For Comment and Input

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DISCUSSION DOCUMENT

Localising the New Urban Agenda

# Introduction

In an ever urbanising world there is a growing international and national awareness of the important role that urban areas will play in building sustainable and liveable habitats. The New Urban Agenda (NUA) adopted in 2016 represents a global compact for advancing the Sustainable Development Goals (SDGs). South Africa has been an active participant in these UN-Habitat global processes taking direction for the engagements from the National Development Plan (NDP) and the Integrated Urban Development Framework (IUDF).

The IUDF represents the guiding National Urban Policy that seeks to drive coherent and effective urban development across South Africa. Providing expression of the directives to local contexts is a critical component of advancing the global urban agenda. The IUDF and NUA were being developed in parallel and as such share many perspectives.

The National Department of Human Settlements (DHS) in partnership with the South African Cities Network has undertaken to develop a draft localization framework for contextualizing the New Urban Agenda (NUA) for South Africa. The New Urban Agenda-Localization Framework (NUA-LF) draws on the Integrated Urban Development Framework as the basis to align specific plans, mechanisms, incentives and budgets towards realizing the outcomes of the NUA.

This discussion document seeks to:

1. Present the outcomes of a detailed alignment study which assessed the extent to which the NUA and the IUDF are aligned in the substantive areas as well as in the guiding implementation principles.
2. Present the findings of a gap analysis providing a reflection of the broader South African urban development landscape relative to the action framework for implementation of the New Urban Agenda (AFINUA).
3. Draw out 2 key outcome areas (as way of examples) to interrogate how levers in the IUDF will be implemented to achieve the outcomes given the identification of alignment and gaps. The analysis of these examples will provide areas for discussion as to how South Africa moves towards implementing the NUA.

# Context

In acknowledgement of the severe legacy of spatial injustice in South Africa, and the need to manage and shape a new urban form that can respond to our spatial transformation and economic growth imperatives, South Africa developed its national urban policy, the Integrated Urban Development Framework (IUDF) and its Implementation Plan, which were both adopted by Cabinet in 2016. The IUDF responds to, in particular, to chapter 8 of the national development Plan (NDP), Transforming Human Settlements and the National Space Economy. in conjunction with the National Development Plan, has been developed to ensure

Thus South Africa now has an urban development policy that responds to our rapid urbanisation trends. the trend and ensures proper planning and infrastructure development (CoGTA, 2017) .The IUDF complements and interfaces with the challenges currently facing South African and the Development framework set out in the NUA and SDG Goal 11, with the main IUDF strategic goals and policy levers, providing am existing urban agenda from which to further develop our new Implementation Framework. the Department of Cooperative Governance and Traditional Affairs, has developed the IUDF.

As the IUDF explains, cCurrently, 60% of South Africans reside in urban communities, a figure which is projected to rise to 71% by 2030 and 80% by 2050. According to the CoGTA (2017:4), “It is, therefore, important that we put in place mechanisms to respond to this urbanisation trend in a way that helps us to reap the benefits of urbanisation, while minimising the impacts of badly managed urbanisation.” The IUDF in conjunction with the National Development Plan, has been developed to ensure an urban development policy that responds to the trend and ensures proper planning and infrastructure development (CoGTA, 2017).

The IUDF aims to sets “a policy framework to guide the development of inclusive, resilient and liveable urban settlements, while addressing the unique conditions and challenges facing South Africa’s cities and towns (CoGTA, 2017:4).” In order to meet these targets an effective management of urbanisation needs to occur to promote the development goals set forth in the NDP that ensures higher levels of growth and economic prosperity for all citizens.

Nineumerous levers for policy development have been developed included and prioritised for the effective implementation of the IUDF. These are:

1. Integrated Urban Planning and Management

2. Integrated Transport and Mobility

3. Integrated Sustainable Human Settlements

4. Integrated Urban Infrastructure

5. Efficient Land Governance and Management

6. Inclusive Economic Development

7. Empowered Active Communities

8. Effective Urban Governance

9. Sustainable Finances

These levers serve to inform the sustainable urbanisation model that we need to follow if we are to set a path towards ‘A New Deal’ for South African cities and towns, and reap the urban dividend of coordinated investments in people, place and economy. The 9 policy levers guide all-of-government’ interventions towards the vision of inclusive growth, social cohesion, growing, innovative economies, and safe and creative urban spaces.

