



KWAZULU-NATAL PROVINCE

HUMAN SETTLEMENTS
REPUBLIC OF SOUTH AFRICA

Policy Communiqué

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DISASTER MANAGEMENT POLICY

The Disaster Management Policy was approved by the MEC for Human Settlements and Public Works for implementation with effect from 11 July 2023. The implementation of the policy will be undertaken as per the Disaster Management Plan which was approved by the Head of Department on 26 September 2023. Details of the Plan will be shared in subsequent editions of the Policy Communique.

In recent years, KwaZulu-Natal has been experiencing quite a significant number of disaster events of both natural and anthropogenic origins. These disasters are related to drought, floods, environmental degradation, epidemics and social unrest. For example, between 2017 and 2022, there were 3 major flood related disasters, the COVID-19 pandemic and social unrest. The recurrence of disaster events and the associated disaster impacts have placed enormous risk on vulnerable groups within the society and housing infrastructure. In the aftermath of disasters, communities often face situations that require creative short-term and long-term housing solutions for populations with different geographic, infrastructure and socioeconomic challenges. Effectively moving affected beneficiaries and communities into post-disaster housing is a critical step toward long-term recovery. Hence the urgent need to design a policy that would outline the development of standard instruments for disaster prevention, preparedness as well as response and recovery is crucial.

The KZN Department of Human Settlements developed the following Disaster Management Policy in line with the Disaster Management Act of 2002 and the National Disaster Management Framework to provide a structured and streamlined procedure of attending to housing related disaster situations in the Province.

1. OBJECTIVES

The main objective of the policy is to enable the Department to:

- a) Provide a structured and streamlined process and procedure to effectively respond to disaster events.
- b) Establish communities, housing developments, beneficiaries and informal settlements most vulnerable and at risk of disasters.
- c) Provide temporary sheltered accommodation, clothing and feeding arrangements for persons evacuated, or made temporarily homeless.
- d) Restore normality to the affected community within a reasonable timescale, dependent on the seriousness of the incident.
- e) Focus on strengthening community capacities by creating awareness.

2. APPLICATION OF THE POLICY

The policy shall apply to the various categories of disasters tabled below. One of the prevalent disasters experienced in KwaZulu-Natal is climate-related which is the main focus of this policy.

DISASTER CATEGORIES		
Broad Hazard Category		Specific Disaster Risk Category
Hydrometeorological	Climate-related	Extreme weather (Flooding, hail, hurricanes/heavy winds)
	Hydrological	Riverine flooding Estuarine flooding Coastal flooding/storm surges Urban flooding Hydrological drought Agricultural drought
Geological		Seismic risks and earthquakes Rock falls and landslides
Biological	Fires	Urban fringe fires, Veld fires
	Epidemic	Humans, Livestock
Civil unrest		Social unrest, looting, criminal

In line with the Emergency Housing Programme, the policy will apply to emergency situations of exceptional housing need, such situations being referred to as “Emergencies”. An emergency exists when the MEC, on application by the Department, agrees that persons affected owing to situations beyond their control:

- a) Have become homeless as a result of a declared state of disaster, where assistance is required, including cases where initial remedial measures have been taken in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002) by government, to alleviate the immediate crisis situation;
- b) Have become homeless as a result of a situation which is not declared as a disaster, but destitution is caused by extraordinary occurrences such as floods, strong winds, severe rainstorms and/or hail, snow, devastating fires, earthquakes and/or sinkholes or large disastrous industrial incidents;
- c) Live in dangerous conditions such as on land being prone to dangerous flooding, or land which is dolomitic, undermined at shallow depth, or prone to sinkholes and who require emergency assistance;
- d) Live in the way of engineering services or proposed services such as those for water, sewerage, power, roads or railways, or in reserves established for any such purposes and who require emergency assistance;
- e) Are displaced or threatened with imminent displacement as a result of a state of civil conflict or unrest, or situations where pro-active steps ought to be taken to forestall such consequences;

- f) Live in conditions that pose immediate threats to life, health and safety and require emergency assistance.
- g) Are in a situation of exceptional housing need, which constitutes an Emergency that can reasonably be addressed only by resettlement or other appropriate assistance, in terms of this Programme.

