AN INSIDER-OUTSIDER'S EXPLORATION OF PLANNING KNOWLEDGES, ROLES, USES AND CONSTRUCTION IN A POST 1994 METROPOLITAN SETTING:

ETHEKWINI MUNICIPALITY

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Thesis submitted in fulfilment of the requirements for the degree of Doctor Philosophiae (Town and Regional Planning) in the Faculty of Engineering, Built Environment and Information Technology, University of Pretoria

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DECLARATION OF ORIGINALITY

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Declaration

1. I understand what plagiarism is and am aware of the University's policy in this regard.
2. I declare that this thesis is my own original work. Where other people's work has been used (either from a printed source, Internet or any other source), this has been properly acknowledged and referenced in accordance with departmental requirements.
3. I have not used work previously produced by another student or any other person to hand in as my own.
4. I have not allowed, and will not allow, anyone to copy my work with the intention of passing it off as his or her own work.

ABSTRACT

The 21st century calls for new approaches to urban planning theory and practice, in the context of failed but unchanging approaches to planning (UN-Habitat, 2009). What is increasingly clear is that there is an urgent need for the 'worlding' of planning epistemology, theory and practice to emerge from within a context, a place that considers the real, the practical, the basic and the strategic essentials beyond the generalisations of theory and practice that emerge from elsewhere (Roy, 2009; Parnell, 2016). This research draws from practice within the global south, from an important and ordinary city, Durban, South Africa. It delves into the everydayness of planning practice - it explores and uncovers the importance of land use planning knowledge as a point of focus, confrontation and an opportunity to (re)think practice. The research identifies planning knowledges as a deliberate 'space' and a future research agenda to theorise from and for planning practice.

A multi-conceptual framework was used in this research, in a practical and advocacy manner to guide and make sense of the empirical findings. In particular, communicative planning theory, institutionalism, the culturisation of planning, power and rationality, and phronesis proved to be useful and relevant.

The research uncovers the narrow and 'expert' defined approach to constructing land use planning knowledges, professionally and institutionally. It reveals the many roles of such knowledge, in particular the spatial development framework, lower levels of spatial plans and town planning schemes. The research also uncovers the philosophy, ideology, interests, agendas, relationships, power, conflicts and compromises embedded in the (re)development of land use planning knowledge for practice. It both confirms and 'maps' the social relations involved in the (re)development of planning knowledges for practice, including the making of national and local government planning legislation.

Multiple qualitative research methods were used in this research, including institutional ethnography, focus groups, and the review of key documentation and interviews with a multiplicity of stakeholders.

Beyond understanding the contemporary dynamics of land use planning knowledge in practice, the research explored what a multiplicity of stakeholder knowledges could mean for planning. What emerged are two very separate planning ideologies. The first is steeped in

traditional planning concerns, informed by the planning profession both within and outside the municipality, where 'more of the same' is advocated - planning with more clout, more or better legislation and improved linkages to municipal budgets. Conversely, a new planning ideology arises from engaging with a multiplicity of stakeholders and their knowledges, where knowledge is practical and engages with realities of African urbanism, and continues to confront traditional planning approaches and waits to be recognised.

In giving importance to this alternate ideology and belief system for planning, the society that lives, uses and negotiates the production of space as a daily occurrence is considered and in doing so, new planning opportunities and theorisation for practice emerge as possibilities. The study concludes with a contribution to local situated planning theory, recognising a local version of communicative planning theory. The study offers a theoretical framework that connects and integrates African urbanism, planning theory and planning practice. In theorising with and for planning practice, the study concludes with a theoretical framework for land use planning, as a dominant and everyday experience of municipal practice. In addition, the research nuances and enriches dominant themes in planning theory. Finally, the study demonstrates empirically the use of and exploration with social science research; and its possibilities to identify multiple actors and knowledges as an opportunity to create practice-informed relevance in planning.

DEDICATION

For my beautiful mum, Doreen

You're old, wise, inspiring and practical – just like Phronesis!

Thank you for being with me

For

Kalie, Roshnie and Tony

And

To all the planning practitioners in the eThekwini Municipality and everyone in practice

Reflect and think about what you are contributing to

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BLA	Black Local Authority
CPC	City Planning Commission
CPD	Continued Professional Development
CPT	Communicative planning theory
DFA	Development Facilitation Act, 1995
D'MOSS	Durban Metropolitan Open Space System
DRDLR	Department of Rural Development and Land Reform
DTPS	Durban Town Planning Scheme
EXCO	Executive Committee
FAR	Floor Area Ratio
GIS	Geographic Information System
ITB	Ingonyama Trust Board
JAC	Joint Advisory Committee
KZNP	KwaZulu–Natal Province
LAPs	Local Area Plans
LFTEA	Less Formal Township Establishment Act, 1991
MILE	Municipal Institute of Learning
MPT	Municipal Planning Tribunal
NBR	National Building Regulations
NPA	Natal Provincial Administration
Pas	Planning Approval - Building Plan Scrutiny
PDA	Planning and Development Act, 2008
RELs	Relaxations
RSA	Republic of South Africa
SDPs	Spatial Development Plans
SDF	Spatial Development Framework
SAPI	South African Planning Institute
SACN	South African Cities Network
SAPOA	South African Property Owners Association
SPLUMA	Spatial Planning and Land Use Management Act, 2013
Sqm/sqm	Square metres
SR	Special Residential
SR 400	Special Residential Zone 400 square metres
SR 900	Special Residential Zone 900 square metres
TPO	Town Planning Ordinance of 1949
TPS	Town Planning Scheme
UDL	Urban Development Line

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CHAPTER ONE: INTRODUCTION

1.1   Rationale

Many years ago, 26 years to be more precise, I was part of a group of planning students that attended a Town and Regional Planning Institute meeting at the Royal Hotel in Durban, South Africa. I recall the theme of the meeting: the nuts and bolts of planning. The audience was largely middle aged white males, apart from us students, a mixed group of young people. I remember that I thought the planners in the room were professionals that had a particular intelligence and skill to know what people needed and wanted and how places should be designed and managed. This to me was the great responsibility of the profession, that there is an art, a skill and intelligence to planning, and I wondered if I could be such a planner. In the same meeting it occurred to me that perhaps if I worked really hard, passed my degree and got a job that exposed me to planning, the real planning that municipalities engaged in, I could also become such a planner. Then I could use this skill to improve the township areas and informal settlements, places that concerned me. There were also places I knew and grew up in that certainly could benefit from planning.

I got that municipal planning job, in 1993 as a planner with the erstwhile City of Durban, now the eThekwini Municipality. I have worked for the municipality for just over 23 years. I had the honour, privilege and responsibility of being the Head of Planning[1] from 2003 - 2013. However, in all of the time that I worked as a planner and as the Head of Planning, something was missing. I had these nagging questions concerning what we were trying to do as city planners – "Is it helpful, who is it helping, is there another way of knowing and doing planning?"

However, there was always an urgency to get the work done and to be responsive to the planning legislative requirements. At the same time, there was ongoing pressure and conflict with the councillors and the political executive, who wanted planning to be more investment and development friendly and to be supportive of the public sector housing programme. The private sector viewed planning as a blockage to development, and from an infrastructure and environmental perspective planning was seen as uncoordinated, unsustainable and technically weak. At the same time, my position in the municipality and my own and others' expectations of my role challenged me to shift planning practice to be more responsive to the needs of the city and its residents. One of the difficulties of being in an executive position and

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[1] Head of the Development Planning, Environment and Management Unit, eThekwini Municipality.

away from the coal face of planning meant that I did not take full advantage of the opportunities afforded to me, to make a difference in planning practice. Regretfully, in all of this conflict and 'busyness', I missed the bigger picture of the purpose and impact of land use planning and the opportunities it offered for transformation in planning practice, especially in the context of a post–apartheid South Africa. It is now 26 years since I was the student sitting in that meeting and I have taken on a three and a half year research journey that has led me to rethink and 'undo the nuts and bolts of planning'.

So, whilst notable attempts have and continue to be made within existing planning knowledge, such as spatial plans and town planning schemes, it is not so much that there has been no change, but rather whether the direction, influences, depth and consciousness of such change has meaningfully responded to the needs of this South African city. The eThekwini Municipality has been recognised for its use of analytical information in spatial planning such as the cost services model, financial modelling, the mainstreaming of environmental planning into land use planning, and its approach to strategic and long-term planning (UN-Habitat, 2009; UN-Habitat, 2010/2011; UN-Habitat, 2014). Notwithstanding the recognition and proud history of planning within the province of KwaZulu-Natal and in the municipality, there are frustrations that planning only works for a limited number of people in the more formal parts of the city and is largely absent to half of the city and its population. However, there are also concerns that introducing the same type of planning to the rest of the city will constrain development and frustrate the 'African culture' of how things get done. The current capacity of the municipality to extend and conduct planning within the confines of legislation, specifically the KwaZulu-Natal Planning and Development Act, 6 of 2008 (PDA) and more recently the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA) remains ambitious, a modernist project and questionable in terms of benefits to both the municipality and its citizens.

This research intends to go beyond senior political management perspectives and political frustrations about the apartheid trappings of land use planning, the delays in development caused by comprehensive planning assessment processes, the out-datedness of aspects of planning and the reluctance of planners to change. Having said this, in honesty the difficulty is where and how to conceptualise the levers for such change. My years of engagement with planning, in particular with land use planners but also environmental and transport planners, pointed me in the direction of land use planning knowledge for practice. This knowledge, reflected in plans and texts such as the Spatial Development Framework (SDF), local area

plans (LAPs), Town Planning Schemes (TPS), parking standards and the Durban Metropolitan Open Space System (D'MOSS), comes with a belief system/s of what planning knowledge should be and how implementing such knowledge leads to a preferred planning future. It also became clear to me that who is involved in the (re)construction of this knowledge, and how they are involved, is also important.

In arriving at this research topic, I was motivated by my long-term concerns about why as planners we practice our profession in a particular way, when there are 'other' more 'rational' options available as evidenced by the everyday practices of citizens to produce and use space, without plans and planners. My interest in this particular research is not only based on my daily experiences of working in a South African city, but also by being exposed to the provocativeness of planning theory. I have been inspired by several theorists on planning, in particular Friedmann who wrote in the 1980's about the importance of knowledge and action (Friedmann, 1987). Forester (2011) recognises the pragmatic side of planning, the difficult and dirty job that planners undertake. Sandercock (2003a) plants the seed of multiple epistemologies in planning. Hoch (2011) nurtures the idea of pragmatism and suggests the convergence of theorists and practitioners to work together on writing theory for informing practice. Yiftachel (2009) gives recognition to urbanism in the global south for being what it is - not black, not white but simply 'grey'. In this mix of inspiration, there are many local South African theorists that have prompted me to think about what planning is and could be in an African and South African context. I consider myself privileged to be in such close proximity to such theorists and to share a context with them.

1.2   Context

Land use policy and planning both internationally and locally has a long history with local government and every city has some form of planning system (UN-Habitat, 2009; Winkler, 2012; Van Wyk, 2012). However, land use systems have remained somewhat static even under different political administrative conditions and certain continuities of past planning systems remain resilient to change (Watson, 2009a, 2011a, 2011b; Watson, Oranje and Merrifield, 2010; Berrisford, 2011c).

Parnell and Pieterse (2010) advocate a 'rights based' approach to urbanisation. They contend that third and fourth generational rights that reside with the local state, such as planning, land use control, local facility provision and environmental rights, should be secured to improve the quality of life of all city residents. However, the value of the simple

extension of land use plans and practices, within the confines of historical planning knowledge and practices, remain questionable in the African context given the origins of planning and its links to a colonial and racial past. There is insufficient knowledge about planning and society, and how societal views and involvement can help to define locally appropriate planning knowledge and practices, to give meaning to these third and fourth generational rights within the context of local, citywide and national spatial imperatives. This illuminates a considerable gap in land use planning research - the lack of understanding and exploration of what the global south context could mean for planning. It also highlights the need to research, explore and theorise for land use planning practices, an important, routinised and daily activity that occupies much of the time, resources and efforts of municipal planning.

At the same time there is a geo-political shift taking place, in the political, economic, environmental, social and empirical spheres, for new research and planning agendas that reside outside of the global north (Healey, 2013; Parnell, 2016). Given the global challenges facing cities in the south, the rate, pace and conditions of urbanisation have already started to influence planning differently, finally affording an international status to planning (Yiftachel, 2006; Healey, 2011; Watson, 2012). In contributing to this global agenda, the research explores land use planning knowledge and its role in planning practice and decision-making both ideologically and institutionally within a global south planning practice environment. It explores the importance of knowledge in land use planning practice and examines the institutional and social construction of this knowledge and its impacts on spatial ordering within the eThekwini Municipality, Durban, South Africa. This research offers new insights and explores new ideas towards developing planning knowledge as a contribution to re-imagine planning practice and perhaps the planning discipline and municipal planning. The point of departure in this thesis is that planning knowledge remains important for practice, and that it is unexplored and unclaimed theoretically, empirically and politically within the local and global context of planning. As argued by Yiftachel (2009:88):

> "Planning is a lynchpin of this urban order, providing tools and technologies to classify, contain and manage deeply unequal urban societies."

1.3 Clarification of research concepts

In this research the practice of land use planning encompasses both strategic and site level spheres of planning. Planning is viewed as the assignment of land uses at a conceptual level, referred to as strategic spatial planning, and at a detailed and regulatory level, referred to as regulatory land use planning. Both spheres of planning reflect government led

interventions to structure the production and use of space for a preferred future outcome (Fainstein and Campbell, 2012; Van Wyk, 2012). The research acknowledges these different forms and intentions of planning but unifies them under the term land use planning knowledge and practice. Both these forms of planning rely on a particular planning knowledge or frame of reference which is supported by legislation and becomes legally binding within practice. Often the terms policy and planning knowledge are used interchangeably within this thesis. The interchangeability of these terms demonstrates that planning knowledges are in fact policy, dogma and procedure (how things are done), including the so-called 'lower' level regulatory instruments such as town planning schemes. However, not all planning knowledges are approved as policy, but nonetheless have 'informal' clout - such planning knowledges for practice are unwritten but in use.

The focus of this research is an exploration of planning knowledge - what it is, its roles, use and construction for planning practice. It starts by exploring key and common forms of planning knowledge in use and under (re)development such as the Spatial Development Framework (SDF), other levels of strategic spatial plans, town planning schemes (TPS), planning legislation and planning discourses, those often unwritten but important informants of land use planning practice. Whilst this research takes these constructs of planning knowledge as a starting point, it also allows planning knowledge to emerge for what it is, through experiencing planning practice in its natural setting, enabled through institutional ethnography as a method of inquiry (Smith, 2005). Planning knowledge also emerges from engaging with a multiplicity of stakeholders and their knowledges to inform planning practice, often referred to as a 'slice' of the eThekwini 'society'. So, whilst this research accepts a particular rigidity and codification of planning knowledge as a point of reference, it also explores, invites and embraces 'other' knowledge actors and their knowledges to help confront, deepen, expand and inform the construction, use and roles of planning knowledge for practice.

The focus of this research is on the political, in particular the social and institutional relations involved in the (re)development and implementation of land use planning knowledge for action. The terms planning action and planning practice are used interchangeably referring to knowledge that leads to or informs a planning decision. When reference is made to planning knowledge for action, it is recognised that there is no single knowledge but rather knowledges, a plurality of knowledge, and this is acknowledged throughout the research. The use of reality and realism refers to what is taking place on the ground, people's practical

knowledge and actions that result in the social construction and use of space. The terms (re)development and (re)construction of land use planning knowledge and community and resident interviews are used interchangeably within this research.

1.4 Research problem and conceptualisation

A focus on land use planning knowledge is not surprising given the roots of planning and its link to rationality during the nineteenth century, which cast planning practice as professionals with expert superior knowledge, entrusted with improving living conditions and protecting the common good (Friedmann, 1987; Watson, 2003; Li, 2007; UN-Habitat, 2009; Lundin and Oberg, 2014). Friedmann posits that when knowledge and action come apart, practice comes apart. In this research it is further argued that when knowledge and action come apart, practice and reality also come apart. The role of knowledge remains all important in planning as it gives rise to action within the public domain (Friedmann, 1987). Land use planning also draws on the greater purpose of planning that strives to enable 'technical' knowledge in planning to be effective in informing public actions (Friedmann 1987).

As this research delved into the social relations of the municipal planning institution, the personalities, conflicts, agendas, interests and exclusiveness in the (re)development of planning knowledge for practice, it started engaging with something beyond but not separate from planning knowledge. Planning ideology, elitism, professionalism and the integrity of planning practitioners within the private and public sector emerged as important to the debate on planning knowledge for action or practice. Notwithstanding, this this complex and broader context, the research focuses on planning knowledges. It reveals my particular practitioner bias, enabling me to inform planning practice theoretically, empirically and practically. It also confronts my own personal paradox as a planner (and that of planning practice) - the attraction to structure while at the same time recognising uncertainty. Thus, I do not invalidate land use planning as this will simply lead to dismissing planning in its entirety. Instead I examine the contradictions and the possibilities to rethink this knowledge for practice. This is done through engaging with a multiplicity of knowledge actors and their knowledges, their practical and lived experiences to expand and broaden planning knowledge for a diverse society and within the current South African city context.

1.5   Research gaps

Before venturing into the empirical research, I noted certain research gaps. I was not able to find a comparative study that dealt with the role/s of land use planning knowledge within planning practice. The research available was largely focused on strategic spatial planning in the United Kingdom and the United States. There was, however, a growing interest in spatial planning within South Africa (Harrison and Todes, 2001; Watson, 2002b). Yet these accounts of strategic planning remained distant in how they related to the everydayness of planning decisions, planning realities and planning practice. In addition, this dearth of information was even more pronounced when I looked into studies regarding regulatory planning and its relevance to, and disconnect from, everyday lived experiences (Parnell and Pieterse, 2010; Todes, 2011; Pieterse, 2011a, 2014).

Given the noticeable gaps regarding this area of research interest, I firstly needed to establish the importance of planning knowledge in practice. What role/s does it play within practice? What knowledge is important? Is some knowledge, and knowledge actors, more important than others? Who is involved or excluded and how is this knowledge being (re)developed institutionally?