Thus the IUDF interventions are designed to unlock the development synergies that can result from significant commitment to unlocking the development potential that has been ‘locked down’ by cities and towns still shaped by our apartheid legacies. All urban spaces in South Africa have their own unique typologies and characteristics, and an important cross-cutting theme in the IUDF is recognition of the interdependency of space along the urban-rural continuum.

The IUDF therefore, does not promote an exclusive vison for metro areas, but seeks to promote development solutions that can benefit the whole country. This will be difficult, if, conceptually, urban and rural are seen as ‘opposites’. One key facilitation lever to strengthen the linkages between places are the spatial planning instruments, which should form the critical baseline to direct coordinated and sequenced investments in space. Further, overcoming economic stagnation and marginalisation of communities in many of the small and medium-sized towns requires the same activation of policy levers for integration of planning, infrastructure, human settlements and transport, for example, as it does in metro spaces.

Going forward, this Report will illustrate the synergies, alignment and linkages between the IUDF and the NUA. One central tenet that will need further examination, is how the localising policy principle of differentiation across urban areas is introduced.

Key priority objectives needed to address the structural drivers of the urban development framework, that are able to maintain the status quo. Where the development of cities is complex and dynamic, a broad framework needs to be set out to address not only the challenges we face today but those that we face tomorrow.