3. INSTITUTIONAL ARRANGEMENTS

Consult the policy for detailed roles of each stakeholder involved.

3.1 DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS (COGTA)

COGTA would play a key role in providing assistance and support during times of disaster in:

- a) Issuing of notices to KZN Human Settlements.
- b) Coordinating disaster response efforts across different government agencies, as well as working with local communities to ensure they have the resources they need to respond to disasters effectively.
- c) Providing funding for emergency services, coordinating the deployment of rescue teams, and assisting with the provision of basic necessities such as food, water, and shelter.
- d) Assisting KZN Human Settlements to develop and implement disaster management plans.

3.2 KZN DEPARTMENT HUMAN SETTLEMENTS

KZNDHS would play an important role in:

- a) Effectively developing and implementing disaster management plans
- b) Coordinating emergency response efforts
- c) Ensuring the provision of basic shelter
- d) Educating and raising awareness

3.3 MUNICIPALITIES

The Municipalities would play a role in:

- a) Developing and implementing disaster management plans in line with national and provincial frameworks.
- b) Coordinating emergency response efforts.
- c) Providing public information and education.
- d) Ensuring the provision of basic necessities and coordinating the distribution of relief aid.
- e) Conducting post-disaster assessments.

4. KZN DISASTER RISK AND RESPONSE MANAGEMENT PROCEDURE

Disaster management has mainly been dealt with as a post disaster activity focusing mainly on rescue, relief and rehabilitation, however a proactive approach must be implemented to facilitate a paradigm shift from rescue and relief operations to disaster prevention and preparedness. This

section of the policy outlines the two main categories to ensure an effective disaster management procedure.

4.1 PREVENTION, MITIGATION AND PREPAREDNESS

4.1.1 DISASTER RISK ASSESSMENT (DRA)

KZNDHS must undertake a Provincial Disaster Risk Assessment (PDRA) in conjunction with sector departments and local municipalities. (Disaster Risk Assessments requires an in-house specialist to provide on-going input and the Department must define the terms of reference that specify feedback, consultation, skills transfer and capacity-building processes by the specialist commissioned).

A PDRA must be undertaken in the following instances:

- a) As part of the planning process for a housing development, for example, assessing the likelihood of weather, flooding, subsidence and other threats damaging the structure, so that these can be factored into the construction specifications.
- b) As part of environmental impact assessments for large-scale developments that may increase disaster risk.
- c) In all informal settlements characterized by recurrent small and medium-size disaster losses that undermine assets and livelihoods.
- d) In rural housing projects, to identify communities and households most at risk and to focus or target preparedness and response actions.

The process tabled below must be followed for assessing disaster risks:

STAGE 1	The Department must identify the specific disaster risk to be assessed in a specific area. For example, an assessment of all informal settlements must be done to identify potential risks that may affect the dwelling such as flooding, fire, mud slides etc.
STAGE 2	The second stage involves analysing the disaster risk concerned to determine whether the resulting risk is a priority or not.
STAGE 3	The third stage requires an evaluation of the disaster risk being assessed – usually in relation to other risks. It involves undertaking much more comprehensive assessments of specific threats and establishes priorities for action.
STAGE 4	The fourth stage is required to inform ongoing disaster risk assessment and planning. It involves monitoring disaster risks and the effectiveness of risk reduction initiatives. It also involves updating disaster risk assessment information and disseminating this information to all stakeholders.

Scope of the disaster risk assessments:

- a) An audit of past significant events and events classified as disasters must be done. A review of previous small and medium-size events as well as declared disasters, where relevant, can identify areas and communities most at risk and help focus more detailed disaster risk assessment efforts.