A set of questions also revolved around which stakeholders would be important in contributing to this knowledge. How would I access such stakeholders? Could I access planning experiences and planning knowledge ideas from as many diverse residents as possible? What would such a multiplicity of stakeholders mean and how would it contribute to land use planning knowledge in terms of relevance, realities and acceptance?   These are some of the questions explored in this research journey.

1.6   Research objectives

Given the above research rationale, context, concepts, conceptualisation and research gaps, the research explores five objectives as follows:

- ▪ To understand planning practice and explore the role/s of land use planning knowledge within a planning practice institution such as the eThekwini Municipality. This was seen as an important area to explore and establish what constitutes planning knowledge from within a practice context and its roles and uses in such a context. Exploring this objective would assist in finalising the scope of the research area and the refinement of further research objectives.

- To establish an institutional and professional appreciation of the (re)development of land use planning knowledge for practice. This objective would enable the uncovering of the politics, the power, alliances, agendas and the dominant belief system or ideology embedded in the land use planning knowledge being (re)constructed for practice.
- To explore the experiences, views and expectations of various stakeholders and their perspectives on land use planning knowledge, which may confront, support, expand and inform land use planning knowledge for practice.
- To delve into the legalistic aspects of planning law and reveal how planning legislation is being constructed. In particular, this aspect of the study would uncover how planning legislation in the form of SPLUMA and the municipal planning by-law is being developed.
- To identify and construct a theoretical framework for the (re)development of land use planning knowledge, informed by a multiplicity of stakeholders and their knowledges within the context of the eThekwini Municipality, as an important metropolitan setting and an African city.

1.7 Research title, main research question and research sub-questions

1.7.1 Research title

An insider-outsider's exploration of planning knowledges, roles, uses and construction in a post-1994 metropolitan setting: eThekwini Municipality.

1.7.2 Main research question

How does exploring planning knowledge within the eThekwini Municipality (Durban, South Africa) reveal the roles, uses and construction of land use planning knowledge, as a focal point for theorising and transforming practice, within the context of multiple knowledge actors and knowledges?

1.7.3 Sub-research questions

Sub-question 1: How is land use planning knowledge used in planning practice within the eThekwini Municipality?

Sub-question 2: How is land use planning knowledge for action being developed/re-developed institutionally within the eThekwini Municipality?

Sub-question 3: What are stakeholders' experiences and perspectives on land use planning knowledge for informing planning practice within the eThekwini Municipality?

Sub-question 4: How is land use planning legislation being developed/re-developed within and for the eThekwini Municipality?

Sub-question 5: What are the key constructs of an emerging theoretical framework for the development/re-development of land use planning knowledge for practice, informed by a multiplicity of stakeholders and knowledges within the eThekwini Municipality?

1.8   Summary of research methodology

The use of institutional ethnography as a method of enquiry allowed me to use my long-term experiences and attachment to the organisation and the planning department to observe and access the construction and application of land use planning knowledge in practice in its natural setting.

The research design I chose for this study was a qualitative constructivist-interpretive approach, which draws from multiple sources of data obtained through several data strategies or data gathering techniques (Creswell 2009). In particular, the research methods used were: (1) institutional ethnography, (2) informant interviews, (3) community/resident interviews, (4) focus groups and (5) review of municipal reports and documents. The research design and methods are discussed in more detail in Chapter Four.

1.9   Study contributions

The research contributes to the development of planning theory (situated) for practice and planning theory deduced from practice. It identifies a local version of communicative planning theory for the (re)construction of land use planning knowledges. The study offers a theoretical framework that links to and integrates with African urbanism as a starting point to theorise for planning theory and practice. Furthermore, a theoretical framework for land use planning is developed to inform the everyday practice of planning within municipalities and within a context of African urbanism.

The research adds to planning theory as informed through the 'worlding' of planning practice and the realities within which planning is expected to engage with. In this regard, an approach to consider the re-culturisation of planning ideology for the global south is explored. This research exposes an important area of planning practice, largely invisible to practising planners and theorists, to transform planning and to be more relevant in the global south. In this regard, the importance of planning knowledges remains under-explored, as a research agenda, as a focal point for theory building and for transforming planning practice. Lastly, the study explored social research methodologically, empirically and institutionally, within the field of spatial planning and in the context of practice. The research methodology demonstrates how social science can enrich planning epistemology as an ongoing and important aspect of planning.

1.10   Structure of thesis

Having provided an introduction to the research in this first chapter, the remainder of the thesis unfolds in ten further chapters.

Chapter Two provides a conceptual framework for the study. It engages with selected theory to inform, advocate and make sense of the empirical study.

Chapter Three provides a contemporary, and in some cases a classical, review of the literature that supported the empirical findings. At times the empirical findings also served to deepen and nuance the literature available and applicable to this study.

Chapter Four outlines the research strategy, design and methods selected to undertake this study. An overview of the eThekwini Municipality as the site of investigation is also provided, allowing for an appreciation and understanding of the institutional context for the study.

Chapter Five provides an 'account', the author's narrative, of planning within the eThekwini Municipality from the 1950s through to the current context.

Chapters Six, Seven, Eight and Nine follow by presenting and analysing data generated in the research according to the first four research sub-questions. Each question is discussed in a separate chapter. Given the depth at which land use planning knowledge is explored within and outside the municipality, this makes it more manageable to engage with the research findings.

Chapter Ten then links the empirical findings with the conceptual framework and the literature reviewed. This chapter concludes with a response to research sub-question five, where theoretical contributions are made to the field of planning, and where a theoretical framework for land use planning is presented.

Chapter Eleven concludes the thesis by reflecting on the research journey undertaken over the last three and half years. It offers some ideas towards implementing the findings from the study. New and further research agendas are considered in this chapter and the limitations of the study are also discussed. The final section of this chapter concludes with reflections on my personal journey with planning and the beginning of a new future with planning.

1.11   Conclusions

In this research I wanted to improve planning through questioning, confronting and creating awareness on the importance of land use planning knowledge and its role/s within practice. I explored the opportunities to construct this knowledge differently within the context of an African city. I wanted to contribute ideologically, academically and practically to the field of planning. It is hoped that this research is sufficiently focused as a local story but big enough to provide new insights for contemporary planning thought and theory for those institutions that promote, teach and practice planning. Finally, it is hoped that this research, if anything, provokes planning practitioners to think about what they are doing and what they are contributing to, as well as the possibilities of changing what is taken as 'fixed' and 'for granted'. The research demonstrates the possibilities that exist but are under-utilised in planning research, in particular the importance of converging planning theory, planning practice and planning realities through a trans-disciplinary approach in responding to the meta-theoretical problem of planning, namely how to enable 'technical' knowledge in planning to be effective and to influence public action (Friedmann, 1987).

"When knowledge and action comes apart, practice comes apart,
practice and reality also comes apart"

"When knowledge and action comes together, practice comes together,
and practice and reality can also converge"

Source: author, but inspired from Friedmann, 1987

CHAPTER TWO: THEORETICAL FRAMEWORK

2.1   Introduction

A starting point for exploring planning theory is to recognise that a grand or single theory for planning is not possible, as the complexity and variety of contexts within which planning takes place means that the basic requirements for making theory - context independence, universality and predictability – cannot be met (Flyvbjerg, 2001; Beauregard, 2012). This speaks to the tried and failed attempts of planning theory to be applicable across context, within varying democracies and practices of planning (Flyvbjerg, 2001; Yiftachel, 2006; Watson, 2008; Healey, 2011). Planning theory or planning ideas remain applied, contested, changing and context dependent (Beauregard, 2001; Fainstein and Campbell, 2012; Friedmann, 2003; Flyvbjerg, 2001; Forester, 2004). However, there is room for planning theorists and theories to provoke, dream, inspire and develop ideas and thoughts for planning (Forester, 2000; Bertolini, 2009). In this research, planning theory is used in the context of suggesting planning thoughts, ideas and concepts at best. Planning is about the social and social theory has its limitations - it is contextual and incomplete and therefore should be referred to as concepts of theory or ideas of theory (Foucault, 1984b; Turner, 1986; Flyvbjerg, 2001).

In the field of planning, there are rich debates and varying approaches and dichotomies to theorising for planning, including micro politics versus macro systems, and process versus content approaches (Fainstein and Campbell, 2012). Dealing with difference, culture, class and the role of politics and power in planning remain important areas of theorisation for planning and to influence practice (Fainstein, 2000; Beauregard, 2001; Friedmann, 2003; Fainstein and Campbell, 2012). Over the last decade planning theorists are also being challenged to consider the harsh realities of regions in the global south which cannot be accommodated within planning theory that is largely derived from the global north (Yiftachel, 2006; Roy, 2009; Watson, 2012; Healey, 2013; Harrison, 2014).

In all of this debate, there is one area of agreement in planning literature that has emerged over time: that planning theory cannot be universal. If anything, it is plural. In this context of pluralism, the practice movement, where deep, comparative and 'thick' descriptions and analyses of practice are used to make sense of emerging planning theory, is gaining importance. Practice research and theorising for practice is increasingly being recognised as

'planning theory' (Watson, 2008, 2012; Flyvbjerg, 2002, 2006; Hoch, 2011; Fainstein and Campbell, 2012).

In this study, several planning theoretical approaches are used, starting with communicative/ deliberative planning theory, while recognising that there are several variations of this theory. As an extension and support to the communicative/deliberative planning theoretical approach, an institutionalist approach to thinking about theory and its influence on practice is adopted. This is then further extended to understand the culturisation of planning within institutions that contribute to planning knowledge and practice. The presence and importance of power within the micro-politics of planning and in the social construction of knowledge as a power-knowledge relationship, makes it necessary to use power and rationality as a lens to make sense of this research (Flyvbjerg, 2001; Gaventa and Cornwall, 2001). Lastly, if theory is to make a difference and to be useful to practice, and practice needs to be practical, reasonable and acceptable to society, then theory also needs to be pragmatic. In this regard, pragmatism is used to make sense of the theory engaged for this study and how these theoretical ideas could be pragmatically applied to the planning context.

The selected theoretical perspectives are used contextually, with adaptation as the context requires, and provide in my opinion a useful conceptual framework as a point of reference, as advocacy and as guidance to enable discussion on the findings emanating from the empirical study (Forester, 1989; Friedmann, 2003; Flyvbjerg, 2002, 2006; Watson, 2002a, 2008; Hoch, 2011). In essence I understood and used planning theory in a practical way, a way that works effectively to respond to the key research questions.

2.2 And the practitioner muddles through in establishing a theoretical framework for the study

Navigating the vast literature available on planning theory, the contentious, the critiques, the gaps, and sometimes very personalised but 'anonymous' debates going on amongst theorists, made reading planning theory inspiring at times, entertaining on occasion but often confusing and inaccessible to me as a practitioner and now as a scholar. In a more recent publication, Innes and Booher (2015) raise concerns about how planning theorists often respond to theoretical ideas and to each other, but in so doing achieve nothing more than simply limiting the building of planning theory. I believe that that there is a responsibility in making and critiquing planning theory or theoretical ideas for planning. However, how this is done and what is retained, built on or put forward as alternative ideas is often simply lost in

the way that different camps of theorists dismiss each other's ideas. This makes it more difficult for practitioners to engage with theory, given the internal 'conflicts' going on between theorists.

As a practitioner, I appreciate the complexity of theory making and the role of constructive criticism in advancing theory to be more effective and real (Allmendinger and Tewdwr-Jones, 2002). However, I found on several occasions that the critiques are quite selective and even shallow. I would have hoped that more engagement and discussion between theorists could have ironed out some of the controversy related to contested concepts and assumptions being carried through into planning theory and its critiques. Unfortunately, publications over the years simply lock in such concerns about theory. Often a number of these issues, certainly not all, could have been clarified and augmented differently. Beauregard (2012) states this differently, arguing for planning theorists to think about how they theorise for planning, to start reflecting discipline in debating urban theory as an important way to build theory for planning. The lack of connection and meaningful dialogue within planning theory is described by Innes and Booher (2015: 196):

> "Today planning theory seems to have become a set of dividing discourses. People talk past one another. Blame, criticism, and incivility often crowd out scholarly dialogue and inquiry."

In navigating planning theory, the approach that made sense to me as a practitioner first and as a scholar second was that varied planning theoretical approaches informed each other. Whilst theorists may claim the separation and distinctiveness of theoretical ideas, I saw less boundaries and more connection between theories. This connection of theory is supported by Forester (2004) who cautions against using one theory to understand and inform planning and that one should avoid hardening approaches to planning theory. Therefore, a multi-theory approach is used in this study, not because of being non-committed to one planning theory or confused by theory, but simply to make sense of planning as a complex phenomenon in a real-world context. Planning theory in its multiplicity should help practitioners to comprehend and intervene in problems that confront planning. Using this approach, the mix of different planning theories I selected and engaged with helped to explain, provoke and inspire the (re)development of planning knowledge for practice (Friedmann, 2003, 2008; Forester, 2004; Beauregard, 2012).

The use of theory in this study takes on an advocacy role (not a directing role or a grounded theoretical role), one that probes consciousness and finds points of resistance for

transformation. It allowed me as the researcher to use theory to understand practice, to be critical of practice but also practically to identify where to intervene in practice, to leverage change. This multi-theoretical approach speaks to the problems and the opportunities that emerge from the research that can make planning theory accessible to planning practice. It can inspire planning practice to dream, innovate and expose that which is negative, to question, to make choices and to resist and infiltrate such systems (Bertolini, 2009; Forester, 2004; Oranje, 2012). Forester (2004) urges theorists not only to deconstruct but to also to reconstruct theory for practice. The bringing together of communicative and deliberative planning theory, institutionalism and culturisation of planning, power and rationality and phronesis and pragmatism as a theoretical framework for this study helped me to deconstruct and reconstruct how theory can be useful for this empirical study. It is the coming together of these theoretical approaches that speaks to the realities of planning inside and outside the municipal institution and within the spatial realities of the eThekwini municipal area (Forester, 1989; Flyvbjerg, 2002; Smith, 2005; Healey, 2009). This multi-pronged approach to planning theory for this research gives recognition to practice and planners as important agents in planning, in terms of how they practice planning, but also recognises the power(lessness) and limitations of planners.

While this approach may come across as clumsy and messy, planning remains embedded in a context of uncertainty and faced with wicked problems. In the context of understanding and provoking practice, and to appreciate and confront the construction of planning knowledge for practice within a metropolitan setting, a clumsy theoretical framework should also be acceptable (Hartmann, 2012). In many ways, as the practitioner first and scholar second, arriving at this theoretical framework was a process of muddling through but making sense of what I had to work with, without being trapped by theoretical categorisations (Lindblom, 2012).

2.3   Communicative and deliberative planning theory

Planning and planning theory originates from an interesting history, with planning rooted in religion, positivism, social welfare, artistry, pluralism and a radical past (Healey,1997, 2012; Allmendinger and Tewdwr-Jones, 2002; Huxley and Yiftachel, 2000b). The modernist project of planning commenced at the end of the eighteenth century in response to the era of religious repression and divine control of knowledge, place and life (Fainstein, 2000; Healey, 2012; Oranje, 2014). This was replaced by the modernist tradition or rational planning that

articulated individual rights and responsibilities in the form of objective means and with the intention of improving the built environment and quality of life (Fainstein, 2000; Healey, 1997, 2006a, 2012). This gave rise to planning as an intervention, for improvement (Li, 2007). The focus on cleanliness, control, order, uniformity, instruments, rules and knowledge as the means to support particular ends, represented the rational or modernist planning approach (Healey, 2006a). This worked for a period of time, given that during the post-industrial and post-world war era public interests were regarded as simple and homogenous, and where housing and services as an intervention improved the cities people lived in (Fainstein and Campbell, 2012). In time, communicative planning theory emerged out of the critiques of the modernist planning project, focused on the social control aspects - the way capital and institutions used planning for their own ends. It responded to a particular gap in planning theory given the crisis of rational or instrumental planning theory in dealing with the complexities of urbanism, cities, conflicts and differences (Dryzek, 1990; Allmendinger and Tewdwr-Jones, 2002).

The varying strands of communicative planning theory emerged from different places and schools but were connected though the thinking of Habermas and Giddens, from whom much of the criticism of rational theory originates (Flyvbjerg, 1998b; Huxley and Yiftachel, 2000a, 2000b; Allmendinger and Tewdwr-Jones, 2002; Gaventa, 2003). Communicative planning theory also has its links to pragmatism, underpinned by John Dewey and Richard Rorty (Fainstein, 2000; Healey, 1997, 2006a, 2009; Watson, 2008).

2.3.1 Communicative planning theory

Communicative planning theory started in the 1970s representing a broad collection of strands of planning theory that focused on social relations and the social construction of knowledge. Communicative planning theory provokes public policy making to be inclusive and to break away from being dominated by instrumental or technical reasoning. The theory recognises and gives importance to citizens' own ways of thinking and doing, and promotes collective reasoning and knowledge within the context of public policy making (Healey, 2012). In the context of the Unites States, deliberative planning theory was promoted by Forester (1989) who challenged the dominant rational planning approach (Allmendinger and Tewdwr-Jones, 2002).

Key constructs of communicative planning theory and underlying philosophy and thinkers

Communicative planning theory uses Habermas' conditions of an ideal speech as a benchmark for planning practice (Healey, 2006). In Forester's (1989) early works on deliberative planning, Habermas' notion of ideal speech, free from distorted communication such as misinformation, personal power and inequalities between communicating parties is used as a framework to establish and counteract structural forces that distort communication in the daily practice of planning (Sager, 2002).

The work of *Habermas* emphasised inclusive, open public debate and public reasoning to develop the public realm or public interest (Habermas et al., 1974). The term 'the public' or 'the public realm' as used by Habermas refers to the formation of public opinion, a sphere between the state and society (Habermas et al., 1974). Habermas' work is based on bureaucratic systems that are repressive, and constrain and oppress the daily lives of people and systems such as economics and politics (Dryzek, 1990). These abstract repressive systems with end goals and prescribed means are narrowly defined and modelled on a scientific rational and technical approach to control. The reasoning and knowledge behind these public systems are narrow and separate to the values, thinking, experiences and emotions of the daily lives of those that live in such systems or 'lifeworlds*'* (Habermas et al., 1974). Habermas' communicative action theory promotes people coming together and jointly making sense of the 'public realm' or 'public interests' in a very structured process that ensures equality, reciprocity, openness and honesty, free from power and interests that subjugate discussion (Forester, 1989; Healey, 1997, 2006a).