# Alignment between New Urban Agenda action items and the IUDF Policy Levers

|  |  |  |
| --- | --- | --- |
| Action Framework for the Implementation of the  New Urban Agenda | | IUDF alignment |
| National Urban Policies | |  |
| 1.1 | Formulate medium and long term urban demographic projections and trends, with geographic disaggregation, taking into consideration the interplay of economic, social and environmental forces | * Lever 1: Integrated urban planning & management * Lever 8: Effective urban governance |
| 1.2 | To establish national rules to determine land suitability for urbanization and for environmental and cultural heritage protection and disaster risk reduction and sustainable and resilient development while taking into account its equitable distribution and accessibility | * Lever 5: Efficient land governance & management |
| 1.3 | Define the roles and jurisdictional responsibilities of all levels of government and local authorities regarding urbanization and urban planning and management | * Lever 8: Effective urban governance |
| 1.4 | Align national urban policies with national and sectoral development plans and policies at all territorial levels to harness the transformative power of urbanization with urban plans (e.g. energy, water, transportation and other infrastructural corridors) | * Lever 1: Integrated urban planning & management * Lever 4: Integrated urban infrastructure |
| Urban Legislation and Rules | |  |
| 2.1 | Define urban land vis-à-vis non-urban land as well as the rights and responsibilities inherent to urban land | * Lever 1: Integrated urban planning & management * Lever 5: Efficient land governance & management |
| 2.2 | Establish a legal basis for the urban plan and distinguish public space from buildable urban land | * Lever 1: Integrated urban planning & management * Lever 5: Efficient land governance & management |
| 2.3 | Enact effective law for the definition, acquisition and protection of public space | * Lever 1: Integrated urban planning & management * Lever 5: Efficient land governance & management |
| 2.4 | Recognize and regulate urban development, i.e. buildability rights | * Lever 3: Integrated & sustainable human settlements * Lever 5: Efficient land governance & management |
| 2.5 | Adopt an effective legal framework that supports strengthening the capacity of national, subnational and local governments and ensures appropriate fiscal, political and administrative decentralization based on the principle of subsidiarity | * Lever 8: Effective urban governance * Lever 9: Sustainable finances |
| 2.6 | Develop equitable and legal instruments to capture and share the increase in land and property value generated as a result of urban development processes, infrastructure projects and public investments, ensuring that these do not result in unsustainable land use and consumption. | * Lever 5: Efficient land governance & management * Lever 6: Inclusive economic development * Lever 9: Sustainable finances |
| 2.7 | Develop inclusive, adequate and enforceable regulations in the housing and economic sectors, including resilient building codes, standards, development permits, land use by-laws and ordinances, and planning regulations, combating and preventing speculation, displacement, homelessness and arbitrary forced evictions | * Lever 3: Integrated & sustainable human settlements * Lever 5: Efficient land governance & management |
| 2.8 | Establish national minimum standards for universal access to basic services reflecting the right to an adequate livelihood and above and beyond these minimum standards allowing for subnational variation according to need and situation | * Lever 4: Integrated urban infrastructure |
| 2.9 | Establish impact assessment, monitoring, inspection, correction and enforcement tools | * Lever 5: Efficient land governance & management * Cross-cutting issue: Urban resilience |
| Urban Planning and Design | |  |
| 3.1 | Set up a planning and design process that is evidence based, integrated and participatory | * Lever 1: Integrated urban planning & management |
| 3.2 | Plan and define the urban area as well as agricultural and natural protection areas | * Lever 1: Integrated urban planning & management * Cross-cutting issue: Rural–urban linkages * Cross-cutting issue: Urban resilience |
| 3.3 | Define connectivity and the quantity and quality of urban space including the structuring layout of streets, blocks and plots | * Lever 1: Integrated urban planning & management * Lever 2: Integrated transport & mobility |
| 3.4 | Promote sustainable density and mixed use to attain the economies of agglomeration | * Lever 1: Integrated urban planning & management * Lever 5: Efficient land governance & management |
| 3.5 | Make effective use of urban design to provide liveable spaces, walkability and a sense of place | * Lever 1: Integrated urban planning & management * Lever 5: Efficient land governance & management * Cross-cutting issue: Urban safety |
| 3.6 | Protect and preserve natural resources and cultural heritage | * Cross-cutting issue: Urban resilience |
| 3.7 | Promote housing as an integrating element of urban planning | * Lever 1: Integrated urban planning & management * Lever 3: Integrated & sustainable human settlements |
| 3.8 | Promote adequate amounts of urban space for a variety of economic activities | * Lever 1: Integrated urban planning & management * Lever 5: Efficient land governance & management |
| Urban Economy and Municipal Finance | |  |
| 4.1 | Establish principles for enhancing the role of local government in fostering inclusive, equitable and sustainable urban development and strengthen local leadership capacity for inclusive municipal finance | * Lever 8: Effective urban governance * Lever 9: Sustainable finances |
| 4.2 | Help local authorities design and implement a more inclusive, sustainable, equitable local financial and economic framework to operationalize municipal finance principles | * Lever 8: Effective urban governance * Lever 9: Sustainable finances |
| 4.3 | Improve the equitable and progressive tax policy and revenue generation along with the requisite mechanisms and legal underpinnings | * Lever 8: Effective urban governance * Lever 9: Sustainable finances |
| 4.4 | Design and implement tools for fostering inclusive local economic development (e.g. job creation, entrepreneurship, microfinance, etc.) | * Lever 6: Inclusive economic development |
| 4.5 | Help local authorities design and implement systems that ensure social, economic and safe physical access to quality basic services by all, and local economic development platforms that support community-led initiatives in service delivery | * Lever 3: Integrated & sustainable human settlements * Lever 4: Integrated urban infrastructure * Lever 6: Inclusive economic development |
| 4.6 | Help local authorities understand and adapt their respective economic development policies, mechanisms and financing models to help promote access to a wide range of affordable housing options including rental and cooperative and forms of tenure as well as incremental building and upgrading | * Lever 3: Integrated & sustainable human settlements * Lever 6: Inclusive economic development |
| 4.7 | Use tools for urban regeneration of derelict and/or obsolete areas (e.g. brownfield redevelopment) | * Lever 1: Integrated urban planning & management * Lever 6: Inclusive economic development |
| 4.8 | Plan for urban infill of planned, built areas and control of urban land price speculation | * Lever 1: Integrated urban planning & management * Lever 3: Integrated & sustainable human settlements * Lever 5: Efficient land governance & management |
| 4.9 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas | * Lever 3: Integrated & sustainable human settlements * Lever 4: Integrated urban infrastructure |
| 4.10 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. | * Lever 6: Inclusive economic development * Cross-cutting issue: Urban resilience |
| 4.11 | Establish and support community-led groups that liaise between citizens and government | * Lever 7: Empowered active communities |
| Local Implementation | |  |
| 5.1 | Use tools that proactively address as-yet-unbuilt urban growth at the local scale (e.g. planned city extensions) | * Lever 1: Integrated urban planning & management * Lever 5: Efficient land governance & management * Lever 6: Inclusive economic development |
| 5.2 | Use tools for urban regeneration of derelict and/or obsolete areas (e.g. brownfield redevelopment) | * Lever 1: Integrated urban planning & management * Lever 5: Efficient land governance & management |
| 5.3 | Plan for urban infill of planned, built areas and control of urban land price speculation | * Lever 1: Integrated urban planning & management * Lever 3: Integrated & sustainable human settlements * Lever 5: Efficient land governance & management |
| 5.4 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas | * Lever 3: Integrated & sustainable human settlements * Lever 4: Integrated urban infrastructure * Lever 6: Inclusive economic development |
| 5.5 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. | * Lever 5: Efficient land governance & management * Cross-cutting issue: Urban resilience |
| 5.6 | Establish and support community-led groups that liaise between citizens and government | * Lever 7: Empowered active communities |