- b) Consult with community members and traditional leaders in areas affected by past events for information on frequency and severity of events classified as disasters, significant events and recurrent small-scale occurrences. Locate these events on a user-friendly map and record them on a graph to show seasonality/change over time.
- c) Consult with long-standing members of emergency services and sector departments, the South African Red Cross Society, or other humanitarian assistance organizations who can remember or have recorded ten years or more of past disaster responses.
- d) Consult with specialist research commissions, universities and the private sector and obtain existing or past research reports.

5.1.2 PROVINCIAL DISASTER MANAGEMENT PLAN (PDMP)

A comprehensive Disaster Management Plan must be developed for the province. The scope of the plan must include the following:

- a) The allocation and co-ordination of responsibilities to the various role players.
- b) Prompt disaster response and relief.
- c) Disaster recovery and rehabilitation focused on risk elimination or mitigation.
- d) The procurement of essential goods and services.
- e) The establishment of strategic communication links.
- f) The dissemination of information.

5.1.3 AWARENESS AND COMMUNICATION

Public awareness and education regarding the realities of climate variability, status of natural resources and vulnerability, must be created as a mitigation measure.

- a) Awareness programmes for communities must be performed on a quarterly basis by the Consumer Education Directorate that will focus on disaster risk awareness, disaster risk reduction, volunteerism and preparedness. Communities must be given the opportunity to modify and enhance awareness programmes through the inclusion of indigenous knowledge, practices and values, and the incorporation of local experience of disasters and disaster risk management. Awareness programmes developed during quiet periods will form a sound basis for the development of early warning systems.
- b) The GIS Directorate must prepare risk maps, updated regularly and maintained, that may be used to keep communities informed.
- c) It is imperative that traditional leaders, as custodians of indigenous knowledge, play an active role at the local level and that they be made aware of disaster risk management.
- d) The role of the media during disasters must be defined and managed through a consultative process involving the media, role players involved in response and recovery efforts, and communities routinely affected by disasters or impending disasters.

5.1.4 FLEET MANAGEMENT

Acquisition of appropriate vehicles must be prioritized to ensure that essential Departmental officials are able to effectively reach destinations affected by disasters. At least two (2) appropriate vehicles

must be available. This will allow for officials to attend to a call-out in a timely manner and perform their tasks efficiently.

5.1.5 ANNUAL UPDATE OF SUPPLIER DATABASE

The Supply Chain Management (SCM) Directorate must annually invite a minimum of 2 TRU service providers and/or suppliers to register on the Department's Built Environment Database. This will ensure that there will be sufficient suppliers to meet the material supply demand during the recovery period.

5.1.6 IDENTIFICATION OF LAND AND SUITABLE RELOCATION FACILITIES PRE-DISASTER

The Department of Rural and Land reform offers information of State-owned land for acquisition through their land inventory data base system. The Provincial State Land Disposal Committee (PSLD) must be consulted in cases where a tribal or community authority own the land desired for acquisition. It is important to route consultation through the PSLD when land is owned by the National Department of Public Works.

5.1.7 EARLY WARNING SYSTEMS

Early warnings are designed to alert areas, communities, households and individuals to an impending or imminent significant event or disaster so that they can take the necessary steps to avoid or reduce the risk and prepare for an effective response.

Although weather warnings are issued by the South African Weather Services (SAWS), the Department must communicate precautionary measures on their social media platforms to inform individuals, beneficiaries and communities of any such impending disaster and the method of communication should they be affected.