In this theory there is an assumption that people are democratic beings that constantly make sense together and for the collective good in the shared worlds in which they live. Therefore, public policy could and should consider Habermas' social theory as a construct to policy making and, in this context, planning (Flyvbjerg, 2001). According to Habermas et al. (1974), under ideal conditions the public can only arrive at a good public argument or collective reasoning, very different to bureaucrats and elitist groups that debate on and resolve public policy. His communicative action theory is built on ushering new forces of reasoning and legitimacy that can counteract the repressive technical, scientific and rational systems that govern the public realm. The work of Habermas supports a transformative role in planning and policy making for the public, a break from the rational technical modes of planning that were most prevalent and effective post the industrial era (Allmendinger and Tewdwr-Jones, 2002; Fainstein and Campbell, 2012).

Anthony Giddens advocated concepts and ideas of social theory that focused on the importance of agency and its reflexive nature (Turner, 1986; Gaventa, 2003; Healey, 2006). Giddens, like Habermas, focuses on social interactions, connections, experiences, shared space and lived experiences in his theoretical work. Social relations are linked to particular circumstances and histories that constrain not only our material but also our conceptual resources (Healey, 2006a). Structural forces are seen as social webs of relations that individuals participate in all the time, informed by past socialisation and culture that informs how they respond to structural systems and forces as they present themselves in varying contexts. Hence, cultural differences are not new, but how people respond to cultural differences is a construct of past social relations of value, thought and conceptual ideas of what is appropriate or not (Turner, 1986).

These past social relations carry with them power relations, including conceptual ability and ideas about resource allocation, rules and behaviour. Structural forces or systems can become deeply embedded and routinised and can be carried over from one period to the next and from one location to the next, in an unconscious manner. Giddens challenged and questioned Foucault regarding his interpretation of the totalising effect of structure that almost ignores agency as part of a system (Gaventa, 2003). A Foucauldian approach to agency argues that agency will not know differently to what it does and therefore agency acts as expected - it remains embedded, directed and constrained by historical structural forces of thought, systems, power and inequalities (Rossi, 2004). A dualistic structural approach is advocated by Giddens that acknowledges the enabling and constraining aspects of structure or embedded systems, while also recognising agency in the form of thinking and reflective actors that can play an important and active role in changing structure from outside and within (Turner, 1986; Gaventa, 2003; Rossi, 2004; Knieling and Othengrafen, 2015). Foucault is also critiqued for seeing agency as one dimensional, when agency can be heterogeneous, hierarchical and with internal conflict between and within agency. It is these conflicts of agency within structural systems that counteract or use structure and embedded systems to advance a particular agency position (Rossi, 2004). A dualistic structural approach as advocated by Giddens will assume that actors like planners have the reflective ability to see and change patterns and to decide how to participate in these patterns of structure. Actors as agency within structures can mediate structures of social relations and power over time, where internal conflicts within and outside structure are expected and could lead to actor anxiety, conflicts, modification, transformation or perhaps acceptance (Turner, 1986).

The notions of power are not found in the sphere of work or politics alone but also reside with people, their own histories and culture of socialisation. Often a small but important power relation exists, which gives rise to and reproduces bigger structural forces and systems. Giddens' major point of departure was that as much as structure shapes what people do, people also reproduce structure. The dominant social relations of concepts, resources and rules of structure, are referred to as the duality of structure. Structures are made and structures are reproduced; structures impact from the outside but also can be impacted on from the inside (Turner, 1986).

Communicative planning theory, with its varied strands of theory is premised on inquiry and accessing knowledge about people's first-hand and lived experiences in the formation of public policy making. This represents a shift from research being 'scientific' and policy making being expert driven. In summary, the following theoretical principles underpin communicative planning theory in the context of consensus building and public policy generation (Healey, 1996, 2012).

- Individuals develop preferences and interests within a social context and through interaction; it is not determined independently. This makes knowledge socially constructed and recognises that it comes from different places and sources. Practical reasoning and non-expert knowledge is regarded as equally important to scientific and expert based knowledge. This knowledge takes on varying formats, from the less formal such as storytelling, film and art, to the formal, as expressed in the form of written texts and plans. It is therefore important to expand knowledge, the sources and types of knowledge, as well as its use in the making of public policy.
- In a real-world people have diverse interests and expectations. The relations of power, government and practice can serve to oppress and dominate various people and their realities and interests. There are complex and intricate social processes of everyday life, which construct meaning and action as ways of thinking and doing. Public policy that aims to be accountable, legitimate, efficient and effective should draw on these multiple social stakeholders and their knowledges to engage, share and reach consensus and trade-offs. In so doing, public policy making should spread ownership of the construction, benefits and implementation of such knowledge for practice.
- To move towards consensus and away from competition and power, policy development and implementation can use bargaining and consensus-building strategies to organise

and share ideas that can be sustained, and in so doing, change the ways of knowing to build new cultures of knowledge.

2.3.2   Deliberative planning theory

Deliberative planning, whilst still very much part of the communicative planning theory collective, gives a different and perhaps more real and practical focus to planning and the daily practice of planning, with a particular focus on communicative interactions (Forester, 1980, 1989). Forester (1989) takes a critical theoretical view of planning practice, where planning is linked to the vulnerabilities and inequalities of economic and democratic systems. Critical theory in planning practice helps to expose the many and diverse ways in which the structure of the state and the productive social relations that allow for capital accumulation, its protection and extension are achieved though practices like planning.

Critical theory is used as a way to reveal political, social and economic structures and systematic patterns of communicative interactions within the planning environment and their distortions and biases. Deliberative planning theory replaces this approach with a set of norms that support ethical communicative planning interaction as a dominant activity in planning practice (Forester, 1989). Forester (1989) takes a deliberative planning approach within the context of the United States (US) where democracy supports a debating, lobbying, bargaining and mediating role for planning. Deliberative planning prompts planners to ensure that in the context of democracy the marginalised or affected have the necessary access to information in an undistorted way, so that this knowledge helps to resist and counteract dominant power relations in the context of planning.

With reference to Habermas' critical communications theory, Forester (1980) explores the paradox that communication can be corrupt, unethical and marginalise, but can also empower and liberate. This empowering aspect of communication is a grounding principle in Forester's deliberative planning theory (Forester, 1980). Habermas' principles of communicative action theory, such as politically unobstructed forms of engagement, therefore serve as ideals to construct deliberative planning theory and to inspire practice.

Deliberative planning theory recognises power in its various forms and encourages planners to work with power and politics in planning. If planners ignore power they continue to make themselves powerless since power will continue to influence what they do and the roles they play in supporting and reproducing social relations and specific interests of the elite (Forester, 1989). Forester (1989) and other more recent theorists such as Flyvbjerg (2001)

argue that planners should be politically astute in working for, with and against politics in planning. Forester (1989) recognises the importance of political support for planning as this is what gives rise to political mobilisation for planning. In addition, political representation in planning also comes with an understanding of public problems and opportunities in and for planning; requiring planners to navigate the terrain of politics and power in planning that invariably entails risk-taking (Forester, 1982, 1989).

Deliberative planning theory emphasises how planners need to communicate, suggesting a social, political and activist role for planning and planners, referred to as communicative ethics (Forester, 1989). Forester (1989) contends further that the level of communicative interactions in planning can enable or disable planning practice. Communicative interactions in planning recognise the importance of non-professionals inside and outside of the planning sphere and the government institutions through which planning practice takes place.

Forester's work focuses not only on uncovering how planning communication can be distorted under varying planning contexts and systems but introduces practical and normative measures to make planning practice communicatively deliberative, transparent, clear and empowering. These measures include talking, being able to share the content, listening, appreciating the context, augmentation and the preparation of documentation for decision-makers. What planners do on daily basis, including their communicative role, remains socially and institutionally embedded in the power and politics of planning institutions. Forester (1989) calls for planners to anticipate and counteract repressive communicative practices that prevent consensus building around planning matters, in particular where the majority of people are affected by planning decisions in favour of a few elite minorities.

What planners do, and the way in which they act, is important. Whilst planners may have limited formal power, they are powerful because they influence others who make planning decisions (Forester, 1989). Planners can distort what they transmit to the public and even to the politically representative decision-makers (Forester, 1982, 1999a). Forester (1989) posits that understanding and recognising the communicative role within planning practices, provides a conceptual research bridge from understanding and analysing practice to one that can begin to influence implementation or practice. Deliberative planning is seen as a break from the view that planners simply administer planning instruments as a means to an end, as was the case in the context of the rational planning era (Forester, 1989; Faludi, 1999; Allmendinger and Tewdwr-Jones, 2002). As argued by Forester (1989: 139),

"We need to know more than whose ends or interest planners may serve. How do planners politically shape attention about project alternatives to affected people? Do planners speak in a way that people can understand, or do they mystify citizens? How do planners encourage people to act, or rather discourage them with a (possibly implicit) "leave it to us"? What can planners do (working with others, no doubt) to counteract unnecessary, deeply ideological formulations of community problems? How can they work or organise to enable citizens' learning, participation and self-determination?"

2.3.3 Critiques of communicative/deliberative planning theory

Context matters: Communicative planning theory is located within the UK and the US and thus has attracted criticism for its lack of applicability to a very different set of realities in other regions, in particular the realities of the global south and the east, which are very different contexts to the global north (Yiftachel, 2006; Watson, 2012). This has been accepted by the theorists as relevant criticism. The consequent call for expanding the theory's empirical basis and assumptions and the deepening of its concepts is part of the evolution of communicative planning theory (Healey, 2003; Forester, 2004). The argument that planning theory travels, adapts and changes is now widely accepted and appreciated in the development and application of theory (Healey, 2003, 2011, 2013; Forester, 2004; Watson, 2008).

Consensus is untenable: Proponents of communicative theory also recognise the demanding requirements to satisfy the theory (Sager, 2005). There is an assumption that all people that need to be represented will always be present and can participate fully and equally in a process despite differences of interests, power and capacity. Thus, the theory is criticised for being power blind (Allmendinger and Tewdwr-Jones, 2002). The process should be designed to ensure that everyone has a voice and is respected, which is nothing more than an ideal (Allmendinger and Tewdwr-Jones, 2002). The communicative planning approach expects stakeholders to reveal their own interests, to share with others, to be redistributive, to be transparent and honest, and to search for the better argument in the process of reaching consensus. However, this remains untenable and improbable in concept and in reality (Allmendinger and Tewdwr-Jones, 2002; Flyvbjerg, 2001). Thus, communicative action theory makes the assumption that there are shared rational and desired intentions to reach understanding and consensus, but ignores politics and interests (Flyvbjerg, 1998b).

The role of power is ignored: Leading on from the above argument, the theory makes the assumption that in such a process consensus is possible and that power will be given up by those that hold interests and power within state institutions, so that a collective rationality can

prevail and be applied. There is also an expectation that in democracies, political parties will give up power and the majority vote in pursuit of allowing the better argument to prevail. Ironically, democracy ushers in a democratic process of voting without the necessary deliberation, which may be regarded as autocratic even though part of democracy (Flyvbjerg, 2001; Sager, 2002; Bengs, 2005).

Communicative action theory takes the approach that policy discourse and policy choice will emerge from rich debate and discussion, shared socially and collaboratively chosen. In addition, consensus will be maintained through institutions that enforce agreement such as courts. There is an assumption that planning institutions and local states will also work hard at maintaining consensus and that the interests of stakeholders will remain the same over a period of time (Allmendinger and Tewdwr-Jones, 2002).

Planners are moral agents more than anyone else: A main area of criticism regarding communicative planning theory revolves around making the planner the centre of attention. The theory focuses on the micro-politics of what planners do without appreciating the reasons why, in the context of the institution, the state and wider forces at play (Huxley and Yiftachel, 2000b; Allmendinger and Tewdwr-Jones, 2002; Bengs, 2005). Huxley and Yiftachel (2000a, 2000b) argue that the communicative theory approach is short-sighted and blinds the theory of planning in a society that is complex, larger and more powerful than planners. This theory also rests on the assumption that planners are morally more inclined than others to do the right thing. It also assumes that planners do not have their own ambitions, interests, biases and social agendas, and are willing to risk a career and a job to counteract repressive conditions (Yiftachel, 1998; Oranje, 2014). Communicative action theory thus ignores the multiple social relations of planners themselves. Planners are expected or assumed to have a high standard of morals and integrity, yet the 'dark side' of planning and planners is ignored (Yiftachel, 1998; Watson, 2013). Communicative planning theory ignores the subjugation of planners and planning as a profession by the state, politics and the elite. It assumes that planners are neutral individuals and will not be used and directed by particular forces and interests (Fainstein, 2000; Yiftachel, 1998; Allmendinger and Tewdwr-Jones, 2002).

The failure of communicative theory: Unlike rational planning theory, communicative planning theory has gained less traction and implementation in practice (Allmendinger and Tewdwr-Jones, 2002). It finds itself shunned on many fronts. The radical theorists find it superficial, focusing on the small, while ignoring the big, structural forces at play. Despite promoting

stakeholder involvement in planning, communicative planning theory represents a pacification and legitimisation of unequal systems through this involvement (Allmendinger and Tewdwr-Jones, 2002; Bengs, 2005). The neoliberal and the conservative would find communicative theory as a threat and delay to economic development and business interests. Communicative planning theory also demands a lot in terms of resources, skills and time. In the context of rapid urbanisation, perhaps efficiency and uniformity takes precedence, and is likely to explain why rational planning was taken up more readily (Yiftachel, 1999; Allmendinger and Tewdwr-Jones, 2002; Todes, 2011).

2.3.4 Response from the theorists

Healey (2003, 2006a) and Forester (1989, 1999a, 2004) responded to the critiques on collaborative and deliberative planning theory. Both of these theorists are open to constructive criticism and some specific shifts are evident in their future works, in particular giving attention to the role of power in planning practice (Forester, 1999a; Healey, 2006a). Essentially, they recognise the limits of agency in shifting practice and social change, but equally that macro structures have their own limits in what changes they can effect without agency (Healey, 2003). Proponents of the agency approach and communicative planning theory recognise the limits of planning, seeing planners simply as a cog in the wheel or one small part of a big puzzle. However, they argue that this makes it vitally important for planners as agency to be aware of their contributions in order to make a difference in their roles as planners and in planning (Forester, 1989; Healey, 2003; Rivolin, 2012).

Healey (2003) recognises the limitations of, and assumptions about, consensus making, appreciating the role of power and conflicts that challenge the implementation of communicative planning theory. Healey (2003) contends that consensus was not understood as being achieved outside of the presence of power and conflicting interests, and therefore communicative planning theory applies in a context of power, variation and difference. Collaboration occurs within the context of conflict, and conflict is seen as a force that can either lead to consensus or to an exit from consensus and collaborative procedures (Forester, 1989; Healey, 2003; Innes and Booher, 2015).

The point of departure for these theorists is that power is not ignored, but that the theory focuses attention on power within the micro-politics of planning. Communicative planning theory may reference and attenuate power differently, but power is present and recognised (Forester, 2000). These theorists contend that it is not about stopping at the discovery of

power, but exposing power and consciously focusing on how to counteract such power as part of the social critical theory project of planning and planning practice (Forester, 2000). Communicative planning theorists also focus not only on outcomes, which can be altered over time, but also on social capital and networks built over time that exert pressure on, and cause changes to planning.

Innes (2004) also raises the concern that critics of communicative action theory often treat the theory and practice as one and the same. Communicative theory focuses on practice but it is not practice; it is rather theory to influence and inform practice. This resonates with a more recent acceptance that planning theory or thinking can at best be situated. It is tied to versions of democracy, institutions and practice. How a theory travels and how it is used, adapted, appropriated and even misused are risks to planning theory (Healey, 2003, 2006, 2011; Innes, 2004; Watson, 2008; Innes and Booher, 2015).

2.4   Institutionalism and planning

2.4.1   An analytical framework for developing policy and practice

Institutionalism as an analytical filter for planning policy and practice looks towards understanding the traditional social relations that influence policy making and implementation, and what maintains and triggers change in such relations. Institutional transformation is also regarded as a complex process to study and to bring about change in a local government environment, it remains influenced locally, nationally and internationally (Beauregard, 2005; Vigar et al., 2000; Othengrafen and Reimer, 2013; Lowndes, 2014). Beauregard (2005) contends that planners and planning have a different social catalytic approach and purpose, which is not suited to understanding and prompting institutional transformation.

The emphasis on government-influenced social relations as a form of analysis is seen as a shift away from the traditional mode and ownership of production frameworks. A social relation analysis revolves around a complex set of relations of production, consumption and accumulation through creating and accessing a particular government environment. This environment is informed and influenced by powerful social relations that shape the milieu for certain actors and not others. It is these powerful and iniquitous social relations that create and embed the hard wiring of organisations such as local government to develop conceptual ideas, rules, policy and resource distribution, creating an organisation with a particular

purpose (Lowndes, 2014). Dryzek (1990) contends that the knowledge and rationality in use, or frames of knowledge, is what determines institutions, rather than institutional structure. In concurrence with Dryzek (1990), Lowndes (2014) highlights that it is the culture, the frames of reference and how society is understood and planned for that gives institutions their longevity and endurance over time. It has more to do with the actors or agents than the formal structure of the organisation. Lowndes (2014) posits further that local institutional design is an outcome of contestation, mediation and accidental evolution.