# Mapping of NUA action items to each IUDF lever and cross-cutting issue

## Lever 1: Integrated urban planning & management

|  |  |
| --- | --- |
| National Urban Policies | |
| 1.1 | Formulate medium and long term urban demographic projections and trends, with geographic disaggregation, taking into consideration the interplay of economic, social and environmental forces |
| 1.4 | Align national urban policies with national and sectoral development plans and policies at all territorial levels to harness the transformative power of urbanization with urban plans (e.g. energy, water, transportation and other infrastructural corridors) |
| Urban Legislation and Rules | |
| 2.1 | Define urban land vis-à-vis non-urban land as well as the rights and responsibilities inherent to urban land |
| 2.2 | Establish a legal basis for the urban plan and distinguish public space from buildable urban land |
| 2.3 | Enact effective law for the definition, acquisition and protection of public space |
| Urban Planning and Design | |
| 3.1 | Set up a planning and design process that is evidence based, integrated and participatory |
| 3.2 | Plan and define the urban area as well as agricultural and natural protection areas |
| 3.3 | Define connectivity and the quantity and quality of urban space including the structuring layout of streets, blocks and plots |
| 3.4 | Promote sustainable density and mixed use to attain the economies of agglomeration |
| 3.5 | Make effective use of urban design to provide liveable spaces, walkability and a sense of place |
| 3.6 | Protect and preserve natural resources and cultural heritage |
| 3.7 | Promote housing as an integrating element of urban planning |
| 3.8 | Promote adequate amounts of urban space for a variety of economic activities |
| Urban Economy and Municipal Finance | |
| 4.7 | Use tools for urban regeneration of derelict and/or obsolete areas (e.g. brownfield redevelopment) |
| 4.8 | Plan for urban infill of planned, built areas and control of urban land price speculation |
| 4.9 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas |
| 4.10 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. |
| 4.11 | Establish and support community-led groups that liaise between citizens and government |
| Local Implementation | |
| 5.1 | Use tools that proactively address as-yet-unbuilt urban growth at the local scale (e.g. planned city extensions) |
| 5.2 | Use tools for urban regeneration of derelict and/or obsolete areas (e.g. brownfield redevelopment) |
| 5.3 | Plan for urban infill of planned, built areas and control of urban land price speculation |

## Lever 2: Integrated transport & mobility

|  |  |
| --- | --- |
| Urban Planning and Design | |
| 3.3 | Define connectivity and the quantity and quality of urban space including the structuring layout of streets, blocks and plots |

## Lever 3: Integrated & sustainable human settlements

|  |  |
| --- | --- |
| National Urban Policies | |
| 2.4 | Recognize and regulate urban development, i.e. buildability rights |
| 2.7 | Develop inclusive, adequate and enforceable regulations in the housing and economic sectors, including resilient building codes, standards, development permits, land use by-laws and ordinances, and planning regulations, combating and preventing speculation, displacement, homelessness and arbitrary forced evictions |
| Urban Planning and Design | |
| 4.5 | Help local authorities design and implement systems that ensure social, economic and safe physical access to quality basic services by all, and local economic development platforms that support community-led initiatives in service delivery |
| 4.6 | Help local authorities understand and adapt their respective economic development policies, mechanisms and financing models to help promote access to a wide range of affordable housing options including rental and cooperative and forms of tenure as well as incremental building and upgrading |
| 4.8 | Plan for urban infill of planned, built areas and control of urban land price speculation |
| 4.9 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas |
| Local Implementation | |
| 5.4 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas |

## Lever 4: Integrated urban infrastructure

|  |  |
| --- | --- |
| National Urban Policies | |
| 1.4 | Align national urban policies with national and sectoral development plans and policies at all territorial levels to harness the transformative power of urbanization with urban plans (e.g. energy, water, transportation and other infrastructural corridors) |
| Urban Legislation and Rules | |
| 2.8 | Establish national minimum standards for universal access to basic services reflecting the right to an adequate livelihood and above and beyond these minimum standards allowing for subnational variation according to need and situation |
| Urban Economy and Municipal Finance | |
| 4.5 | Help local authorities design and implement systems that ensure social, economic and safe physical access to quality basic services by all, and local economic development platforms that support community-led initiatives in service delivery |
| Local Implementation | |
| 5.4 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas |

## Lever 5: Efficient land governance & management

|  |  |
| --- | --- |
| National Urban Policies | |
| 1.2 | To establish national rules to determine land suitability for urbanization and for environmental and cultural heritage protection and disaster risk reduction and sustainable and resilient development while taking into account its equitable distribution and accessibility |
| Urban Legislation and Rules | |
| 2.1 | Define urban land vis-à-vis non-urban land as well as the rights and responsibilities inherent to urban land |
| 2.2 | Establish a legal basis for the urban plan and distinguish public space from buildable urban land |
| 2.3 | Enact effective law for the definition, acquisition and protection of public space |
| 2.4 | Recognize and regulate urban development, i.e. buildability rights |
| 2.6 | Develop equitable and legal instruments to capture and share the increase in land and property value generated as a result of urban development processes, infrastructure projects and public investments, ensuring that these do not result in unsustainable land use and consumption. |
| 2.7 | Develop inclusive, adequate and enforceable regulations in the housing and economic sectors, including resilient building codes, standards, development permits, land use by-laws and ordinances, and planning regulations, combating and preventing speculation, displacement, homelessness and arbitrary forced evictions |
| 2.9 | Establish impact assessment, monitoring, inspection, correction and enforcement tools |
| Urban Planning and Design | |
| 3.4 | Promote sustainable density and mixed use to attain the economies of agglomeration |
| 3.5 | Make effective use of urban design to provide liveable spaces, walkability and a sense of place |
| 3.8 | Promote adequate amounts of urban space for a variety of economic activities |
| Urban Economy and Municipal Finance | |
| 4.8 | Plan for urban infill of planned, built areas and control of urban land price speculation |
| Local Implementation | |
| 5.1 | Use tools that proactively address as-yet-unbuilt urban growth at the local scale (e.g. planned city extensions) |
| 5.2 | Use tools for urban regeneration of derelict and/or obsolete areas (e.g. brownfield redevelopment) |
| 5.3 | Plan for urban infill of planned, built areas and control of urban land price speculation |
| 5.5 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. |

## Lever 6: Inclusive economic development

|  |  |
| --- | --- |
| National Urban Policies | |
| Urban Legislation and Rules | |
| 2.6 | Develop equitable and legal instruments to capture and share the increase in land and property value generated as a result of urban development processes, infrastructure projects and public investments, ensuring that these do not result in unsustainable land use and consumption. |
| Urban Economy and Municipal Finance | |
| 4.4 | Design and implement tools for fostering inclusive local economic development (e.g. job creation, entrepreneurship, microfinance, etc.) |
| 4.5 | Help local authorities design and implement systems that ensure social, economic and safe physical access to quality basic services by all, and local economic development platforms that support community-led initiatives in service delivery |
| 4.6 | Help local authorities understand and adapt their respective economic development policies, mechanisms and financing models to help promote access to a wide range of affordable housing options including rental and cooperative and forms of tenure as well as incremental building and upgrading |
| 4.7 | Use tools for urban regeneration of derelict and/or obsolete areas (e.g. brownfield redevelopment) |
| 4.10 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. |
| Local Implementation | |
| 5.1 | Use tools that proactively address as-yet-unbuilt urban growth at the local scale (e.g. planned city extensions) |
| 5.4 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas |

## Lever 7: Empowered active communities

|  |  |
| --- | --- |
| Urban Economy and Municipal Finance | |
| 4.11 | Establish and support community-led groups that liaise between citizens and government |
| Local Implementation | |
| 5.6 | Establish and support community-led groups that liaise between citizens and government |

## Lever 8: Effective urban governance

|  |  |
| --- | --- |
| National Urban Policies | |
| 1.1 | Formulate medium and long term urban demographic projections and trends, with geographic disaggregation, taking into consideration the interplay of economic, social and environmental forces |
| 1.3 | Define the roles and jurisdictional responsibilities of all levels of government and local authorities regarding urbanization and urban planning and management |
| Urban Legislation and Rules | |
| 2.5 | Adopt an effective legal framework that supports strengthening the capacity of national, subnational and local governments and ensures appropriate fiscal, political and administrative decentralization based on the principle of subsidiarity |
| Urban Economy and Municipal Finance | |
| 4.1 | Establish principles for enhancing the role of local government in fostering inclusive, equitable and sustainable urban development and strengthen local leadership capacity for inclusive municipal finance |
| 4.2 | Help local authorities design and implement a more inclusive, sustainable, equitable local financial and economic framework to operationalize municipal finance principles |
| 4.3 | Improve the equitable and progressive tax policy and revenue generation along with the requisite mechanisms and legal underpinnings |