5.1.8 EXTRA ESSENTIAL RESOURCES

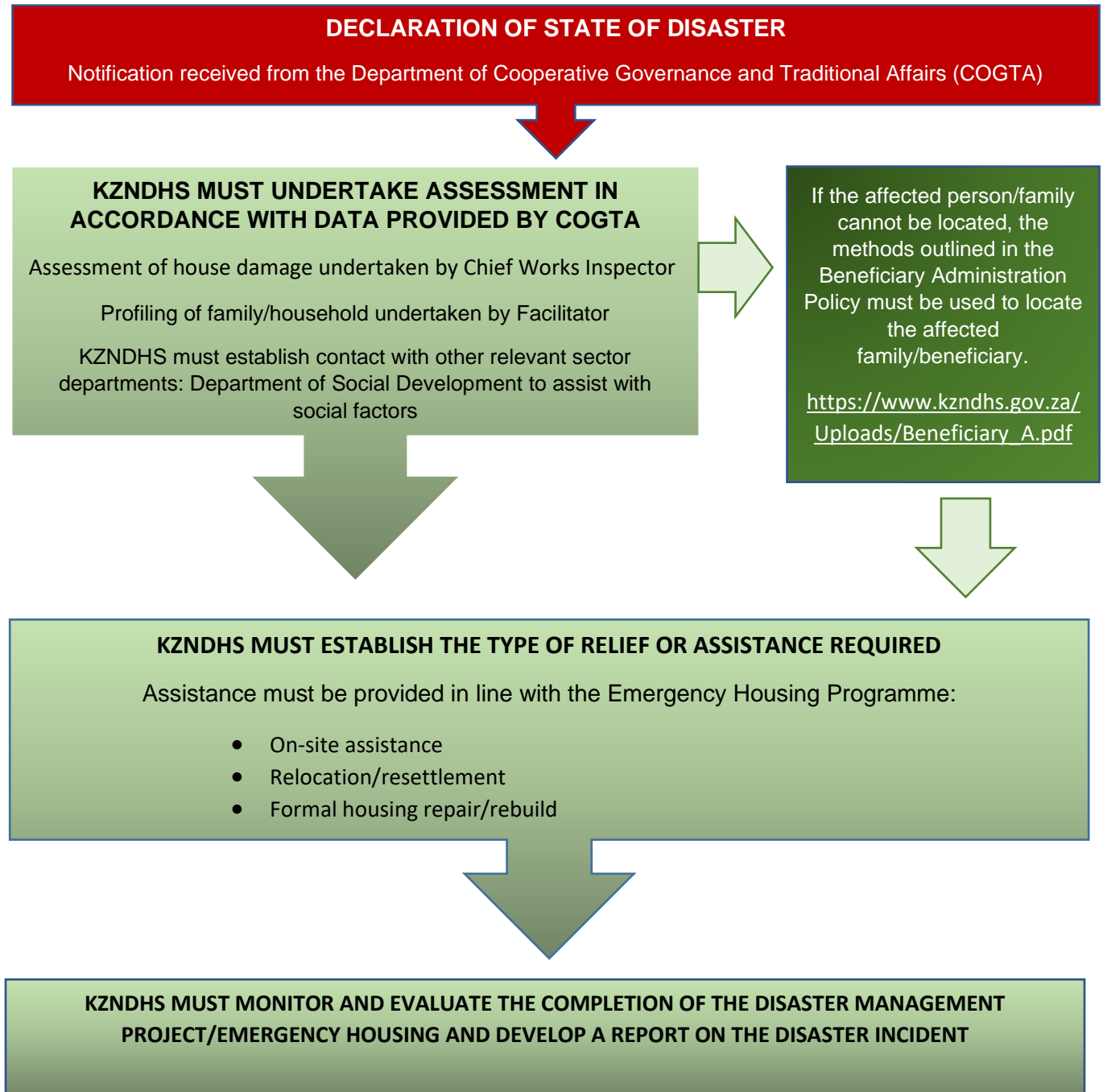
- a) As a method of preparedness, the Department must consider the procurement and use of camera drones to monitor the extent of damage to a development or informal settlement prior to visiting the site. Satellite imagery, geospatial data, and crowdsourcing from localities and partners to gather initial estimates of disaster impact is also recommended.
- b) An application (APP) compatible with mobile, tablet or iPad devices should be developed and implemented to allow for works inspectors to rapidly and efficiently document incidents. The APP should incorporate the following functionalities:
 - ✓ Capture real-time data (date and time of inspection)
 - ✓ Capture the beneficiary/household details
 - ✓ Capture the GPS coordinates of the site and unit
 - ✓ Capture a description of the damage
 - ✓ Capture and upload on-site images of the damage to the APP

- ✓ Set up automated notifications - Receive and send automatic notifications to relevant personnel regarding the incident investigation

This will also aid in the record keeping of disaster events and disaster damage that can be used to inform policy development.