2.4.2 Institutional power over institutional technologies

Planning is inserted and embedded in institutions that have wider interests and influences. This narrows and limits the role that planning and planners can play within the institutional social relations environment (Vigar et al., 2000; Beauregard, 2005; Othengrafen and Reimer, 2013). The institutional change to which planning contributes remains piecemeal, often confined to planning related activities such as legislation, procedures and the core instruments of planning, referred to as *'institutional technologies'* (Othengrafen and Reimer, 2013). Institutional transformation demands change in many spheres, not only in the 'institutional technologies' but also moving into deep and taken for granted cultural behaviours (Othengrafen and Reimer, 2013). Institutional transformation is about achieving this together, a challenge for planning in its own context and in the context of the wider socio-political organisation in which it is located, thus rendering institutional change as an incomplete and piecemeal intervention for planning (Lowndes, 2014).

Institutional changes within planning are also reliant on the levels of stability or instability, or change, within the wider organisation. These points of instability and re-stability (or moments of change) are translated into the formalities of decision-making. The role of politics in decision-making is an example of institutional change. Other examples include changes in planning instruments, procedures, roles and responsibilities (Othengrafen and Reimer, 2013; Lowndes, 2014). Changes in institutional technologies such as legislation can also realise moments of change, moving from stability to instability and back to re-stability, giving rise to changed procedures, instruments and responsibilities, thus changes in the 'institutional technologies' of planning (Othengrafen and Reimer, 2013).

Even these partial processes of institutional change tend to be complex, dynamic and embedded in power contestations between the old, new and emerging social relations that give rise to reviewed institutional environments for planning (Othengrafen and Reimer, 2013;

Lowndes, 2014). Often the changes are formalised as reviewed rules, knowledge, structures, roles and responsibilities. But behind the formality is a matrix of informalities, alliances, power, social relations and frames of thinking that are reflected in the formal institutional changes taking place within the organisation (Othengrafen and Reimer, 2013). To understand the knowledge or rules of planning on paper and in use, it is important to understand the rules and the frames of reference (the social, political, economic and cultural frames) that underpin these rules (Othengrafen and Reimer, 2013). The ability to engage openly and regularly in the construction of new agendas and discourses for planning often requires a process of mapping backwards. This means identifying the origins of dominant rules and thinking, then mapping forwards in considering their relevance in the current context (Othengrafen and Reimer, 2013; Lowndes, 2014).

The construction of planning is not simply a case of legislation. However, legislation itself remains constructed through perspectives on ideal types or rational models of society and the ordering and use of space in this context (Schön, 1983; Dryzek, 1990; Othengrafen and Reimer, 2013). In addition, the regulatory role of planning marginalises how planning shapes its own processes and places for exchange, debate and agenda setting, in collaboration with a variety of stakeholders (Vigar et al., 2000). The role of planning is caught up in its own conflict between too much democracy or more control (Beauregard, 2005). Institutional transformation requires more democracy and flexibility in dealing with many interests and issues, while on the other hand, planning is essentially about intervention and control (Beauregard, 2005). Vigar et al. (2000), in a study of spatial planning in Britain, identify the challenge planning and planners experience in shifting institutional relations, especially in a context where planning remains largely marginalised as a regulatory system. In such a context, institutional relations remain confined to legislative processes and undermined by powerful traditional and emerging social relations that influence government activity, the distribution of resources and policy making. Vigar et al. (2000) recognise the networks of elitists who influence government thinking, but also the role of professionals in the dominance of policy making, as often policy making is seen and perceived to be technical and expert driven.

2.4.3 Institutional analysis as a mode of transformation for planning practice

Using an institutional analysis framework, planning and planners can identify, support and broaden a range of policy making communities to intervene, take up and counteract elitist

institutional relationships and frames of reference for policy making for practice. An institutionalist approach to planning considers the dualistic importance of agency and structure. It also recognises the space, innovation and potential of counteractive roles taken up by agency, such as planners (Lowndes, 2014). Institutionalism considers the importance of agency, of people doing things for themselves - awareness, action or protest - and in so doing, creating a dynamic agency outside government. Planners can pursue counteractive roles within the process of making and implementing planning policy, not only through accessing, and giving voice to, different stakeholders, but also through creating awareness and building the capacity of stakeholders who both inform and will be impacted on by planning (Healey, 1998; Othengrafen and Reimer, 2013; Lowndes, 2014).

Institutionalism as a policy making approach was not a new concept, and around since the late 70's, taking precedence in Britain in the 1990s. It remained innovative and hopeful for the planning environment which faced its own crisis as the role and influence of planning became more centralised within Britain and Europe (Healey, 1998). There was also the political reality that people showed the most interest in those areas where they live, and in particular with efforts to manage the conflicts arising from a wide set of economic interests located within a shared local space. The 'institutionalist turn' in planning prompted the importance of participation and consultation within planning practice. Importantly, institutionalism as an approach raised the importance of local knowledge and experiences, in addition to expert knowledge of a place and how to manage competing and multiple forces impacting on locally bounded spaces and cities (Healey, 1998).

Vigar et al (2000), whilst recognising the difficulties in applying an institutionalist approach within local government, nonetheless suggest broad principles that underpin an institutionalist approach for policy analysis.

- Institutionalism affords citizens an active agency role, beyond individuals but as powerful networks of social relations. These relational networks of power not only offer support to policy analysis, constructing and shaping policy, but also challenge policy directly or indirectly. The legitimacy of policy making, which impacts on many types of lives and value systems, requires multiple social relational networks or policy making communities to contribute to the effectiveness of policy under construction. Policy making communities are not coherent groups waiting to be engaged with. Often the process of policy making itself brings to the surface various common and diverse interest groups responding to

local spatial planning knowledge or other forms of public policy, which can begin to form a policy making community.

- An institutionalist approach to public policy making takes as a point of departure that formal organisations of government are intertwined with social relation forces, well embedded inside and outside of government structures and influences.

- An institutionalist approach recognises the importance of the excluded and marginalised of certain community making groups, their particular frames of reference and lived experiences, and how these are included, impacted on or by-passed through policy making initiatives. Such neglected frames of reference remain disconnected from dominant policy views, and ultimately will impact on the eventual authority and effectiveness of public policy making.

The conceptual framework for identifying, analysing and constructing public policy from an institutionalist perspective takes the form of *policy discourses*, *policy making communities* and *policy arenas* (Vigar et al., 2000). The dynamic of institutional relations and power are also tied to each other and therefore understanding power, where it is created and what space it occupies is important. The connection power has to discourses, agenda setting and policy making remains important. This is not simply about winning or losing power, but also expanding and sharing power (Gaventa, 2006).

Policy discourses refers to the substantive content of the policy agenda, the issues under discussion, the conflicts and the different debates and the outcomes for implementation. Of importance are the agendas that are developed, the discourses that give rise to such agendas, and to what extent new agendas have emerged or are retained and maintained. Policy discourses do not happen by themselves, but are developed and constructed through the structures of dominant social relations and networks that influence public policy.

Policy making communities describes the groups involved in making policy discourses. These are clusters of groups that share certain common interests and can also be in agreement or in conflict with the values and interests of other groups. In the analysis of policy making communities their links to wider interest groups, networks and power bases are important. There are also policy making communities that are marginalised and considered to be without interest and power, but remain important for the implementation of the policy agenda under consideration. The strength of policy making communities is often reliant on long established social relations with government and with access to private resources to

engage in policy making language and content with government and its policy makers. Vigar et al. (2000) found that in the UK the land use policy making community was confined largely to formal planning and government organisations with a strong professional ownership of such policy making.

Policy arenas refer to those spaces where policy agendas and discourses come together to debate, discuss and develop ideas for policy take-up. A policy arena could also be a place that simply takes up and implements policy discourses which are developed from somewhere else. The print and social media landscape plays an important role in serving as an arena where policy making processes and outcomes are criticised by policy making communities that feel that their interests, issues or territorial places have been ignored by the policy making process. The print media itself is also an important institutional social web that connects to multiple nodes or networks of social forces and interest groups that share a particular frame of reference about government and government activity such as planning. Print media supports a particular group of cultural, class and political interests (Juris, 2012). Social media has helped to expand the organisation and ability of policy making communities within a short timeframe, across different spaces. Social media also has the ability to recognise direct political autonomy and self-organising interests that come together in support of a bigger and shared interest but also to support smaller localised interests (Juris, 2012).

Power dynamics are also present in the spaces within which consultation, debate and participation takes place. These policy arenas are socially constructed and linked to power, never politically or power neutral. Policy outcomes are also dependent on changing power dynamics, in terms of where and how certain interest groups can access the policy arena with the resources and the language to engage in such processes (Gaventa, 2006).

2.5   Planning culture and institutions

Taking an institutional analysis perspective on planning and policy development is further complicated when one also appreciates and distinguishes between culture and institutions (de Fries, 2015). Often planning culture is used quite loosely to explain something that is deep, beneath the surface and which may account for certain behaviours, beliefs, thinking and values of a professional group such as planners (Othengrafen and Reimer, 2013; de Fries, 2015). The study of culture and the study of institutional transformation are distinguishable from each other (de Fries, 2015). However, culture, such as the culture of

planning, is always present in institutions. What is clear is that both planning culture and institutions lock-in planning practice through procedures, rules, plans and routines over an extended period of time. Culture therefore remains important in understanding planning, both in its outward focus and what lies beneath it (Othengrafen and Reimer, 2013; de Fries, 2015).

In a model developed by Othengrafen and Reimer (2013), the culturisation of planning is described in terms of planning being constructed through three levels: *planning artifacts,* the *planning environment* and the *wider societal environment*, as reflected diagrammatically in Figure 2.1 to follow. Planning artifacts are essentially the visible outcomes or technologies of planning that planners use on a daily basis to make plans and to take planning decisions, such as spatial planning instruments, discourses, concepts and goals. The artifacts of planning however have emerged from deep within the views and values of a professional planning community and/or 'society' (Othengrafen and Reimer, 2013). The meaning of culture is reflected in the artifacts that are agreed to, shared and used by a particular group of professionals. These artifacts create social acceptance, identity and the mental programming of planners within practice (Othengrafen and Reimer, 2013; Knieling and Othengrafen, 2015). What underpins these observable artifacts of planning is less visible and obvious, but a shared value system between professionals within the planning profession will vary to that of the engineering, economic or environmental professions.

Often key organisations and institutions, including teaching institutions, help to socialise planners' thinking about planning, teaching specific planning knowledge, codes of practice and common tools or instruments that planners are likely to develop and use. This is referred to the *planning environment* within the model (Schön, 1983; Othengrafen and Reimer, 2013; Knieling and Othengrafen, 2015). Within each profession, and perhaps within the same organisation, variations on shared meaning of planning instruments and purpose may prevail. For example, land use regulatory planners could be more supportive of development and strategic spatial planners are likely to be more supportive of environmental sustainability (Vigar et al., 2000; Othengrafen and Reimer, 2013).

This shared culture is further embedded with certain beliefs and morals about society and how society should behave and be structured to realise a goal such as spatial ordering. This is referred to as the *societal environment* within the model (Othengrafen and Reimer, 2013). The importance of planning culture within practice re-affirms the importance of planners as

agents that assimilate the culture that they are exposed to and how they bring this into planning artifacts or the practice of planning.

However, de Fries (2015) argues that planning outcomes have more to do with society, the practice of urbanisation and how that fits with society, and less to do with the culture of planning. The types of planning outcomes that emerge have a lot to do with the geography, history and social-political factors that shape a planning outcome in a particular place. For example, in the European Union context of uniform legislation and the Europeanisation of planners and planning, planning differences in practice are still observed due to social, political and historical influences (referred to as the societal environment) that impact on planning culture and associated practice. In the Netherlands, collective action and balancing this with private land rights are important in the context of planning (Janssen-Jansen., et al., 2010). Meanwhile, in the context of Greece and Belgium the rights of individuals and the logic of rules and their impact on individuals are important in planning practice (Knieling and Othengrafen, 2015). When planning culture undergoes a change, it is generally within the level of planning artifacts while more limited change is reflected in the planning environment and at the wider societal level (Othengrafen and Reimer, 2013). A case is made for culture to be seen as a practical tool that can explain planning instruments and rules or how space is organised and ordered (Othengrafen and Reimer, 2013)
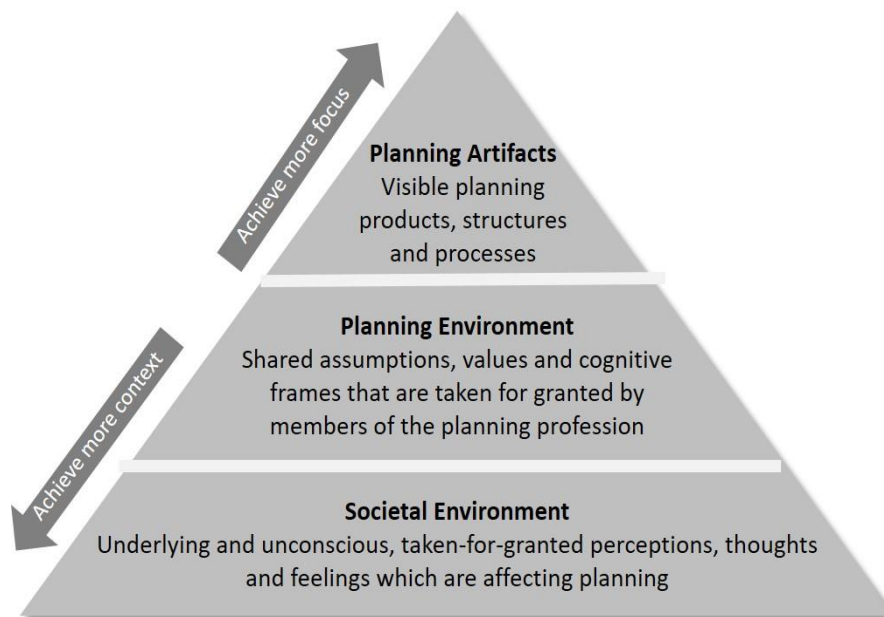
Figure 2.1: The culturised planning model
Source: Othengrafen and Reimer (2013:1275)

2.6 Rationality and power, rationality and politics, politics and professionals

There is awkwardness in accepting power and working with and against power. Power as a concept remains contested and varied in the way that it is approached, analytically and as a basis for social transformation (Gaventa, 2003; Eyeben et al., 2006). Power can be viewed in terms of those with power and those that are powerless, while others see power as relational, located in social webs and existing everywhere. Some see power as a win or lose game, where power is taken or power is given up. There are still others that see power as infinite and fluid, able to be created and used by multiple actors, shared and expanded (Eyeben et al., 2006; Gaventa, 2006). Whilst the identification and analysis of power appears to be quite specific, power should be seen as dynamic, on a continuum and changing over time (Gaventa, 2006). The challenge is to develop multiple strategies that intervene across the many dimensions of power for the purpose of social transformation (Gaventa, 2006).

However, power as a concept and analysis remains conflictual. Some argue there is no theory for power in the absence of a theory of society (Gaventa, 2006). From this standpoint the basic theory of society captures the essence of society, best accessed through experiencing, observing and learning from society in reality and in practice (Foucault, 1984b; Flyvbjerg, 2002; Eyeben et al., 2006). Foucault pays particular attention to power, in the context of history, context, reality and knowledge. Power is seen in different forms and spaces, as both good and bad but necessary for action and counteraction (Flyvbjerg, 1998b, 2000, 2002, 2004; Gaventa, 2003). According to Foucault, power is everywhere, challenging traditional notions of power that depict a clear divide of the powerful and the powerless (Gaventa, 2003). Apart from power being everywhere, Foucault also makes the distinction that power is not necessarily formal, hierarchical and legitimate, but rather, power is with everyone and is also very informal, what he terms Realpolitik (Flyvbjerg, 1998b, 2001, 2002, 2004; Gaventa, 2003). One view on Foucault's work was that he placed a lesser emphasis on the distinction between agency and structure, as power is with everyone and everywhere (Gaventa, 2003, 2006). Power analysis is essentially about appreciating the locations and forms of power and points of resistance or counteraction (Flyvbjerg, 2002; Gaventa, 2003, 2006; Eyeben et al., 2006).

A Foucauldian perspective also sees power as inseparable from knowledge and knowledge inseparable from power, a conceptual framework which is further developed by Flyvbjerg (2002). Foucault takes a historical view of reason and questions the notion of knowledge as progress based on the natural science approach to knowledge (Foucault, 1984b; Flyvbjerg,

1998, 2001, 2002, 2004). The Enlightenment era recognised the power of science as a break from religious dictation of making rules for the public (Foucault, 1984b; Flyvbjerg, 1998b, 2001, 2002, 2004). However, Foucault refused to see reason or knowledge as a place of hope or crisis but just for what it is, often seen as incomplete and representing not progress but a disconnect from something before (Foucault, 1984b). Foucault worked on finding points of origin to help appreciate structure, practices, institutions and turning oneself into self-subjugated subjects (Foucault, 1984b).

Foucault argued that the will for knowledge as a utopian, objective and scientific notion has made us complacent and blinded us to the power in rationality, that is, how power constructs reason for power. The political task at hand is to criticise institutions of knowledge that appear as neutral and independent, but that direct, sanction and make people conform. Foucault likens the dangers of such institutions and practices of power and rationality to politics which can cause repression and violence (Foucault, 1984b). In an interview, Foucault (1984c) talks about *space, knowledge and power* as concepts which became particularly important during the eighteenth century, linked to the discovery of 'society' as a concept that needed controlling and policing. With the discovery of 'society', the role of government in organising and ordering space and the architecture of space assumed a more political role. Foucault (1984c) used the concept of architecture to suggest structure and order in the use of space.

It is power that defines what counts as knowledge and what counts as reality, as Flyvbjerg discovered in the Aalborg case (Flyvbjerg, 1998b, 2001, 2002). Here power used technical expertise to support power, thus rationality was misused for the purposes of power. Flyvbjerg (1998b, 2001, 2002) discusses how decisions are first made politically, then followed by knowledge to rationalise these decisions giving them technical and expert legitimisation. There is a certain superiority attached to expert knowledge since it is seen as objective, scientific and intends to do good. Thus when used politically to support political interests, expert knowledge helps to legitimise the decisions of political power (Boswell, 2008).

Flyvbjerg (1998b, 2001, 2002, 2004) summarises the relationship between power and rationality as an asymmetrical relationship, where power defines knowledge and legitimises power, even when power is illegitimate or informal. Power has the ability to dominate rationality and to define reality. Power is able to produce rationality, of which power is aware. However, power is also aware that rationality does not have the power. Understanding this relationship is important to appreciate the weakness of the modern project of society where

rationality and expert knowledge are intertwined with power and its influences on public policy making.