## Lever 9: Sustainable finances

|  |  |
| --- | --- |
| Urban Legislation and Rules | |
| 2.5 | Adopt an effective legal framework that supports strengthening the capacity of national, subnational and local governments and ensures appropriate fiscal, political and administrative decentralization based on the principle of subsidiarity |
| 2.6 | Develop equitable and legal instruments to capture and share the increase in land and property value generated as a result of urban development processes, infrastructure projects and public investments, ensuring that these do not result in unsustainable land use and consumption. |
| Urban Economy and Municipal Finance | |
| 4.1 | Establish principles for enhancing the role of local government in fostering inclusive, equitable and sustainable urban development and strengthen local leadership capacity for inclusive municipal finance |
| 4.2 | Help local authorities design and implement a more inclusive, sustainable, equitable local financial and economic framework to operationalize municipal finance principles |
| 4.3 | Improve the equitable and progressive tax policy and revenue generation along with the requisite mechanisms and legal underpinnings |

## Cross-cutting issue: Urban resilience

|  |  |
| --- | --- |
| Urban Legislation and Rules | |
| 2.9 | Establish impact assessment, monitoring, inspection, correction and enforcement tools |
| Urban Planning and Design | |
| 3.2 | Plan and define the urban area as well as agricultural and natural protection areas |
| 3.6 | Protect and preserve natural resources and cultural heritage |
| Urban Economy and Municipal Finance | |
| 4.10 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. |
| Local Implementation | |
| 5.5 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. |
| 5.6 | Establish and support community-led groups that liaise between citizens and government |

## Cross-cutting issue: Urban safety

|  |  |
| --- | --- |
| Urban Planning and Design | |
| 3.5 | Make effective use of urban design to provide liveable spaces, walkability and a sense of place |

## Cross-cutting issue: Rural–urban linkages

|  |  |
| --- | --- |
| Urban Planning and Design | |
| 3.2 | Plan and define the urban area as well as agricultural and natural protection areas |

# Gap Analysis

The following presents a gap analysis of the IUDF and South Africa’s broader policy environment against the Action Framework for Implementing the New Urban Agenda:

|  |  |  |
| --- | --- | --- |
| Action Framework for Implementing the  New Urban Agenda | | South Africa’s broader policy and legislative environment |
| National Urban Policies | |  |
| 1.1 | Formulate medium and long term urban demographic projections and trends, with geographic disaggregation, taking into consideration the interplay of economic, social and environmental forces | Already well covered by Statistics SA, and taken up in the status quo analysis of each municipality’s IDP. Further analytical work taken in State of Cities reporting. |
| 1.2 | To establish national rules to determine land suitability for urbanization and for environmental and cultural heritage protection and disaster risk reduction and sustainable and resilient development while taking into account its equitable distribution and accessibility | Identification of suitable land for urbanisation is a weakness of current system, but land use planning covered by SPLUMA implementation. SA has well developed heritage, environmental and disaster risk reduction regulations. |
| 1.3 | Define the roles and jurisdictional responsibilities of all levels of government and local authorities regarding urbanization and urban planning and management | Well defined Constitutional and legal framework for allocation of powers and functions, although there is a need for better alignment and some adjustment to take account of urbanisation. |
| 1.4 | Align national urban policies with national and sectoral development plans and policies at all territorial levels to harness the transformative power of urbanization with urban plans (e.g. energy, water, transportation and other infrastructural corridors) | NDP and IUDF are closely aligned. PGDS and SDF strategies need to be updated to fully integrate IUDF and NUA. |
| Urban Legislation and Rules | |  |
| 2.1 | Define urban land vis-à-vis non-urban land as well as the rights and responsibilities inherent to urban land | SA has a well-defined system of property rights, the major gap relates to traditional areas and the rights of residents within them. |
| 2.2 | Establish a legal basis for the urban plan and distinguish public space from buildable urban land | Systems Act and SPUMA establish legal basis for IDP and SDF respectively. DoRA has established BEPPs for metros. |
| 2.3 | Enact effective law for the definition, acquisition and protection of public space | This is a gap, covered in part through municipal by-laws but without overarching national regulations. |
| 2.4 | Recognize and regulate urban development, i.e. buildability rights | Rights in property clearly defined in terms of the Constitution and common law. Zoning and land use rights regulated in terms of SPLUMA. |
| 2.5 | Adopt an effective legal framework that supports strengthening the capacity of national, subnational and local governments and ensures appropriate fiscal, political and administrative decentralization based on the principle of subsidiarity | The Constitution and local government legislation already give effect to this. |
| 2.6 | Develop equitable and legal instruments to capture and share the increase in land and property value generated as a result of urban development processes, infrastructure projects and public investments, ensuring that these do not result in unsustainable land use and consumption. | The Property Rates Act covers this in part, and new policy and regulations are being developed for the issue of Development Charges to be levied on developers. Further consideration and measures are required. |
| 2.7 | Develop inclusive, adequate and enforceable regulations in the housing and economic sectors, including resilient building codes, standards, development permits, land use by-laws and ordinances, and planning regulations, combating and preventing speculation, displacement, homelessness and arbitrary forced evictions | Well covered by DHS regulatory framework and SPLUMA. |
| 2.8 | Establish national minimum standards for universal access to basic services reflecting the right to an adequate livelihood and above and beyond these minimum standards allowing for subnational variation according to need and situation | The Constitution provides for a rising floor of socio-economic rights, and the Free Basic Services policy and Equitable Share guarantee all residents access to a minimum level of service. In practice there are some gaps, as demonstrated by households without access. |
| 2.9 | Establish impact assessment, monitoring, inspection, correction and enforcement tools | NEMA Amendment and EIA guidelines are well developed impact assessment tool. |
| Urban Planning and Design | |  |
| 3.1 | Set up a planning and design process that is evidence based, integrated and participatory | IDPs, SDFs and BEPPs to varying extent demonstrate elements that are evidence based, integrated and participatory |
| 3.2 | Plan and define the urban area as well as agricultural and natural protection areas | Covered by SPLUMA and SDFS |
| 3.3 | Define connectivity and the quantity and quality of urban space including the structuring layout of streets, blocks and plots | Covered by SPLUMA and SDFS |
| 3.4 | Promote sustainable density and mixed use to attain the economies of agglomeration | Covered by SPLUMA and SDFS |
| 3.5 | Make effective use of urban design to provide liveable spaces, walkability and a sense of place | Partially covered by SPLUMA and SDFs, and taken up to varying degrees by municipalities |
| 3.6 | Protect and preserve natural resources and cultural heritage | Well-developed system of environmental protection and heritage conservation exists. |
| 3.7 | Promote housing as an integrating element of urban planning | DPME synthesis report shows that this remains a serious gap in urban development. |
| 3.8 | Promote adequate amounts of urban space for a variety of economic activities | This has been taken up by municipalities to varying degrees, but still a gap |
| Urban Economy and Municipal Finance | |  |
| 4.1 | Establish principles for enhancing the role of local government in fostering inclusive, equitable and sustainable urban development and strengthen local leadership capacity for inclusive municipal finance | Regulatory framework for municipal finances is well developed, and Structures Act provides legal basis for LED. MFMA implementation remains a challenge in various municipalities. While there has been extensive focus on LED in line with the LG White Paper, these efforts have had limited impact and success. |
| 4.2 | Help local authorities design and implement a more inclusive, sustainable, equitable local financial and economic framework to operationalize municipal finance principles | Support programmes are in place for metros, and through budget assessment process. |
| 4.3 | Improve the equitable and progressive tax policy and revenue generation along with the requisite mechanisms and legal underpinnings | There is an accelerated depreciation tax incentive for investment in inner city areas, but little coordination outside of this. |
| 4.4 | Design and implement tools for fostering inclusive local economic development (e.g. job creation, entrepreneurship, microfinance, etc.) | Weak LED support from COGTA. CSP has developed SDR and SNDB tools for metros. |
| 4.5 | Help local authorities design and implement systems that ensure social, economic and safe physical access to quality basic services by all, and local economic development platforms that support community-led initiatives in service delivery | The Constitution provides for a rising floor of socio-economic rights, and the Free Basic Services policy and Equitable Share guarantee all residents access to a minimum level of service. In practice there are some gaps, as demonstrated by households without access. |
| 4.6 | Help local authorities understand and adapt their respective economic development policies, mechanisms and financing models to help promote access to a wide range of affordable housing options including rental and cooperative and forms of tenure as well as incremental building and upgrading | While the delivery of housing units is generally achieving targets, the affordable housing market remains a challenge. There is very limited growth of secondary housing market, or development of asset values for households. |
| 4.7 | Use tools for urban regeneration of derelict and/or obsolete areas (e.g. brownfield redevelopment) | This has been taken up by municipalities to varying degrees, but still a gap |
| 4.8 | Plan for urban infill of planned, built areas and control of urban land price speculation | Limited measures in place to control speculation, and urban infill is constrained by large SOE land holding that are not utilised. |
| 4.9 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas | National policy and funding framework for informal settlement upgrading is in place. |
| 4.10 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. | Property Rates Act covers this area partially. |
| 4.11 | Establish and support community-led groups that liaise between citizens and government | There is a public participation framework derived from legislated provisions in Systems Act, but this remains an area of weakness. |
| Local Implementation | |  |
| 5.1 | Use tools that proactively address as-yet-unbuilt urban growth at the local scale (e.g. planned city extensions) | Implementation of SPLUMA and roll-out of SDFs has happened to a limited extent, and needs to be supported. |
| 5.2 | Use tools for urban regeneration of derelict and/or obsolete areas (e.g. brownfield redevelopment) | Implemented to a certain extent, particularly in better capacitated metros. |
| 5.3 | Plan for urban infill of planned, built areas and control of urban land price speculation | Implemented to a certain extent, particularly in better capacitated metros. CSP has been doing study of urban land markets. |
| 5.4 | Provide integrated, efficient and equitable urban service frameworks, particularly in unplanned, built urban areas | Informal settlement upgrading remains a challenge, despite a DHS framework and funding for this. |
| 5.5 | Employ instruments for public benefit from public investment, particularly land value capture and sharing, ecosystem services assessment and valuation, etc. | Partially realised in some cities, but remains a significant gap. |
| 5.6 | Establish and support community-led groups that liaise between citizens and government | Limited engagement mechanisms and poor implementation of public participation framework. |