5.2 DISASTER, RESPONSE AND RECOVERY

5.2.1 STANDARD OPERATING PROCEDURE (SOP)



6. ESTABLISHMENT OF A PROVINCIAL DISASTER MANAGEMENT COMMITTEE (PDMC)

As per the Disaster Management Act 57 of 2002, it is mandatory for a Provincial Department to establish a dedicated Disaster Management Committee for the Province. It is the responsibility of the Disaster Management Committee to ensure the compilation and maintenance of a corporate disaster management policy, as well as the relevant supportive hazard specific plans.

The Disaster Management Committee will consist of a representative from each of the below-mentioned Directorates and must convene at least quarterly.

The Disaster Management Committee shall be responsible to make recommendations for changes that are considered appropriate and the verification of the required support documents, resources, training, and facilities to ensure that the Disaster Management Plan is maintained. The PDMC will also have the responsibility of assigning project teams to address specific risks and develop risk-specific plans.

The Directorates involved in the Provincial Disaster Management Committee includes:

- a) Policy, Research and Product Development
- b) Integrated Planning
- c) Project Management
- d) Municipal Support and Consumer Education
- e) Supply Chain Management
- f) Communications
- g) Special Projects

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TERMS OF REFERENCE FOR THE KZN HUMAN SETTLEMENTS

CO-ORDINATING FORUM

The Terms of Reference (TOR) for the KZN Human Settlements Co-ordinating Forum was approved by the MEC for Human Settlements and Public Works for implementation with effect from 11 July 2023.

The Human Settlements Co-ordinating Forums make recommendations on matters relating to the delivery of housing products. They bring together the main stakeholders who have a role to play and need to ensure that effective coordination and problem solving is happening and that the delivery agreement is being achieved. The Human Settlements Co-ordinating forum members are expected to fulfil the ongoing commitment to attend this meeting or send a representative when unavailable. The purpose of the TOR is to guide the KZN Department of Human Settlements and municipalities to deliberate on housing related matters.

1. OBJECTIVES OF THE FORUM

- a) To ensure integrated, effective, and efficient service delivery.
- b) To intervene on housing related matters including unblocking of projects.

2. COMPOSITION OF HUMAN SETTLEMENTS FORUM

The Forum shall be known as the Human Settlements Co-ordinating Forum. The Municipal/Housing Manager or Delegated Representative is the Chairperson of the Forum.

2.1 MEMBERSHIP

Consult the policy for a detailed list of all stakeholders involved.

The Human Settlements Co-ordinating Forum consists of the following;

- a) Department of Human Settlements
- b) Municipality
- c) Service Providers
- d) Interest Groups

NB: No Political Office Bearers are to be members of the Human Settlements Co-ordinating Forum.

2.2 KZN DEPARTMENT OF HUMAN SETTLEMENTS ROLES

- a) Advisory capacity
- b) Support the Municipalities

3. ROLES AND RESPONSIBILITIES

3.1 FUNCTIONS OF THE FORUM

- a) Ensures that objectives relating to human settlements housing needs are met.
- b) Engage on Housing related matters.

- c) Service Providers to table their Progress/Status Reports.
- d) Facilitate Technical/ Social matters on project specifics (Think-tank).
- e) Advise and make recommendations on challenges that might be a stumbling block concerning the implementation of the projects.
- f) Co-ordinate housing development within the municipality.
- g) Address the following housing issues in line with the human settlements programmes in the National Housing Code and Provincial Policies approved by the MEC:
 - Identification of housing needs in terms of Integrated Development Plan's
 - Identification and prioritization of identified projects in accordance with Integrated Development Plan's.
 - Consultation with other stakeholders.
 - Monitoring progress on approved projects.
 - Beneficiary administration challenges such as missing or deceased beneficiaries.