Foucault gives recognition to the importance, but also the limitations, of text in supporting decision-making and action. Power can create text and power can disregard text with new text which supports power. Power can also exercise its power outside of any textual account, simply because power is power and it dominates (Flyvbjerg, 2001). In the context of power and rationality, rationality can be dismissed easily and replaced if it does not serve power (Boswell, 2008). However, in all of this there are blurred lines and constant tensions between rationality and power, as argued by Boswell (2008). Thus there are spaces and opportunities for planning practitioners to work with power, for power and also strategically against power. Planning practitioners, not as politicians but as professionals, also have their own asymmetrical power and rationality relationships (Rossi, 2004).

2.7   Back to phronesis as important knowledge for policymaking

Phronesis dates back to the pre-rationalist turn in society which broke away from the rules of society as defined by religion and vested with divine powers (Foucault, 1984b; Flyvbjerg, 2001, 2002, 2004). The dominance of the rationalist or scientific approach meant that instrumental rationality; science-based reasoning and rules dominated and shaped what happened in society. The modernisation project of society emerged through the setting of particular goals for society and through specific means and approaches to achieve such goals (Dryzek, 1990). In this rationalist process, the value, the 'rationality' of how society lived and functioned with its common, tacit and practical knowledge and rules, was set aside, resulting in the loss of innovation, spontaneity and egalitarianism in society (Dryzek, 1990; Flyvbjerg, 1998b, 2001, 2002, 2004; Foucault, 1984b).

The importance of phronesis is receiving attention as it did prior to the modernisation era (Dryzek, 1990; Flyvbjerg, 2001, 2002, 2004; Foucault, 1984b). Phronesis is described as prudent or sensible knowledge for oneself, society and praxis. Not all phronetic knowledge is regarded as automatically good, but it must be seen in a relational context of existing values, judgements and interests before it can be decided if the knowledge or choices are good or bad. Phronesis is about value and judgements, action, and being pragmatic and context dependent (Flyvbjerg, 2001).

Phronesis as an important form of knowledge is distinguished from *episteme*, regarded as scientific and universal knowledge, and from *techne,* which is characterised as technical and

instrumental knowledge (Flyvbjerg, 2001). All three forms of intellectual knowledge are required to work together in addressing collective rationality, in the context of shared space and everyday lives, allowing for context and experience to matter (Dryzek, 1990). Phronesis is the knowledge that helps shape policy making by recognising reality, context, purpose, practicality, ethics and choices (Dryzek, 1980; Flyvbjerg, 2001).

The Importance of context, the concrete and case studies

Flyvbjerg (2001) provides a powerful account of why context is so important in social science research. This resonates with the growing acceptance of pluralism in planning theory. The role of history and context to understanding a phenomenon under study also gives further recognition to the importance of researching practice and the practice movement. Whilst Flyvbjerg does not dismiss research that draws from a wider source of sampling, the importance of a good case study to appreciate, learn and infer from remains equally important and useful for social science research. The role of case study research in planning remains important to planning, given the variations of planning practice and its particular ties to history, politics, culture and democracy (Forester, 1989; Flyvbjerg, 2001; de Fries, 2015).

It can be argued that the area of convergence between Foucault and Habermas and their respective theories centres on the concrete and practice. Whilst the former focuses on the actual, the latter takes on a normative approach of what should be. Foucault focuses on conflict while Habermas takes a consensus perspective (Flyvbjerg, 1998a). However, despite these 'separate' approaches to inform theory building, they interconnect around the importance of practice. The concrete, the case at hand remains important. The practice environment is centrally important to establish what is happening, why it is happening and points of counteraction. It is widely accepted that the analysis of power is not based on theory that remains abstract and contested as a concept, but it is embedded in a theory of the real, the observed and the experienced (Gaventa, 2003, 2006; Foucault, 1984b). On the other hand, theorists and theory based on Habermas' teachings seeks to find the better argument - public policy based on shared and lived experiences, again based on the real and the concrete.

Bringing together the connection between these two philosophical approaches that inform planning theorists and the many strands of planning theory is important, in particular for planning practice as the site of study, the site of convergence between theory and practice and the site of intervention. The question of how planning practice as a contribution to planning theory can be useful is seen within a context and across contexts as there are many

differences as well as similarities concerning planning as a discipline. Drawing from practice to help construct and situate planning theory is seen as a way to theorise about what planning is and less about the assumptions, abstractions and generalisations. Theorising from practice speaks to the context and in the language that practitioners can relate to and understand to engage with planning theory to inform practice (Watson, 2008).

2.8   Conclusions

At one stage, planning theory came under enormous pressure when a survey of planners by Bish Sanyal revealed that practitioners did not find planning theory useful as they made sense of conflicting interests in planning; they simply learnt by doing (Friedmann, 2003; Forester, 2004, 2008). This survey not only questioned how practitioners related to theory but also made theorists question the value of theory. There are several studies that further confirmed the difficulties experienced by practitioners in using theory to inform practice (Friedmann, 2003; Forester, 2004). Years later Harrison (2014), as a theorist with considerable experience in practice as the head of a large metropolitan municipality in South Africa, also raised concerns about the unhelpfulness of theory and questioned the anti-realist ontology of planning theory.

In making sense of this crisis of planning theory, Friedmann (2003) re-affirms the importance of planning theory, saying that it should matter because it is about the life and relevance of the planning profession. As noted by (Friedmann, 2003: 8),

> "…there is no planning practice without a theory about how it ought to be practiced. That theory may or may not be named or present in consciousness, but it is there all the same. Thus, when we argue that planning ought to be in or reflect a general or public interest, we have in mind a theory of planning."

In responding to the gap between planning theory and practice, Hoch (2011) contends that apart from practitioners using theory, it is important for theorists to theorise for practice, if theory and practice is to be enriched. Hoch (2011) also makes a convincing argument for theorists and practitioners to work together in enriching the process of developing planning theory and planning practice. In my own research, the use of theory in informing planning knowledge and practice is probed further in Chapter Ten.

The reading of planning theory and its use in this study re-affirms the plurality of planning theory and the importance of context. Planning theories, or planning ideas, are multiple and are based on the interests and world view taken by a particular theorist. It is up to the practitioner and/or scholar to make sense of planning theory, to adapt and use it to serve

research and practice. In this research I have taken a multi-theoretical approach to developing a conceptual framework for the study. The use of practice as a window allowed for the assumptions of theory and the challenges in theory to emerge from a particular planning context (Watson, 2008; Healey, 2011). This is useful not only for planning theory but equally useful for planning practitioners, to demonstrate the value of planning theory in grappling with the conflicts and uncertainties that face planning practice. As a practitioner first and scholar second, using theory practically remains important for me and fellow practitioners, who are an important audience for this research (Friedmann, 2003; Forester, 2004).

The bringing together of communicative and deliberative planning theory, institutionalism, the culturisation of planning, power and rationality, phronesis and pragmatism as theoretical ideas connects to the importance of knowledge in practice. These selected theoretical ideas for this study also re-affirm the roles, possibilities and importance of planners as agency, to reflect, explore and critique the roles and (re)construction of planning knowledge and its impact on practice in a diverse society. The theory selected does not seek the truth as a goal for planning knowledge, but constantly provokes planning and planners to grapple with, explore and improve how knowledge for practice can connect with the realities of the many experiences and lifeworlds of the diverse society that produces, uses and engages with space. The choice of theories engaged for this research also focused on the concrete, the contextual and the idealistic as necessary tension points in linking to, and making sense of, the empirical findings. Chapter Three more specifically engages with the vast literature available within and outside the field of planning to help inform, understand and make sense of the empirical study as an exploration in confronting the use, roles and the construction of planning knowledges for practice, within the context of an important and ordinary African metropolitan setting.

CHAPTER THREE: LITERATURE REVIEW

3.1 Introduction

The literature reviewed for this study represents a careful selection within and beyond the field of planning - it delves into the fields of sociology, environment, participatory democracy and knowledge cultures. It was important that the literature selected covered both high and micro levels, opening up and closing the discussion as it pertained to the research area and sub-questions. The process of literature identification and use within this study was an iterative one. As the study unfolded, often new thematic areas were looked at. Searching and keeping abreast of current publications also remained important to make sense of my own study. Despite the varied abundance of published literature, there were noticeable and important gaps. In such situations I read across the field of planning and often had to make sense from the 'unpublished', the silences, as to what this could mean for my study. In so doing, I would often draw from the empirical findings, as discussed further under Chapters Six to Nine.

The literature dealing specifically with the use and construction of land use planning knowledge is limited and, where available, it is largely confined to agriculture and environmental practice. The literature on planning theory rarely considered land use planning practice as important and to be informed by planning theory. However, there are a couple of dated but still very important publications that remain relevant for this study (Schön, 1983; Friedmann, 1987; Forester, 1989; Yiftachel, 1998, 2009; Faludi, 1999; Gunder, 2003; Albrechts, 2004). The academic and research interest in land use planning knowledge is also uneven with a predominant focus on strategic spatial planning and very little on regulatory planning knowledge and the interface and interactions between regulatory and strategic planning (UN-Habitat, 2009; Pieterse, 2011a; Todes, 2011; Steenkamp and Winkler, 2014).

Lauria and Wagner (2006) confirm an increase in empirical planning research, using case studies as the unit of analysis, and interviews and text as the research methods. However, there remains a lack of empirical planning research that focuses on what shapes planning as practice, apart from the writings on power and the neo-liberal influences on planning. There continues to be a gap in the exploration of the daily practices of planning and how it is structured. This gap is further extended in the case of land use planning knowledge (straddling strategic and the regulatory planning knowledges) in terms of where it is drawn from, how it is formed and to what extent it is critically reviewed or taken for granted. An

important purpose of a literature review is to compare research methods, context and analytical perspectives. However, this was a limitation for this research given the scarcity of relevant comparative studies, with respect to research design and findings (Boote and Beile, 2005; Lauria and Wagner, 2006; Randolph, 2009).

Literature on knowledge development was largely drawn from other fields of academia. In particular, the literature from the associated environmental field, and climate change to be more specific, was extremely useful. This helped with rethinking the process of developing land use planning knowledge for practice. Specifically, the merging of expert and many 'other' knowledges and knowledge actors came through as an important lesson for planning.

The discussion on spatial planning practice (mainly strategic spatial planning) also took on a European and British focus and to some extent an American experience, thus speaking less directly to the context of the global south and the research findings for this study. Although empirical research on planning practice to inform planning theory has seen some diversification and a stronger regional focus, it remains limited for the African region (Lauria and Wagner, 2006).

The literature reviewed explored relevant research related to the main research question and sub-questions, to help contextualise and link the findings of this study to that of published research. This chapter is based on several themes. It starts with a high-level exploration of planning - rethinking planning theory and practice in the context of African urbanism. This is then followed by a discussion on what directs planning on a daily basis and why this is so difficult to change. In particular, planning legislation, the bureaucracy, institutions and discourses are explored. The next section looks at how land use planning knowledge is formed, the codes and assumptions that underpin the production of space and the opportunities for change.

The chapter then explores important trends in developing knowledge for policy making, in the context of complexity, uncertainty and diversity. The compelling case for epistemic cultures as a future for policy making is further considered. This section covers discussion points on the multiplicity of stakeholders, co-production, co-design and co-users of knowledge, and the importance of social science in policy making. The roles of public participation in planning, with a particular focus on different knowledges and epistemological agents for land use planning knowledge, are considered. This thematic area takes a critical review of how participation is being used in current planning policy and practice environments.

Lastly, the chapter concludes with the researcher making sense of the body of knowledge selected and reviewed for the study. It confirms the duality and importance of both agency and structure as critical for planning and (re)constructing planning knowledges for practice.

3.2 Rethinking planning theory and practice in the context of African urbanism

3.2.1 Comparative and global urbanism

The recent shift to city-centric policy is likely to intensify given the United Nations inclusion of stand-alone Sustainable Development Goal (SDG) 11: "*to make cities safe, inclusive, resilient, and sustainable"* (Parnell, 2016: 529*)*. SDG 11 confirms that cities are important and require particular focus, policy and legal and financial instruments, which to date have remained a challenge in Africa where cities and city government are undermined and constrained (Parnell, 2016). SDG 11 recognises that cities and local government are, and will be, key to sustainable development, in particular addressing climate change and resilience agendas, locally and globally (ibid). However, it is acknowledged that many regions have already recognised the importance of cities; thus the SDG 11 is perhaps a little too late, but nonetheless still important to Africa.

The world is becoming increasingly urban. In 2008, for the first time in history, the world's population was more urban than rural, and by 2030 Asia and Africa will have more people living in cities than in rural areas (UN-Habitat, 2010/2011). The process of urbanisation is not simply a case of rural to urban migration; it is determined by a range of contributory factors. A decline in agricultural based economies in favour of service and production economies, internal conflicts, the impacts of disaster and climate change on rural communities and the removal of barriers to enter the city are some factors that drive African urbanisation (UN-Habitat, 2010/2011; Harrison and Todes, 2015).

Cities allow nation states to respond to several national goals including infrastructure services, shelter, work opportunities, culture and inclusion. Economic growth in African cities resulted in some 128 million households moving into the middle-class category. Nonetheless the sustainability of the new middle class remains extremely precarious given the vulnerabilities of government, conflict, the economy and climate change, amongst other factors facing African cities (UN-Habitat, 2010/2011; UN-Habitat, 2014). In Africa alone, it is estimated that the lives of 24 million slum dwellers have been positively changed. However, this progress is dampened by the fact that some 10 million new slum dwellers enter sub-

Saharan cities each year, of which 3 million survive in slum conditions and the remaining seven million continue to live in desperate conditions (UN-Habitat, 2010/2011). With the magnitude of changes envisaged for the 21st century, especially in African cities, these changes are positioned to be greater than those witnessed in the 19th and 20th centuries. The role and importance of cities in South Africa is undisputed, since most of the national gross domestic product is produced in its metropolitan and major cities (Centre for Development and Enterprise, 2016). Despite the importance of cities, inequality, lower city performance, the challenges of the past and inappropriate policy, particularly in planning, undermines economic growth and the potential and possibilities of many urban residents and households (Centre for Development and Enterprise, 2016). The income inequalities in global south are stark, resulting in urbanisation accompanied by poverty. South Africa is a leader this regard, with a Gini-coefficient of greater than 0.6, indicating huge income disparities (UN-Habitat, 2010/2011).

African urbanisation is regarded as non-conforming as it is not accompanied by economic growth as occurs in developed countries (Turok, 2010; UN-Habitat, 2010/2011). According to Pieterse (2011a), African cities are very distinctive from cities in the north in terms of culture, education, industrialisation, informality, post-colonialism, everyday survival, violence and poverty. Thus, African urbanism does not respond to the so-called norms of urbanisation. An understanding of what is taking place in African cities and the development of new concepts and theory on African urbanism is only recently becoming an area of focus (Pieterse, 2011a; UN-Habitat, 2014). Turok (2010) suggests that African urbanisation is different because it has taken place prematurely. According to Simone (2004), African urbanism requires new planning theories and practices that respond to the uniqueness of Africa, as the colonised and post-colonised remain entangled and integrated as one relationship.

Theorisation for African urbanism should also go beyond the informal and embrace cityness in Africa as neither formal nor informal but urban (Simone, 2001; Yiftachel, 2009; Parnell and Robinson, 2012). This has a direct bearing on the physical and social spaces created within African urbanism. Some theorists would argue for less government in order to facilitate the movement of, and opportunities for, the poor. In (re)theorising for African urbanism and developing urban theory, it is important to consider the role, size, powers and resources of, and conflicts within, the local state (Parnell and Robinson, 2012).

Parnell and Robinson (2012) make a case for (re)theorising urban theory for the global south that goes beyond a conclusion of neo-liberalism at work. Whilst neo-liberalism is not an

unimportant factor in urban theory development, there are other factors, patterning and influences that are informing how African urbanism is taking place. There are many local drivers that give rise to city ideology, prioritisation and attention in the global south. Oranje (2012) identifies a dangerous coupling of neoliberalism with conservatism in South African cities, where the combination of former white conservatives with narrow business interests, both local and international, and emerging new black bureaucratic elitists gave rise to a particular urban policy environment.

Within the active policy environment in government sectors; there is a serious lack of academic evaluation and critique. Policy has simply been quietly enacted and implemented, off the international academic radar (Oranje, 2012; Parnell and Robinson, 2012). Parnell and Robinson (2012) argue that there is gap in urban theory research within Africa because the centre for policy development resides at a government and practice level, and it is unengaged and uninformed by academic urban research and theory. Given the futuristic agenda of planning (Sandercock, 2006; Connell, 2009), radical changes are required in planning, from the strategic to the operational levels (Halleux et al., 2012).

A new culture for planning lies in reducing individual and collective isolation and increasing tolerance and acceptance within the context of a city shared by different people. This is a serious challenge for the current planning practice model with its suburbanised culture that strives to assimilate difference into suburbanisation, modernisation and imposing common values and standards (Sanyal, 2005). Roy (2011) uses critical transnationalism as an approach to distinguish 'models', and 'fast' policy which easily transcend and inhabit planning practice in the global south as a means for cities to be acceptable as 'proper' and world class in a globalised planning practice. More importantly, Roy (2011) suggests that seeing from the south is not only about creating new theory and practice from the south, but it is also a process whereby the global south 'trespasses' boundaries, taking planning theory and practice into the global north, and allowing for new opportunities of re-imagining planning theory and practice in both the south and the north. The idea of merging boundaries in planning theory should not only apply to an international context but also within a local municipal setting.

