 6-8 months. The project will be broken down into 4 phases as follows:

PHASES	PRODUCT	DURATION
Phase 1	Situation Analysis and spatial analysis of the existing slums. LUM maps and digital information etc.	1 month
Phase 2	Conceptualization of focus area and alignment with sector departments priorities and integrated planning	2 months
Phase 3	Focused areas prioritized in relation to slum clearance. Spatial map produced for prioritized focus areas. Project plans with proposed projects depicting the activities, budgets, timeframes, resources required and sector alignment in a framed template. Mechanism to monitor eradication of slum developed.	3 months
Phase 4	Monitoring and Evaluation framework developed. EXCO resolution and DOH approval.	2 month

TOTAL PROJECT DURATION	8 MONTHS
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6. TECHNICAL COMPETENCY / REQUIREMENTS / EVALUATION CRITERIA

- Town and Regional experience in compiling Municipal IDPs, Municipal Housing Sector Plans, Area based plans and other sector plans in the Province of KZN.
- Proven experience in project management
- Experience in research methodology data analysis.
- Expertise in producing good quality reports and strategic documents.
- Experience in translating policies and legislation into provincial and local programmes and strategies.
- Experience in designing and developing sustainable human settlements for urban areas.
- Experience in spatial, environmental, economic and social issues in relation to urban areas within the district and local municipality context.
- Ability to analyze and have insight into the integrated planning tools eg IDPs, Housing Sector Plans PGDS, LED, LUMs etc.

7. REPORTING AND PROJECT MANAGEMENT

The service provider/s will present a draft report to the Department of Housing upon reaching the milestone of each phase. A week should be set aside toward the end of each phase for comments and submission of the final report. These inputs/comments must be considered when the final report is prepared. It is vital that the service provider should complete each milestone on time as stated in the terms of references.

The project will be managed by the Manager of the Integrated Planning Component reporting to the General Manager, as a project manager will be responsible for the overall management of the successful Service Providers, including recommendation for approval of milestone reports and processing of payment for services rendered. The General Manager will be responsible for the final approval of reports and final payments.

8. FUNDING

The development of the Municipality Slum Clearance programme will be funded by the Department of Housing. The service providers must submit a schedule for the purposes of progressive payment

The Manager shall present the Slum Clearance Programme to the Manco for noting and approval by the HOD.

9. PENALTIES

10% of the project cost per milestone will be deducted for not meeting the deadlines and poor quality product.

10. TENDER PROCEDURES

The Department of Housing procurement processes must be followed in securing the services of a service provider.

11. ENQUIRIES :

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