3.2 CHAIRPERSON

The municipality shall provide the Chairperson for the Human Settlements Co-ordinating Forum.

3.3 SECRETARY

The municipality shall provide the Secretariat for the Human Settlements Co-ordinating Forum.

4. MEETING PROCEDURES

- a) The Human Settlements Forum meeting will be held monthly or bi-monthly
- b) The Municipality shall indicate the dates on which the Human Settlements Forum meetings will take place.
- c) Invitation for the meeting will be sent by email to the Human Settlements Forum members seven calendar days before the date of the meeting.
- d) Final Minutes of the previous meeting will be included in the email.
- e) The Chairperson will convene meetings, approve the agenda adopted by the Forum and confirm the previous minutes.
- f) The draft minutes of the meeting must be sent to the members 10 days after the meeting.
- g) The Chairperson may convene additional meetings when necessary and any other member may request the Chairperson to call an additional meeting.
- h) Members may submit items for consideration by the Forum.
- i) Human Settlement Forum members will agree and an outline agenda for the next meeting.
- j) All recommendations will be agreed by consensus at forum meetings. Recommendations from these meetings will usually be ratified at the next meeting but in the case of urgent deadlines, recommendations can be agreed via email, at the discretion of the Chairperson.
- k) Forum officials should receive feedback either in the form of an official presentation or written briefing.
- l) The meetings of the Forum will be conducted in accordance with the Rules and Procedures adopted by the Forum.

5. GUIDING PRINCIPLES AND CODE OF CONDUCT

- a) All members of the forum shall act in an accountable and responsible manner.
- b) All participants shall act in good faith and in the public interest, not in the interest of individuals.
- c) Any party with **a conflict of interest shall be excluded** from the meeting e.g., a contractor, service provider or any representative with narrow or political interests.

- d) Attempts shall be made to ensure that all relevant issues identified in the forum is addressed with the necessary urgency.
- e) All parties shall have a reasonable access to the relevant information relating to the work of the forum to facilitate dialogue, discussion, and a common understanding.

6. REPORTING

The municipality must report on the outcomes of the forum meeting to their Council/Traditional Authorities, Portfolio Committees or other formal structures/committees held by the municipality.

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SUBSIDY QUANTUM ON THE NEW NATIONAL ELEMENTS

The Minister of Human Settlements has approved the adjustment of the subsidy quantum and grant levels based on the Bureau of Economic Research Building Cost Index with effect from 1 April 2023. In addition, the provision of the following new elements has been approved with effect from 1 April 2023, for financing from the Human Settlements Development Grant and now forms part of the detailed cost breakdown of the subsidy quantum.

The extra-overs that have been included in the breakdown of the subsidy quantum include the following:

- a) The burglar bars component should only be applied in houses that are built for persons with disabilities.
- b) A solar system must be provided in the case of all subsidised housing; and
- c) The Rainwater Harvesting devices that should only be applied to rural settings (refer to page 15).

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AMENDED POLICY DIRECTIVE ON RAINWATER HARVESTING SYSTEMS

The Amended Policy Directive on Rainwater Harvesting Systems was approved by the Head of Department for implementation in KwaZulu-Natal with effect from January 2022. This directive corrects the tank size in the article on the Revised Policy Directive on Rainwater Harvesting Systems as contained in Policy Communique 1 of 2022.

The National Department of Human Settlements with effect from 1 April 2023 introduced rainwater harvesting devices for rural projects at an amount of R9 500 for a 1000 litre tank. In view of KZN providing a **2500 litre tank since 2011**, the standard is being maintained for the province,

The standard tank size to be implemented throughout the province is 2500 litres at R10 430 (including VAT).