3.2.2 Genealogy and transferability of planning knowledge, theorising for planning and urban agendas for the global south – the importance of the local

The history of place and power-knowledge relationships remains all important, but as events; not necessarily defining knowledge as an evolution, but rather as a disruption to what was before (Foucault, 1984b). In the context of power, colonisation and apartheid disrupted what African urbanism, and its associated knowledge of shared space was and could have been. Hence, although the colonial and apartheid past is deeply embedded and hidden, it still shapes planning knowledge and practice in the present (UN-Habitat, 2009; Berrisford, 2011a). This does raise the question of the extent to which new planning ideas, ideologically and philosophically, are being developed to challenge old systems of power or whether they are considered as simply incremental, technical contributions, the artifacts of planning (Sandercock, 2003a; Othengrafen and Reimer, 2013).

Huxley (2013) contends that genealogy or critical history is important, because postcolonial perspectives add an analytical value to appreciate why, and from where, theories, knowledge and practice have emerged. The study of what was firstly conceived as a problem reveals a lot about what presumptions were made and the perspectives and interests that were involved in problem identification. This process precedes the solution stage or knowledge for practice. Thus, the problematisation process is in itself a conceptual and ideological process and the problem is created or fabricated (Huxley, 2013). The historicisation of problematisation is extended further by Foucault's idea of power being necessary and important for action. Power relations are instrumental in problematisation, as a problem reflects the world views of those that create it and formulate the knowledge or solution in response to the problem (ibid).

Huxley (2013) contends that what is accepted as the problem and knowledge as the solution is not without its own set of conflicts and struggles. However, over time this knowledge is taken for granted. It is embedded within disciplines, teachings, professions and practices. It is assumed that 'someone somewhere' has put it all together - that a unitary knowledge related to the problem exists, without its own inherent conflicts and problems. This has also resulted in the 'travel' of 'solutions', whereby essentially pre-conceived ideas of problems and responses to such problems journey as exports and imports of knowledge from and to other places (Robinson, 2011; Huxley, 2013). As noted by Huxley (2013: 1530):

> "Examining planning as problematisation could unsettle the self-identity and continuity of theories, policies, programmes, regulations and practices gathered

under the heading of 'town/urban/city/spatial/planning' …From these starting points, the self-evidence of land use, spatial, urban, city, 'plannings' in all their current local, national, international manifestations, can be opened up to investigations that render their implicit assumptions fragile and mutable".

Theorists from the global south and in particular from South Africa are paying attention to postcolonial, pragmatic and philosophical approaches in developing planning knowledge, theorising for practice and urban agendas (Pieterse, 2011a; Harrison, 2014). A postcolonial analytical lens seeks to establish how modernist planning knowledge was used to eradicate practical knowledge prior to, during and after colonialism and apartheid. It explores how this process of modernisation replaced practical, collective, cultural knowledge with knowledge that subjugates, controls, deprives, re-allocates and maintains resources in the interest of a few (Harrison, 2006; Berrisford, 2011c; Pieterse, 2011a).

Planning knowledge has been transferred through purposefully designed institutions to influence particular patterns and governmentality, power, control and legibility in the global south (Robinson, 2011). Robinson (2011) and Pieterse (2011a) make the point that often the power of globalisation and neoliberalism is taken as inevitable, but differences of policy and spatiality are evident even within one country. For example, while Brazil is well known for its participatory approaches within municipal planning and budgeting, regional differences are so distinct that adopting participation methods from the south for the north of Brazil created challenges, as the culture of politics were different (Cornwall and Shankland, 2013).

The common narrative on the transferability of knowledge concerns domination and power from the north to the global south. However, a more nuanced and transnational analytical approach considers the role of power as universal and at all levels, shaping the journey and assimilation of planning knowledge and urban agenda making. It includes power from above, the formal power that dominates development and finance institutions, and power from below. The power of local governments, consultants, politicians and practitioners all contribute to the way in which cities arrive at city development and planning ideas (Robinson, 2011; Foucault, 1984a; Flyvbjerg, 2001). A responsibility lies with those that theorise and those that adapt and assimilate planning ideas to be aware of the context, power and dynamics, the discourses and the consequences of these ideas (Healey, 2006; Beauregard, 2012). In fact, the theory tends to oversimplify how planning ideas are considered, transformed and taken up by local cities (Robinson, 2015).

"Thus I propose to move beyond a focus on what is moving (tracing the trajectories of a policy document, an idea, a policy consultant) and look instead at how

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policymakers compose their ideas amidst myriad influences from elsewhere."
(Robinson, 2015: 831)

The agents for knowledge transfers and gate keepers are diverse. Often the focus is on the big and obvious agents, such as development institutions, while the small and the (un)important agents such as consultants, local practitioners, politicians and insurgent groups and partnerships are overlooked in the construction of planning, urban agendas and spatiality (Robinson, 2011; Robinson, 2015). Essentially this is a complex analysis of power and disempowerment, history and the all importance of the local context (Foucault, 1984c; Robinson, 2011). Berrisford (2011c) provides a light hearted but nonetheless concerning, account of how institutions in power, such as development agencies, donor organisations and national governments, can so easily circulate and adapt planning legislation within a matter of days through a 'cut and paste' job.

Pieterse (2011a; 2011b) refers to literary works that often expose the real city and African urbanism. He asks whether other accounts of theorising particularities of African urbanism should be allowed to prevail, when the urban agenda and development solutions still remain so fixed and from the north. At the same time, Pieterse (2011a) recognises the importance of the micro context of practice and urbanism within Africa, but also stresses the need for new macro and meso accounts of conceptualisation and theory for African urbanism. The very notion of Marxism and Keynesian accounts of urbanism and government are based on western and northern notions of government, class and welfare states, which remain elusive and distant concepts with which to confront the context and realities of the global south (Pieterse, 2011a). The structural differences in African urbanism, with its dominant links to colonialism, make it imperative for theory development in planning and urbanism to address African particularities. The extent and sophistication of informality in the global south in itself demands a particular planning response that cannot be attained from the northern planning theory and practice experience (Watson, 2003, 2009, 2012; Yiftachel, 2006, 2009; Pieterse, 2011a; Harrison, 2014).

3.2.3 The importance of 'grey' spaces in developing planning theory and practice for the global south

Yiftachel (2009) uses the concept of the 'grey' production and use of space, which is neither formal nor informal, neither black nor white, neither ordered nor chaotic but simply in between, as a system of urbanism. This urbanism is linked to and developed as a response

to colonial powers of government, delimitation and exclusiveness (ibid). Planning as a system of knowledge and power embedded in tools, plans and policies assigns use and legal rights to properties. As an act of government it legitimises, criminalises or leaves 'grey' spaces in a state of risk (Yiftachel, 2009). Urban policy and planning not only fail 'grey' spaces, but marginalise and exclude its incorporation into the wider city. 'Grey' spaces at best allow for only partial citizenry, simply because they were not planned for, ordered and serviced. The exclusion of 'grey' areas represents a re-emergence of urban apartheid or colonialism (as power, exclusion, control and risk) is part of the new urban governance of cities in the global south (Yiftachel, 2009).

This new colonialism displays two forces at work - through its activity of *formalising* and *regenerating*, the state further marginalises many people and households into the 'grey'. The *formalisation* and/or *extension* of planning systems are important acts of planning that make and change places, activities and peoples' identities, from 'grey' to 'white' and acceptable, to 'black' and unacceptable or to 'grey' and uncertain (Yiftachel, 2009; Watson, 2009). Whilst colonialism and apartheid both created and excluded these marginalised areas, in a post-colonial and post-apartheid context the 'grey' areas still remain excluded. The language, ideology and tools of planning are resilient, defying the real and excluding the many, the 'grey'. This is what Yiftachel (2009) refers to as the lynchpin status, the powerful role that planning knowledge can play in connecting and recognising the 'grey' as part of the city.

'Grey' spaces are all about social transformation. These are opportunity spaces where people try to improve their lives. They are the potential spaces that planning knowledge can occupy and work within to bring about the transformation of planning practice. Yiftachel (2009) also remarks on how planning and local politics support the 'grey' spaces of investors, making allowances for such development in planning practice through the 'whitening' of these developments and areas, but are less likely do so for the marginalised and the poor.

Resistance from local communities to further exclusion, loss of livelihoods and loss of place in the space produced and used as the 'grey' is fought at a local government or city level and not a state level, when it undergoes change to support new ordered development, through the process of whitening 'grey' space (Yiftachel, 2009).

> "Urban plans provide the authorities with an arsenal of categories to define and treat gray space and bodies, such as 'illegal resident/immigrant', 'unapproved development', 'illegal housing', 'building and planning infringements'…These categories, like many others, translate planning regulations into a system of civil stratification, in which those occupying gray spaces are streamlined, criminalised, or left in uncertainty." (Yiftachel, 2009: 93)

Planning theorists, particularly South African, have sounded the call for African urbanism to be recognised in planning practice (Pieterse, 2011a; Harrison, 2006; Harrison, 2014). They argue that African urbanism should not been considered negatively, as untamed, chaotic and generally problematic, requiring a 'proper' planning intervention, a 'shot of plans', legibility and order (Watson, 2003; Watson, 2009; Berrisford, 2011c). Rather the call is to see the positive, the innovation, the efficiency and the redistributive and survivalist aspects of African urbanism in all its shades of 'grey' (Watson, 2003; Yiftachel, 2009; Berrisford, 2011c; Harrison, 2014). Pieterse (2011a; 2011b) argues that African urbanism is what it is, and theories and practices from the global south need to be critical and cautious about the moral project of planning pursued within this context.

The emerging theory for the global south recognises and supports many conflicting rationalities for planning (Watson, 2003; Pieterse, 2011a). However, in doing so, there is the recognition that understanding, reading and working astutely with and against power, including acknowledging the importance of knowledge-power-relationships, remains crucial to the ongoing purpose of planning theory and practice within the global south (Flyvbjerg, 2001; Watson, 2003; Harrison, 2006). In dealing with concerns regarding the relevance and purpose of planning, the social project of planning remains a constant in planning theory and practice for the global south. However, the particularities, opportunities, limitations and histories of the diverse global south should not be overlooked in this endeavour (Yiftachel, 2006; Pieterse, 2011a, 2011b; Watson, 2012; Harrison, 2014).

3.2.4   Planning in Africa

African cities had their own form of city structure, planning and management prior to colonialism (UN-Habitat, 2009). However, with colonialism the elite and the administrators regarded this form of planning as inappropriate and unwestern, thus prompting the transfer of modernist planning from the west to Africa (UN-Habitat, 2009; Rakodi, 2006). To facilitate city development for the elite minority, the labour force and the indigenous population were banished to the periphery. The land set aside for the indigenous population came with its own administration and restrictive planning systems that did not provide the necessary conditions for urbanisation such as business and industrial activity (Davies, 1981; Mabin and Smit, 1997; Rakodi, 2006; Berrisford, 2011a).

After independence, in most African countries the colonial agenda of city administration, planning systems and values were still retained. The new leadership in Africa was placed in a difficult situation, fuelled by colonial interests and compelled by development aid agencies and the west to retain that which was western as a strategy to be acceptable in the new liberal global economy (Rakodi, 2006; Winkler, 2011; Bangstad et al., 2012; Oranje, 2012). The resilience of modernism in post-independence planning is also attributed to the emergence of a new form of segregation - race was replaced by elitism, ethnicity, bureaucracy and the emerging middle class. The modernist form of planning allowed the elite to be protected from the masses through gaining and retaining access to land and businesses. Even when much of the planning system broke down during the post-colonial era, the recourse to planning legislation always remained an important instrument to protect the interests of the elite in accessing resources such as land (UN-Habitat, 2009; Berrisford, 2011c).

Given the context of how planning emerged in Africa, Peel and Lloyd (2007) contend that planning systems imposed on Africa were, and continue to be, ignorant of culture. These planning systems were implemented in a very different context and time to that of cities in the global north, where planning systems responded to urbanisation and industrialisation (Peel and Lloyd, 2007). Modernist or rational planning was essentially disconnected from the everyday requirements of the majority of the population (UN-Habitat, 2009). Modernist planning in simple terms presented a gap between what was real and what were technically prescribed as good planning goals. Planning was regarded as the responsibility of professionals, the experts, with specialised training and skills to make informed choices about what and how social space was to be produced and used, and in so doing control the social aspects of life (Yiftachel, 1998). This modernist system of planning and control was based on western post-industrial standards, livelihoods and culture which remained very different to a pre-industrial agrarian and colonised African society (UN-Habitat, 2009). It is not unusual that such planning systems, inclusive of planning law, were built on the hope that economic conditions would change, that people would become more educated and compliant with the modern laws of property and its responsibilities. Therefore, the planning system in place catered for such aspirations of upward mobility. However, this approach based on a western standard of planning resulted in disparate spatial systems and places and wasted resources and focus, preventing what was workable and relevant (Albrechts, 2004; Berrisford, 2011c, 2013).

The UN-Habitat's Global Report on Planning Sustainable Cities (UN-Habitat, 2009) examines planning practice across world regions and concludes that despite innovation in planning, modernist or rational planning remains resilient and part of daily planning practice. It is also not unusual to find dominant rational planning systems working in parallel with some new trends and innovations in planning. The UN-Habitat (2009) concludes that planning innovation should be linked to appropriate legislative and institutional changes to support new planning systems. It also argues that the future and usefulness of planning lies with the roles and changes required from the many forms of agency involved in planning, including planning educators, practicing planners, politicians and members of the public, to drive new agendas for planning.

3.3   What guides and directs planning practice

3.3.1   Planning law, the court and land use planning knowledge for action

Most countries in Africa inherited their planning law from former colonial powers (UN-Habitat, 2009; Berrisford, 2011a, 2011c; Watson, 2011a). Whilst a number of African countries have new planning laws (inclusive of state and provincial legislation and local by-laws and regulations), in a number of cases planning legislation was enacted to demonstrate independence in response to donor agencies as conditions of aid. However, these laws remain constrained by preconceived colonial notions of value, norms and practices (Parnell et al., 2009; Berrisford, 2011a, 2011c; Watson, 2011a, 2012). It is not uncommon for new African governments, aid agencies and consultants to think of planning legislation as a linear, basic drafting exercise, based on expert knowledge. However, this is often done without appreciating the real African context, and therefore such legislation tends to lack a practical response to the purpose of planning law and the planning system to be implemented based on such law (Berrisford, 2011a, 2011b).

New attempts at rationalising planning law have also added more complexities to the practice of planning in Africa. Often the original law is simply extended, without appreciating the realities and impacts this can have on different places, livelihoods and cultures, resulting in the unintended consequences of planning (Berrisford, 2011a, 2011b). In many countries old laws are retained and new laws overlap with the old. Often the new elite, including those involved in government as bureaucrats who align with particular political, ethnic and middle class interests, ensure that the certain planning laws are retained and thereby retain the status quo (Scott, 1998; Berrisford, 2011c). At the same time these laws are ineffective in

managing private development, and are often simply seen as a nuisance and an administrative hurdle to overcome (Oranje, 2012). Thus, planning legislation and practice fails to protect the so-called public interest, including the poor (Berrisford, 2011c). The lack of stakeholder identification and involvement in the legislative process leaves much of what is being drafted as abstract and in conflict with what people use and relate to in real life. Planning law should be reasonable, to facilitate the investment of people's time, resources and willingness to engage with the law (Sandercock, 2003a; Berrisford, 2011b).

Whilst planning legislation is not 'one size fits all', some pre-conditions and universal principles are important to ensure reasonable success for the implementation of planning law (McAuslan, 1991). McAuslan (1991; 2011) and Berrisford (2011b, 2011c) highlight the following as necessary considerations for planning law.

Legislation should be a necessity that responds to the social-economic and political transformation of a society. Planning law should recognise the history of land conflicts and customary law in order to have reasonable acceptance. The drafting of planning legislation should focus on getting the basics right. It should cover all forms of urbanisation, the 'greyness' and varying levels of affordability within the public sphere. Consideration should be given to the capacity of the state, its institutions and urban land professionals to implement the legislation. Planning legislation should consider the specific context of a country and should support flexibility, diversification and targeted implementation. An argument is made for planning law to support and regularise the efforts of the poor in their use of land and their responses to urbanisation. In general, the law should be supportive of development, and precautionary only in response to prioritised 'public bads'. Planning law should respond to land markets, including markets that are pro-poor, for example innovations like quicker registration and land systems. It should support the rethinking of planning regulations and building, health and safety standards that prevent the poor from being included and acceptable in terms of the law. Lastly, the legitimacy and acceptability of planning law should be promoted through the simplification and low cost of planning processes to ensure ease of compliance, thus limiting the opportunities for bribery and corruption.

The system of planning at a municipal level typically consists of strategic spatial planning and more detailed land use regulatory planning or town planning schemes, which together make up the planning system (Vigar et al., 2000; Albrechts, 2004). In most places, both types of planning have legal authority and are therefore legally binding. Because of this legal aspect,

changes to a plan or scheme can only take place through a legal process to either amend the existing plan or scheme or adopt a new plan or scheme (Albrechts, 2004). If planning decisions are seen as a certainty this is regarded as a binding system. In contrast, some places like the United Kingdom operate in accordance with a performance-based system, where planning decisions are viewed as discretionary, based on context-specific fit and mitigation of the development. Nonetheless, there are still prescribed controls with levels of discretion in a performance-based system. Any land use or activity beyond what is prescribed cannot be accepted, if it is not allowed for within the plan/scheme. In South Africa a limited form of performance based planning prevails, one that is still steeped in control and comprehensiveness, but with some levels of discretion allowed (Van Wyk, 2012).

Berrisford (2011c) and Van Wyk (2012) provide a detailed account of the important role planning legislation plays in directing planning practice within South Africa. It defines the processes to be followed and the minimum content requirement for strategic spatial plans and town planning schemes. Planning legislation also regulates the day-to-day changes in land use and development in accordance with the approved spatial plan and town planning scheme. Planning legislation provides a process on how appeals and objections should be addressed and legislates when public participation is required and the form it should take (Berrisford, 2011a; Van Wyk, 2012).

A key point in this account of the role of planning legislation is that the (re)development of the plans, schemes and policies that are assigned legal status in terms of planning legislation remains within the control of the planning profession. Although these plans as a form of planning knowledge have legal authority they are not written by legal professionals but are produced by local municipalities, an activity largely driven by planning practitioners and consultants. As stated earlier, there is limited literature on how planning becomes structured beyond legislation. However, the only way to access this aspect of planning knowledge is to read relevant case studies 'between the lines' to identify that which is not said or written. Practice stories and studying practice related to plan making, re-regulation, the factors considered in decision-making and how participation was undertaken provide a fuller appreciation of who drafts and controls planning knowledge for action. The invisible becomes visible through studying practice (Greed, 1994; Smith, 2005).

