

REPORT BY THE SPECIAL LENASIA INTERVENTION TEAM ESTABLISHED BY MINISTER TOKYO SEXWALE

BACKGROUND

On the 26th November 2012, the Minister of Human Settlements: Mr. Tokyo Sexwale, visited Lenasia Extension 13 and Lenasia South Extension 4 with the MEC for Local Government and Housing in Gauteng to seek a resolution of the land dispute between DLGH, illegal land occupiers and legal residents.

Discussions were held with the Minister whereof the DLGH provided an in-depth presentation on the matter, which was also substantiated through an in-loco inspection that involved the following stakeholders:

- Minister of Human Settlements,
- MEC: Local Government and Housing;
- the SAHRC,
- Legal Resource Centre,
- Members of the Gauteng housing portfolio committee,
- the Housing MMC for the CoJ, the Ward Councillor,
- Representatives of the illegal land occupiers;
- Representatives of the legal residents in both extension 13 and 4;

- Officials from the national and provincial departments.

Following the discussions, the Minister gave a directive that:

- There should an establishment of a Lenasia intervention team comprising of the role players mentioned above;
- A meeting to be attended by these role players to interrogate various options that can be implemented as possible solutions to the Lenasia matter; and
- The intervention team to report back to the Minister, within a week, on the various options/possible solutions that they managed to discuss.

POSSIBLE SOLUTIONS AND INTERVENTIONS TO BE UNPACKED

- Ensure ongoing consultative meetings and workshops with identified stakeholders to discuss illegal land invasions and illegal house construction
- Meetings with relevant chapter nine institutions to discuss land invasion challenges in Gauteng.
- Implementation of an integrated land invasion strategy and plan for the province – with municipalities playing major role.

- Identified different stands according to sizes that will be densified for house construction immediately.
- Immediate rubble removal to all stands where demolition has take place and secure such stands for any further illegal invasion.
- Appointed Professional engineers and town planners to finalise planning and drawing of house plans for each of the identified stands.
- Enforcement of By-Laws by the City of Johannesburg to curb illegal construction and connection.
- City of Johannesburg to ensure that there is continuous cutting of services connected illegal by Joburg Water and City power.
- Department has established a nodal point for individual households to present themselves and provide details.
- Joint Beneficiary Education campaign with BASA in the area about housing processes.

PROJECT IMPLEMENTATION PLAN

As part of the intervention recommended by the Minister, the Department has developed a project plan which will address the implementation of the various solutions identified to deal with the land invasion.

The plan can be summarised to contain the following:

1. CONDUCT AUDIT INSPECTIONS

- Joint auditing of all the properties identified and owned by the department
- Identify different categories of properties i.e size, location etc
- Identify fully developed properties and occupancy thereof and also record the occupants details:
 - ✓ .i.e their financial status,
 - ✓ dependents,
 - ✓ female headed,
 - ✓ child headed households,
 - ✓ old age, disabled,
 - ✓ waiting list beneficiaries
- Identify partially developed stands
- Identify vacant stands

2. CONDUCT BUILDING INSPECTIONS ON ALL FULLY DEVELOPED STRUCTURES

- Conduct building inspection on all properties to verify the following:
 - ✓ Whether or not building plans were submitted and approved
 - ✓ Quality of the buildings that have been erected
 - ✓ Determine whether or not such buildings are of acceptable standard and suitable for habitation
 - ✓ Identify houses with poor workmanship

3. DISCONNECTION OF ILLEGALLY CONNECTED WATER AND ELECTRICITY

- Provide JHB Water and City power with a mandate to disconnect services where illegally connected
- Provide a list of all affected properties whereof disconnection should be undertaken
- Periodic monitoring of the area to curb illegal connections

4. DEVELOPMENT OF HOUSING PROJECT

- Do an analysis of the area's layout plan to determine size of stands and where changes can be recommended;
- Subdivide identified properties that may be too large to be used for one beneficiary;
- Consolidate identified stands to allow for the development of housing
- Identify densification model to be implemented which will address the following:
 - ✓ Housing typologies to be implemented. i.e Walk ups
 - ✓ Free standing units
 - ✓ Social housing
- Appointment of construction developer to construct housing
- Devolve properties registered/zoned for other uses other than housing i.e
 - ✓ Social amenities
 - ✓ Parks
 - ✓ Roads

5. MAINTANACE OF STANDS

- Removal of rubble where structures were demolished
- Grass cutting on all vacant stands
- Day to day cleaning of stands
- Road Markings in all affected areas
- Marking and or branding of all stands i.e
 - ✓ Fencing
 - ✓ Marking stand numbers

6. DOCUMENT MANAGEMENT

- Record keeping of all documents related to this project to ensure paper trail
- Case study development
- Implementation in other affected area

7. ISSUING OF NOTICES

- Issuing of notices to all illegal occupants for the purposes of:
 - ✓ informing illegal occupants on the plans to be effected
 - ✓ Issuing of notices to stop building

- ✓ Notices to inform occupants of ownership of properties

8. BENEFICIARY ADMINISTRATION

- Identify and classify beneficiaries for the purposes of:
 - ✓ Identifying those who qualify for subsidy
 - ✓ Housing typologies they qualify for
 - ✓ Whether or not they have applied for housing subsidy
 - ✓ Identify GAP market beneficiaries
 - ✓ Prioritisation of individuals residing within the area

9. INTERNAL CONTROLS ON PROTECTION OF PROPERTIES

- Registration of caveats in all properties for the purpose of:
 - ✓ Prevent illegal transfer of properties
 - ✓ Centralising approvals of transfer of properties

10. LEGAL SUPPORT AND ADVISORY SERVICES

- Management of legal challenges that arise out of the project
- Leverage on opportunities arising from project implementation for future reference
- Lesson learned for implementation in other affected areas
- Legal advisory services in the implementation of identified solutions to deal with Lenasia matter
- Build consensus within relevant stakeholders for the legal processes currently in front courts to be put in abeyance pending the finalisation of this plan

11. LAW ENFORCEMENT AND ANTI FRAUD AND CORRUPTION MEASURES

- Collaboration with law enforcement agencies to ensure law enforcement and deterrence of further illegal activities
- Periodic monitoring to prevent further invasions
- Investigations of cases reported
- Prosecution of all registered cases
- Entering into admission of guilt fines where appropriate

- By-law enforcement through various role players

12. CONDUCT ROADSHOW

- Project launch
- Education and awareness drive
- Information sharing sessions with residents

13. COMMUNICATION PLAN

- Implementation of the developed communication plan and enhancement thereof. Through the following:
 - ✓ Engagement of different media houses on the departments plans
 - ✓ Communication with affected communities
 - ✓ Education and awareness campaign
 - ✓ Development of communication material i.e Banners, pamphlets, newspaper articles etc