The table below provides the breakdown of the cost for the Rainwater Harvesting System:

DESCRIPTION	QUANTITY	PRICE (INCLUDING VAT)
2500 litre vertical plastic tank	1	R4,050.00
First flush diverter	1	R 530.00
Concrete base 2500L	1	R2,500.00
Pipework/fittings	1	R 800.00
Labour	1	R2,500.00
Signage	1	R 50.00
TOTAL COST		R10 430.00

An all-inclusive amount of R10 430.00 maximum is recommended for a 2500L tank, with all fittings and plinth, subject to the NHBRC and municipal approved plans/drawings/specifications and final costs, post NHBRC approval. The Department's quantity surveyors must give final confirmation prior to any agreement of instruction of works.

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DEVELOPER STATUS

In January 2020, Cabinet supported that the Provincial Department of Human Settlements assume the role of the developer on a per project basis. This decision was taken as a result of challenges experienced in regard to compliance with Supply Chain Management (SCM) processes. The status of developer will not be entirely removed. There is a return to the tripartite agreement process to enable the disbursement of funds directly to service providers.

As per Schedule 4A and 5A of the Constitution of the Republic of South Africa, housing delivery is a concurrent competence of the Provincial and National spheres of government. Prior to 2002, the Provincial Department undertook the role of developer by delivering housing projects on behalf of local municipalities. However, since April 2002 with the introduction of the new procurement regime in Chapter 3A of the National Housing Code 2003, housing development shifted to local government.

In terms of the National Housing Act, Act 107 of 1997, the KwaZulu-Natal Housing Act, Act 12 of 1998 and the National Housing Code of 2009, local municipalities may assume the role of the developer however, Part 3, Section 7(2) (f) of the National Housing Act, Act 107 of 1997, allows for the provincial government to intervene by taking any appropriate steps in accordance with section 139 of the Constitution to ensure the performance of such duty. Furthermore, the National Housing Code indicates that one of the responsibilities of the Provincial Department is to assume the role of a developer where a municipality lacks technical, financial, and managerial capacity.

Since 2005, municipalities undertook the implementation of human settlements projects by outsourcing their work to external service providers through their supply chain management processes. A tripartite agreement was signed to clarify the roles and responsibilities of all stakeholders in the housing delivery process. In the 2015/16 financial year, the Auditor-General (AG) qualified the annual financial statements for the KZN Department of Human Settlements as the Department was not able to furnish all the supply chain management documents to confirm that municipalities were compliant with the relevant supply chain legislation. In an effort to address the findings by the AG, the Department made every effort to obtain the supply chain management (SCM) documentation from the respective municipalities. The SCM documents obtained were found to be approximately 99.5 percent non-compliant. Furthermore, some municipalities could not provide the required documentation.

As a result, the contractual tripartite arrangements were subsequently changed to bi-lateral arrangements to protect the Department in terms of non-compliance with appropriate good governance aspects. National Treasury condoned the Department on this matter by indicating that where SCM processes and legislation are not complied with by municipalities, it will be addressed in terms of the Municipal Finance Management Act.

It must be noted that contracts are regulated by the contractual terms, the constitution and legislation. If a current contract is a result of breach of a procurement process, that will be a contravention of section 217 of the Constitution and the Public Finance Management Act. In addition, failure to submit documents required for audit purposes will be a contravention of the

Public Audit Act, that will require an intervention in terms of section 139(1)(b) and that will also amount to a breach of contract as far as it relates to access to proper books of accounts. However, if the current agreement complies with the supply chain management processes, the project shall continue as per the contractual terms. In an event of breach of a contractual term, the Department shall follow the breach and termination clause by sending a notice of breach and terminate the contract if the breach is not remedied within the time period stipulated in a notice.

The role of the municipality remains integral to the successful delivery of human settlements projects as the provision of infrastructure, services, land, planning, and township establishment remain with the municipality.

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The detailed Disaster Management Policy, Terms of Reference for Human Settlements Co-ordinating Forum and the Amended Policy Directive on Rainwater Harvesting Systems may be accessed on the Department's website using the following link: <https://www.kzndhs.gov.za/index.php/features/policy-documents/provincial-policies>