The role of legislation in giving expert planning knowledge legal authority is an important consideration for policy development within government and its (un)intended consequences for social ordering (Jansanoff, 2005). Once expert planning knowledge is developed by

practitioners, it is approved in terms of planning law and through legal systems and structures. The knowledge takes on a legal status, becoming sacrosanct and trustworthy to those that administer it as practitioners and adjudicators (Jansanoff, 2005). Science or expert knowledge and law work together and are regarded as neutral and objective, designed only to protect the public. This has the ability to build trust in the application and outcomes of such knowledge (Jansanoff, 2005). In cases of disputes concerning planning policy and its implementation, irrespective of who feels the impacts, the dispute platform remains generally reserved for legal and expert opinion to argue with each other (Jansanoff, 2005; Berrisford, 2011c; Oranje, 2012). The conclusion is that so much resides on expert knowledge with its legally imbued powers. The inherent contradiction of this union between law and expert based knowledge is that experts base their knowledge on abstractions, preconditions and assumptions, as far as possible from context and realities. Meanwhile the law is based on a system of facts which cannot operate outside of reality and context. This is supported by Jansanoff (2005: 49) who states that:

> "Both are knowledge-generating institutions, irreplaceably so in modem societies. Fact making, however, serves significantly different functions in these two settings, that is, the law develops knowledge as an aid to doing justice in a particular case; by contrast, science seeks truths that are, as far as possible, detachable from their context of production."

3.3.2 Institutions, discourses and planning practices

Institutions play a particular role in defining policy discourses, which can be regressive, maintain the status quo, or progressive and transformative. However, to enable a progressive policy or discourse requires the mobilisation of policy making communities external and internal to institutions (Cornwall, 2007). Transformative discourses are points of struggle that take place within society as collectives or networks with relational power alliances and within institutions. These points of struggle gain momentum, giving rise to transformative discourses and political changes within institutions (Healey, 2013; Gaventa and Cornwall, 2006). Discourses can also come across as trans-ideological, appealing to differing political interests in defining problems and possible solutions. For example, an efficient and business-friendly planning system that supports investment is often seen as important for the creation of employment (Cornwall, 2007; Huxley, 2013).

Discourses originate directly from positions of power, from networks of collective power connected by social relations and where similar and circulating storylines in speech, in written language and in action give life to a particular discourse (Cornwall, 2007). Discourses

are manifestations of the truth crafted by powerful institutions that capture and manipulate radical and popular ideas and repackage these according to what society wants and needs and with the promise that it intends to do good (Rossi, 2004; Li, 2007; Cornwall and Shankland, 2013). The critical point about discourses is that they carry institutional legitimacy, a language of myth, persuasion and a morality for practitioners and practice (Rossi, 2004; Cornwall, 2007). For example, practicing planners are not likely to oppose a pro-development discourse that speaks to improving social conditions with the logic that being development-friendly attracts investment, results in job creation and reduces unemployment and poverty (Cornwall, 2007). Apart from the ethics and morality that practitioners and practice are subjected to through institutional discourses, they are also a form of disciplinary power, from a hierarchical, peer and acceptance perspective (Gaventa and Cornwall, 2006).

Scott (1998) refers to the abstraction, oversimplification and narrow concepts contained in discourses as a means of instilling a sense of discipline and governmentality for those within and outside the public sphere. However, given the power-discourse relationship, there is always the possibility for the reversibility and replacement of one discourse with another as power dynamics shift and change over time. The role of political culture in the implementation of particular discourses remains underestimated as a factor in how particular discourses are received and implemented. Not all trans-ideological discourses are taken up locally, unless there are specific local interests to be maintained or extracted (Cornwall and Shankland, 2013). Often local political culture is seen as irrelevant in the unfolding of a particular development discourse; however, it can play an important role in leading and shifting the power-discourse-practice relationship.

Despite the underlying passion, emotion-laden and trans-ideological appeal of discourses and their buzz words, such as equality, public interest, investment, sustainability, good governance, indicators and performance criteria, discourses remain loaded with hidden ideology. Discourses are often invisible to those who are expected to be critical and insightful as to the potential consequences of the pursuit of such agendas (Cornwall, 2007; Li, 2007). Discourses are linked to greater institutional, elitist or ideological interests such as those of major development finance or local or international government institutions, resulting in the maintenance of certain dominant paradigms and interests. Therefore, the deconstruction of discourses within practice is an important tool to reflect on practice as an ideological and transformative process (Cornwall, 2007; Messner et al., 2008).

3.3.3 'Bureaucratic ethics' - Performability

An examination of planning manifestos and professional codes of planning associations and planning councils reflects the promise of planning responsibility which is central to planning (Gunder and Hillier, 2007). There are two forms of responsibility in planning that can be distinguished. The first assumes that planning is responsible and does good despite the (un)intended consequences of planning (Yiftachel, 1998; Li 2007; Winkler, 2011; Oranje, 2014). The second aspect of planning responsibility relates to duty, to institutional discourses, timeframes and legislation. Responsibility is a product of power and interests; therefore it can be very dangerous if responsibility is undertaken blindly as duty without contextualising power relations or bracketing power (Gunder and Hillier, 2007). It is increasingly common for national governments and international development institutions to benchmark city performance or the climate of doing business in a city on how efficient planning processes are, without appreciating the consequences (Gunder, 2003). Performance indicators based on chasing time targets can also create inherent professional and personal conflicts for practitioners, as certain processes or decisions are likely to be influenced by the time assigned to practitioners to finalise a planning application (Gunder, 2003). In the context of performability, practitioners are less responsible to the public (ibid).

Performability is referred to as a form of governmentality for planning. It oversimplifies complexity, through focusing on time limits, which in turn streamlines how the public are involved through set time frames, procedures and formats to be followed in recording dissent. This takes away public opportunity to object, mobilise, dialogue or protest against planning decisions that serve dominant interests (Scott, 1998; Gunder, 2003). In addition, performability is institutionally and socially constructed and persuades and forces a particular form of thinking and doing, thus suspending practitioners' responsibility, judgement and ethics (Foucault, 1984a; Gunder, 2003; Gunder and Hillier, 2007; Messner et al., 2008).

3.4 Land use planning knowledge as an opportunity for transforming planning practice and planning outcomes

3.4.1 Coming to terms with planning's epistemology

The fit of practical knowledge into the positivist paradigm, in particular for the applied professions, presented a challenge. In the late eighteenth century, positivists became more sophisticated and 'scientific' and relied on observed experiments to reflect on the rules and

nature of the world (Healy, 2012). The applied professions, confronted by unstable conditions and dependencies, responded by taking on a normative approach as the science of 'what ought to be' in order to reflect a 'scientific' approach to managing politics and human behaviour (Schön, 1983*)*. The normative approach is defined by experts as 'what the end should be' and the means to achieve such ends. This provided a way for 'minor' or applied professions such as planning to be acceptable as 'scientific', objective and relevant in the world of positivism (Schön, 1983; Flyvbjerg, 2001). The notion of professional knowledge and the application of this knowledge are based on assumptions that there are problems that are similar and not unique, and the mastery of professional knowledge enables its application to such problems. In essence professional knowledge such as planning accepts that the context of a problem is universal, and therefore the application of planning principles, rules and tools and solutions apply to any problem, it will work everywhere and anywhere (Schön, 1983). The professionals involved in practice have been, and continue to be, shaped by an education and institutions of professionalism that promote a particular specialisation, the prominence of problem solving, the importance of the 'scientific' and the model of technical rationality (Schön, 1983; Moroni, 2010).

3.4.2 Challenging the role of planning in the production of space

An analytical approach to space can take many forms. However, in making sense of this research, the practice of space as advocated by Lefebvre is given attention, mainly because it refers to the practical side, the lived and the real side of the production of space (Lefebvre, 1991). Lefebvre (1991) refers to the concept and analysis of space as social space, namely that which is not ideal or unreal and cannot be patterned by science. Social space implies a vast diversity of knowledge, both a mental space and a physical space which is natural (Lefebvre, 1991).

The coding of space also comes as a disruption from a particular mode of production, from the agrarian era, which signified a unification of space in terms of work and life, to early capitalism that resulted in a separation of spaces - reproductive space, the family space and the work space (Lefebvre, 1991; Scott, 1998). The era of science and positivism further entrenched the separation of space in terms of the abstract, coded space which was deemed neutral, ideal and conceived, as opposed to the lived and real space (Foucault, 1984a; Lefebvre, 1991; Flyvbjerg, 2001). Apart from being an abstraction of what the world should be, the coding of space as knowledge also allowed for the social control of space and people

in that space (Lefebvre, 1991). The construction and codification of space through text and plans such as the SDF, local spatial plans and TPS in the context of this study brings about spatial and social control within space. All modes of production produce a particular social spatial space. The social space is seen as a product of a particular mode of production and with a reality of its own, beyond culture and history. Thus the social production of space is not totally logical, understandable, transparent or controllable; it remains temporal and complex. Everything about the code is written and said, but little is known or said about the everydayness of lived social spatial experiences. The Lefebvre concept of production of space perceives social space in all its complexity. It recognises the social production of space as a means of production but with its own contradictions due to its inability to control this space completely. At the same time it is able to produce an economy of space that works collaboratively - as a form of consensus, it self-subjugates and self-regulates. This promotes compliance with the spatial economy, notwithstanding the challenges it presents to those that are marginalised from such a spatial economy (Lefebvre, 1991).

The Lefebvre approach does not dismiss the concept of modes of production, nor does it wait for a revolution to change the modes of production which could and should lead to change in the social production of space. Instead it allows for changes within the same mode of production, based on its own necessities and contradictions that lead to a differentiated production of social space. Despite the control, abstraction and rationality of coding space and spatial knowledge, the spatial chaos of capital is a constant threat to the very spatial systems it produces and enforces. Instead of expecting a complete displacement of mode of production, the Lefebvre approach takes a more practical and immediate intervention to shift the social production of space through changing the coding/ planning knowledge to a 'super code' dominating over other lesser codes (Lefebvre, 1991). The role of the state and professions in restructuring the code is important in the context that the current code of social spatial production is the result of how the state within the context of a mode of production weighs down onto society (Lefebvre, 1991). The state flattens the social, the cultural and the practical dimensions of social space production into something that is abstract and in the context of control such as a spatial development plan or TPS (Lefebvre, 1991). However, in this control there is self-regulation and compliance with the system but also subversion by ordinary citizens or users of the code.

> "The reconstruction of the spatial 'code'– that is, of language common to practice and theory, as also the inhabitants, architects and scientists - may be considered from the practical point of view to be an immediate task. The first thing such a code

> would do is recapture the unity of the dissociated elements, breaking down the barriers between private and public…" (Lefebvre, 1991, p.64)

Lefebvre (1991) articulates key aspects to changing this code of ordering social space and social control, which revolve around the following:

- The reconstruction of the code should lead to the reversal of dominant spatial tendencies and play a role in the overall social transformation project within the current and differentiated mode of production.
- The code should provoke changes at multiple-levels. At a micro level it should change the ideology and knowledge of key professions in how they think about the social production of space. At a macro level it should stimulate the rethinking of the everydayness context, without the disconnection between differentiated spaces.
- The code should not become detached from practice and transformation should occur with and through practice. The code must be able to link to the unstated, the embedded and the hidden.
- The code must link to a diversity of knowledge in establishing a base for reality and legitimacy for the code. The code must be integrated and correlated into a system of knowledge for action. The code is temporal and subject to reflection and revision.

Challenging social spatial codes

Massey (1994) questions what is place and place uniqueness in the context of time-space compression and the many technologies that allow for the movement of people, things and culture. The notion of unique space is regarded as a concept in denial, as places are not made up of a single identity but of many identities. Massey (1994) posits that thinking about planning is about flexibility and that society should also be thinking about flexibility and change. Massey (1994) concludes that places need to be thought of as process and embedded with conflicts.

Davoudi and Pendlebury (2010) argue that contemporary planning is about how to integrate knowledge for action that sets the planning discipline apart from others. Vidyarthi et al. (2012) suggest a conceptual framework to develop planning knowledge for action, based on three focal areas. The *holistic* entails developing a long-term view of space using a multi-disciplinary approach to develop a complex understanding of space and temporal uncertainties in space. A holistic focus means that pre-determined leanings towards specific spatial knowledge in planning are challenged, and critique is possible from a variety of

disciplines with a joint focus on being practical and relevant. The *inclusive* emphasises the importance the social, political, institutional and technical resources in planning and decision-making. The *practical* requires collaborative learning that allows for 'scientific' insights to be integrated with moral and historical sensitivities in crafting useful, relevant, adaptive planning knowledge such as plans, schemes and regulations.

According to Moroni (2010), the type of theory that informs planning knowledge and practice will define how this knowledge and activity unfolds for the real world. In the case of planning knowledge, Moroni (2010) explores two theoretical approaches, teleocratic and nomocratic. A teleocratic theoretical approach takes the form of comprehensive planning that is based on rules, spatial plans, schemes and regulations. It is based on an ideology of intervention being necessary for government to maintain a form of spatial and social order and control. The end purpose of such planning is to coordinate the many actors to enable the orderly production of space. It represents a top-down approach where government as the public authority controls in detail how individual properties should be used. The concern Moroni (2010) raises with this approach is not so much that it has end goals and is determined by a few for a majority, but more specifically that it intends to coordinate and control so many variables, which are not necessarily linear and predictable but often patternless. Although this coordination role of the spatial plan is so comprehensive and detailed, it still lacks large parts of knowledge that remain within the realm of the social, namely tacit knowledge which is not easily identified or factored into planning knowledge for action (Moroni, 2010). Teleocratic planning knowledge is a narrow form of knowledge that underutilises resources; it lacks creativity, spontaneity, competition and a vast source of ideas from many actors. Moroni (2010) argues that the manner in which planning knowledge is constructed is based on a teleocratic approach, due to its comprehensiveness and detail, and the expected compliance and coordination with the diverse public. However, a teleocratic approach to land use planning is not only impossible but also undesirable for the many actors on which this system depends.

Instead, Moroni (2010) advocates a nomocratic theoretical approach, an approach based on a code of basic and generic principles that should apply universally, not to any one site, area or group of people. This code is not a plan, but a set of principles that prohibits nuisance by requiring that the use of property should positively impact on the community and other properties within an area. This approach creates the conditions for more self-regulation and deliberation and is designed for maximum collaboration with other actors and a variety of

knowledges. In so doing, it creates an environment that is creative, spontaneous and reciprocal (Moroni, 2010).

Moroni (2010) contends that it is impossible for a planning system to match, factor in or pre-empt and control the high level of complexity, diversity and flux evident in the planning context. Apart from becoming more flexible itself, however, the planning system should also harness and promote the flexibility and adaptability of society. This would involve using more social knowledge, social mediation and self and peer regulation to arrive at a variety of development options that are regarded as positive contributions to an area or community. Halleux et al. (2012) contends that the adaptive efficiency of spatial planning, inclusive of land use planning, is inextricably linked to the institutional set up and flexibility of the planning institution. Spatial planning can be viewed as a regime that is made up of rules, coordination, partnership, trust and price. Often planning works mostly with rules and price, yet what is called for is more collaboration, trust and interdependence. This would allow government to enable the private sector to respond to government policy interventions, such as densification and private sector involvement in housing, and for the private sector to have government respond to its market differentiation and innovation.

What connects Lefebvre (1991), Massey (1994), Davoudi and Pendlebury (2010), Moroni (2010) and Halleux et al. (2012) is the importance of the institutional set up in land use planning, with a focus on collaboration, trust, pragmatic and simple rules. The notion of simple codification, that prevents planning from being locked-in but rather allows for societal flexibility from actors involved in development and use of property, is very evident between these theorists. What came out clearly from these theorists is a shift of focus away from planning to promoting society to be flexible, and to perceive of places and society as changing. Simply put, if planning is to engage with the social, then it is imperative for planning to allow the social to engage with planning (Massey 1994; Albrechts, 2004; Moroni, 2010). Perhaps planners as part of society need to also embrace society as flexible and changing, and to develop planning knowledge that is responsive, flexible, resilient and innovative with society. Invariably, conflicts will be part of such a system embedded within society, and where planning and society are expected to resolve and intervene in such conflicts.

Conflicts in land use planning knowledge

Strategic spatial planning borrows ideas and processes from strategic planning in business; it emerged in the 1920s as a response to draw cities out of economic decline. The strategic approach is able to coordinate and direct activities through the use of social processes and several concepts and tools that allow the state to maximise its own and others' resources towards a shared vision (Albrechts, 2004). The domination of the strategic process by experts and other power dynamics and alliances is a significant risk to planning (Albrechts, 2004). Strategic spatial planning also referred to as development planning or forward planning, is regarded as separate to regulatory planning or land use management. In certain cases, such as in South Africa prior to SPLUMA, these two forms of planning were enacted by two separate national departments and in separate pieces of legislation (Berrisford, 2011a). This difference between the two forms of planning is seen in the context of scale, where strategic spatial planning is assigned to national, regional and/or mega-regional levels. It has the ability re-scale from national to local, whereas regulatory planning is seen largely in the context of municipal planning (Albrechts, 2004). This separation is also made in term of knowledge and skills. Strategic spatial planning is often associated with developmental approaches, policy making communities, stakeholder engagement and the development of shared visions and city development strategies. Meanwhile regulatory planning knowledge is regarded as technical planning knowledge, controlling land uses and their form, height and density on a site to achieve end goals of harmony in the context of a detailed land use planning scheme (Albrechts, 2004).