# Focus areas for discussion towards a South African Implementation Framework for the New Urban Agenda - (Who changes things, and how?)

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| --- | --- | --- | --- | --- | --- |
| Action area | Key Items in AFINUA | IUDF | Key Questions | Implementation  Recommendations  (what can be done to improve implementation) | Key Actors/ Stakeholders  (Who are the critical actors for driving implementation) |
| Example:  Urban Planning and Design | Set up a planning and design process that is evidence based, integrated and participatory | Lever 1: Integrated urban planning & management Align spatial sectoral and strategic plans |  |  |  |
|  | Plan and define the urban area as well as agricultural and natural protection areas | * Lever 1: Integrated urban planning & management * Integrate spatial planning and urban resilience * Cross-cutting issue: Rural–urban linkages   Cross-cutting issue: Urban resilience |  |  |  |
|  | Define connectivity and the quantity and quality of urban space including the structuring layout of streets, blocks and plots | Lever 1: Integrated urban planning & management Develop and strengthen instrument for creating compact cities and connected cities  Lever 2: Integrated transport & mobility  Invest along core public nodes and corridors |  |  |  |
|  | Promote sustainable density and mixed use to attain the economies of agglomeration | Lever 1: Integrated urban planning & management: Develop and strengthen instruments for creating compact cities and connected cities  Lever 5: Efficient land governance & management: Promote land value capture |  |  |  |
|  | Make effective use of urban design to provide liveable spaces, walkability and a sense of place | * Lever 1: Integrated urban planning & management: Improve the quality of municipal spatial plans * Lever 5: Efficient land governance & management: Strengthen land-use planning and management * Cross-cutting issue: Urban safety: Focus on multidimensional nature of urban violence and urban safety |  |  |  |
|  | Protect and preserve natural resources and cultural heritage | Cross-cutting issue: Urban resilience: develop a close interface and integration of urban governance, climate, and risk sensitive development planning  Gap: cultural heritage preservation |  |  |  |
|  | Promote housing as an integrating element of urban planning | * Lever 1: Integrated urban planning & management: Align spatial, sectoral and strategic plans, align land-use and human settlement planning to transport planning   Lever 3: Integrated & sustainable human settlements: e.g. accelerate upgrading of informal settlements, regeneration of inner cities, additional options for accessing urban opportunities, promote densification |  |  |  |
|  | Promote adequate amounts of urban space for a variety of economic activities | * Lever 1: Integrated urban planning & management: implement SPLUMA, improve quality of municipal spatial plans, improve urban * Lever 5: Efficient land governance & management Strengthen land-use planning and management, promote land-value capture |  |  |  |

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