An analytical and transformative approach to the planning system is made more difficult by this distinction between strategic spatial planning and regulatory land use planning (Allmendinger, 2006). In the case of the United Kingdom, during the late 1980's spatial planning became more popular as forward thinking and responsive to community changes. However, the impacts of regulatory planning still remained as before - control orientated and unresponsive to the changes taking place at a strategic level (Allmendinger, 2006). In essence this can be attributed to the two components of planning being subject to different responses, perhaps even different ideologies, from government, planning professionals and planning practitioners, often leading to conflicts between the national and local spheres of government (Allmendinger, 2006). Part of the problem is that the regulatory side of planning is being re-regulated, demonstrated through standardisation, new legislation, and centralised policy making and decision-making with the intention of providing uniformity and certainty to

business investors while at the same time removing remnants of discretion in planning (Allmendinger, 2006; Lung-Amam, 2013). The result is two very different approaches to planning, with strategic spatial planning and land use regulatory planning working in opposing ways to each other (Allmendinger, 2006). Innovations in planning systems have also largely focused on the strategic planning component, but without sufficient attention to the regulatory side of planning and have failed to find an interface between the two types of planning thus rendering planning change as ineffective (UN-Habitat, 2009; Steenkamp and Winkler, 2014).

However, this research unifies these two streams of planning as part of the same spatial production system. In essence in both aspects there is an abstraction and ordering of space - the construction of social space and social ordering applies to both strategic spatial planning and regulatory planning. The focus should be on the long-term impacts and outcomes of planning as part of one system (Allmendinger, 2006). It is further argued that conventional regulatory planning could learn a lot from strategic spatial planning, with particular reference to knowledge and power dynamics, the harnessing of different knowledges, not only from experts, but also from politicians and stakeholders in rethinking planning knowledge as a new code for the social production of space (Lefebvre, 1991).

Land use planning as a practice is also expected to attain several goals that are in conflict and often based on particular localities, resulting in conflicts of values that are irreconcilable (Godschalk, 2007). The social component of planning is more difficult to factor into planning decisions as compared to economic and environmental goals. The weakness of planning in responding to the social is also very evident, partly because planning is expected to intervene on behalf of the social, but is confronted by a lack of social-legal instruments that give it the legal impetus to intervene on its behalf. In response, Albrechts (2004) calls for a new style of planning that remains embedded with stakeholders and stakeholder knowledges to enable planning to create a local and shared city visioning for strategic spatial planning. In particular, ongoing engagement with citizens, stakeholders and politicians, empowerment and investment into social capital all remain crucial for a new system of planning.

Planning is also confronted by a 'black box' of knowledge from the major disciplines it depends on such as the environment and infrastructure sectors. However, planning and practitioners do not have the formal or recognised knowledge and mandates from these sectors to mediate and intervene, yet are expected to do so. The legal status of the environment as a new and important sector is a case in point (Albrechts, 2004). Planners

and planning are therefore layered with sector conflicts, conflicts of values, conflicting legislation and unclear mandates. This limits the coordinating, intervening and mediating role of planning, as it may interfere with sector mandates (Godschalk, 2007; Van Wyk, 2012). Whilst several value conflicts can be identified in planning practice, the major planning discourses, including sustainable development, are not in a position to resolve such conflicts. The result is a lack of professional dialogue on trade-offs or consensus regarding planning applications that conflict with other sectors' knowledge, values and/or legislative processes. In such circumstances, it is not unusual for political decision-makers to make decisions based on political interests, drawing on the discourses politically circulating within such institutions that administer planning (Godcshalk, 2007). As noted by Albrechts (2004: 745),

> "The approach to planning via a single policy field (that is, spatial planning) met fierce opposition from other and usually more powerful policy fields. Although land-use plans had formal status and served as official guidelines for implementation, when it came down to the actual implementation, other policy fields - which, because of their budgetary and technical resources, were needed for the implementation were easily able to sabotage the spatial plans if they wanted."

3.5 At the knowledge boundary! Epistemic cultures as a future

3.5.1 Searching for alternatives in land use planning knowledge

The recognition that knowledge is historical, a disruption, has power dimensions, and is partial and temporal signals a shift away from any form of fundamentalism and attachment to such knowledge (Foucault, 1994a). The same can be said of planning knowledge and the possibilities it brings for the transformation of practice. A focus on epistemic cultures is another way of looking at planning knowledge that explores the machinery, entities, institutions, history, methodology, empirical approaches, lifeworlds and ontology of those who are trusted with producing knowledge, rather than on the knowledge produced and consumed. Cetina (2007) makes a case for why the epistemic cultures of practice need to be studied in order to understand the culture of practice, where practice reveals itself as cultural, social, conflictual and messy as opposed to idealistic and objective. Epistemic cultures examine how experts or 'scientists' arrive at knowledge, regarded as an interiorised, complex cultural and technical process, which is best studied at site and in context (Cetina, 2007). Researchers cannot simply put aside any pre-conceived knowledge and base outcomes simply on what is being observed, because the process of knowledge development presents so much that requires assimilation and prioritisation that invariably draws from the 'scientist's' pre-conceived ideas of what is important (Flyvbjerg, 2001; Saarikoski, 2002; Cetina, 2007).

St Clair (2006) discusses how international agencies such as the World Bank control knowledge production. The World Bank is a transnational expert institution; it creates knowledge through an elaborate but confined process of World Bank dependents and associated experts that perpetuate particular knowledge claims produced by the World Bank (St Clair, 2006). This knowledge also travels, circulating around the many recipient countries reproducing the knowledge and their belief in it. This is not without major implications, as countries have changed their structural policy and social ordering to reflect the knowledge of the World Bank in order to receive financial loans and support (St Clair, 2006). Planning schools have also expressed a particular colonial perspective of planning, and in many respects, continue to reproduce bias in planning methodology and epistemology, which shapes the core knowledge or frame of reference of what planning should be (Schön, 1983; Sandercock, 2003a; Watson and Odendaal, 2012).

In essence, this discussion shows that knowledge is partial, incomplete, social, political and tentative. However, when knowledge becomes policy, demanding action and social ordering, it becomes 'permanent', objective, and defensible at all costs (St Clair, 2006). The call being made is for knowledge production to become more transparent, to allow for deliberation in the most diverse arenas and with a multiplicity of networks and interest groups. The richer the diversity of actors in knowledge production and the more blurry the boundaries between the social and the 'scientific' or 'expert' knowledge, the more transparent knowledge can become for policy making (Jansanoff, 2004).

Boundary work and boundary organisations

The ongoing debate about what counts as knowledge for action and who counts as knowledge experts and, more importantly, epistemology actors in and for society, is in the realm of the professional and political as much as the empirical (St Clair, 2006). It is not uncommon for knowledge based institutions and governments to separate politics from experts and experts from society (St Clair, 2006; Jansanoff, 1995). This then further articulates the divides between politics and policies and the realities of society, which unfortunately translates into the popular policy making model, where it is assumed that the political determines policy (Jansanoff, 1995; 1996). In some institutions knowledge in the form of regulatory science (such as planning, environment, health and safety) remains separated from politics and society (Jansanoff, 1995).

However, the role of research is to work within these three arenas of science/experts, politics and society to bring relevance, ownership and legitimisation to policy development

and implementation (Jansanoff, 1995). Boundary organisations and boundary work remains central to knowledge and policy development as an epistemic culture (St Clair, 2006; Cetina, 2007). Boundary work recognises that policy development is social, political and 'scientific' (St Clair, 2006) and bridges these divides. Boundary work allows for policy to be defined in many locales and through many epistemological agents from society and 'science', through both individual interest and entities, but which is robust enough to bring together common identity as a mediated social construction of knowledge. Boundary work goes beyond the cognitive or thinking aspect of knowledge, it harnesses lived experiences and other ways of knowing and contributing to epistemology (Sandercock, 2003a). Boundary work focuses on the environment that sustains knowledge production, knowledge agents, methodologies and epistemologies that helps to identify the political interests in public policy making. The work of boundary organisations enables co-production between science and non-science, government and society resulting in the simultaneous production of knowledge and social order (St Clair, 2006; Jansanoff, 2004; Jansanoff, 2006).

A new wave of knowledge production and consumption is being pioneered in the environmental sector, in the context of resilience and climate change that clearly re-uses Habermas' communicative theory without getting locked into the criticism of the social theory and its assertions and pre-conditions. It also draws from many theoretical ideas relating to society, power, knowledge and institutionalism. In all of the complexity and uncertainty regarding the environment, one point of agreement is clear - that multiple representations, multiple life experiences or lifeworlds and understanding the impacts of environmental policy on different interest groups and within different places remains important (St Clair, 2006). There is now recognition that environmental policy is more than science, global campaigns and treaties but also includes the political and historical importance of environmental policy and the impacts of its implementation (St Clair, 2006; Patel, 2014). The environmental sector has come to realise that all the 'science' and capacity in 'scientific' research for knowledge development and policy making is not good enough within a context of complexity, history, uncertainty and people's lived experiences where daily deal making and choices are the realities. This can be a learning point for re-imaging the built environment and the planning sector (Pieterse, 2014; Patel, 2014; eThekwini Municipality, 2015d). Ironically, these shifts in the environmental sector are not new to planning. In fact, a part of the planning agenda has always endeavoured to be more inclusive, deliberative, provocative, working with complexity and being committed, spirited and passionate. However, these traits once reflected in planning theory and practice have diminished (Oranje, 2014).

In learning from the environmental sector, boundary organisations, boundary work and perhaps boundary theorists can bridge the divide between planning theory and practices and society. Boundary organisations and work can also begin to bridge the divides between the global north and south in planning theory and practice. In South Africa, city and development related knowledge and research institutions, such as the Urban Futures Centre located within the Durban University of Technology and the African Centre for Cities based at the University of Cape Town, are also demonstrating the importance of cross-disciplinary work. They are paying attention to alternative and collaborative methodologies that focus on the social, the everyday, and how this is so central to changing and developing theory, teaching and practice for the built environment (Pieterse, 2011a, 2011b, 2014; Erwin, 2015)

Multiplicity of stakeholders and epistemologies

Sandercock (2003a) takes on a post-modernist view and confronts planning knowledge as one of power, history and elitism as the 'rational truth', as reason separate from feeling and seeing planning within the context of lived experiences. However, Sandercock (2003a) also argues that rejecting reason and instrumental rationality in totality also runs the risk of being dogmatic. Foucault (1984a) was also ambivalent about 'reason and logic', arguing that one cannot simply be for or against Enlightenment, as Enlightenment is one of many events, with its own historical purpose of transformation and counteraction to certain powers, and through this process also re-asserts its own dominance. However, what is important is awareness of power, its reason and dominance, and to counteract this alliance (Foucault, 1984a; Sandercock, 2003a). The dynamic between the rationality/irrationality of knowledge cannot be oversimplified. Even though it exists, it requires consciousness, understanding the historical, political, real and everyday lived experiences and how this relates to the knowledge in daily use (visible or hidden) within planning practice (Foucault, 1984a; Sandercock, 2003a).

Sandercock (2003a) makes a case for why the epistemologies of planning are so important in arriving at planning knowledge - the many experiences and ways of knowing and accessing such knowing remain important to planning in a context of complexity, diversity and difference. At the heart of this is the philosophy of knowledge - its origins, the importance assigned to some knowledge and not others, the inclusions and exclusions, those that benefit and those that are marginalised in planning. Sandercock (2003a: 60) poses several questions about planning knowledge and contends that being aware of such questions and searching for answers is getting to the heart of what planning is and could be:

> "What do I know? How do I know that I know? What are my sources of knowledge? How secure am I in my knowledge? How is knowledge produced in planning? …How secure am I in my knowledge? What level of uncertainty and ambiguity can I tolerate? …How adequate is my knowledge for the purposes at hand? How can I improve the knowledge base of my (and others') actions? What rights does my knowledge confer on me as a planner? What responsibilities do I assume for the application of what I claim to know? What is valid knowledge in planning? Who decides that? What is the relationship between knowledge and power? And who possess knowledge that is relevant to planning?"

If these are the probes to planning knowledge, then essentially the bigger question is determining how planning and planners know what they know and how they arrive at the truth, which in itself is a debated and politically charged concept (Sandercock, 2003a). The notion of an unfinished planning project or continuing conversations of knowledges, discourses and practices is what matters, rather than discovering the 'truth' as knowledge (Foucault,1984a; Sandercock, 2003a). Sandercock (2003a) alludes to several forms of knowledge that remain central to informing planning practice. Knowledge from everyday experiences focuses on identifying knowledge actors and accessing what people are aware of, what they experience and expect, think, and practice themselves, but often this is not revealed or formalised (Sandercock, 2003a). This is often referred to as *tacit* knowledge, *common* knowledge, and *practical* knowledge. It remains more invisible if the disadvantaged and disempowered are not brought into the planning process of knowledge development for practice (Sandercock, 2003a). Sandercock (2003a: 73) not only inspires but also confronts the traditional approach to planning and calls for a more socially sensitive and context specific approach for practice:

> "… all knowledge is embodied, historically situated, shaped by language, and embodied in power relations, institutionalized or not – then the very idea of the expert planner able to arrive at an understanding of the 'public interest' through rational deliberations will have to be revised in favour of a notion of planning for multiple publics based on an epistemology of multiplicity".

It is important for planning and planners to access this knowledge, which comes in many formats and requires new methodologies to access new epistemologies from these many lived experiences. This knowledge may take the form of narratives and storytelling, rituals, cultural and indigenous practices, film, drama, music, graffiti, art, role play, meetings, poetry and spoken word, music, ethnographies, interviews, surveys, workshops and focus groups (Sandercock, 2003a, 2003b, 2004; Forester, 1999a, 2006; Simone, 2001). Storytelling is one method of several that allows important experiences, what matters to people, to be shared (Hulst, 2012). Storytelling allows everyone to participate and gives recognition to actors' experiences; it provides a view into the 'whole' by unifying theory, practice and realities.

Storytelling breaks away from the hierarchical approach to accessing knowledge and informing stakeholders about practice (Hulst, 2012). It focuses not only on the past and the present but also on the future. It has the ability to draw actors out of the despair of what is to what could be and in doing so remains an inspiration for the construction and development of planning knowledge (Schön, 1983; Sandercock, 2004; Hulst, 2012). However, not all storytelling is positive and inclusive. There is also the storytelling in institutions, among practitioners, that re-enforces particular actions and routines that may work against the transformation sought in planning practice (Hulst, 2012). Forester (2006), in thinking about planning within the global south and in South Africa in particular, calls for storytelling from South African activists as progressive practitioners to tell their stories as a process of learning and inspiring planning theory and practice for the global south.

3.5.2 New trends in knowledge production, consumption and policy development for implementation – a renewal of old philosophies, concepts and ideas

Co-production, co-design and co-users: Embracing new methodologies and multiple epistemologies for the re (development) of knowledge for policy and practice

The concept of co-production has its origins in the UK and US as a way for those outside of government to engage with government to improve particular services such as schooling, water and sanitation (Watson, 2014a). This is based on the notion that the state has a different capability and knowledge to users and users can also be providers in their own context. There are different forms of co–production but usually this refers to a partnership between state and non-state. State and state, and non-state and non-state, partnerships are also possible formations for co-production. Co-production is desirable in the context of weak states and often is associated with voluntary work to augment governance (Watson, 2014a). The promotion of engagement between the state and civil society in planning or urban related agendas is not new to planning, but also remains less developed and theorised for planning (Rydin, 2007; Watson, 2014a; Patel, 2014).

Co-production, like many other planning ideas, originates from a very different context – history, democracy, varying land–legal environments, the organisation and capability of civil society are some of the dominant factors that structure the implementation of planning thoughts and ideas (Healey, 2011, 2013; Watson, 2014a). Co-production within the context

of the global south claims to have more gains for the poor and reflects more meaningful engagement for the disempowered than compared to communicative planning theory. However, its effectiveness is still subject to further empirical research (Watson, 2014). Co-production in the global south can be seen as a response to the failures of existing formal planning and knowledge construction processes. It remains a bottom up, radical and somewhat agonistic response to engagement and policy development (Watson, 2014a). However, co-production and communicative planning theory also share many assumptions about planning and society, and pre-conditions for implementation and success. These include assumptions about civil society, its capability, that it engenders positive and civic intention and is free from specific agendas and interests (Patel, 2014; Watson, 2014a). There is also a power dynamic in co-production, where parties offer up or lose power and others assume and gain power, or where power is being re-distributed, shared and expanded. This is seen largely within the context of the political (Patel, 2014; Watson, 2014a).

How to make sense of multiple knowledge actors and knowledges

Whilst recognising multiple representations in planning knowledge production and going beyond theory, planners must also be able to explore or test knowledge claims, as possible, useful, practical and legitimate for practice (Rydin, 2007). The prioritisation of these claims and how to proceed in making sense of multiple forms of knowledge links back to Habermas' communicative action theory and pragmatism (Rydin, 2007; Healey, 2009). As Rydin (2007: 57) notes,

> "In the debates within science studies, a renewed emphasis on the testing of different knowledge claims has been seen as key to reconciling the insights of lay and expert knowledges."

In thinking about planning as an intervention for the future, four typologies of knowledges are identified and further analysed as to when it would be beneficial for planning to consider co-production with a variety of knowledge actors and members of society (Rydin, 2007). These are described by Rydin (2007) as *empirical*, *process related*, *predictive* and *normative* forms of planning knowledge. Multiple representations and epistemologies are regarded as useful for all types of knowledge, and to a lesser extent required for *predictive knowledge* which should be supported by expert knowledge. These typologies of knowledge are discussed further as follows:

Empirical knowledge demands both expert knowledge and community knowledges to embrace a variety of methodologies to access knowledge, places, material conditions and

lived experiences. It is however argued by Rydin (2007) that practitioners would have to make sense of this knowledge and how to use it in planning. *Process knowledge,* relating to how people are to be involved in planning processes, is regarded as a typology of knowledge that requires public and lived experiential inputs. *Normative knowledge* for planning could take many different paths and views. It is argued that this belongs to multiple representations of knowledges that should be managed through public debates and processes. The role of planners and planning is to access, make sense of and manage such knowledges for normative planning knowledge. *Predictive knowledge* may include knowledge such as risk and demographic predictions, modelled and constructed by experts. However predictive knowledge can also fall into different categories, as knowledge about risk requires social, political and expert construction in order to gain legitimacy (Bickerstaff and Simmons, 2009).

In providing an opportunity for multiple representation and knowledges to be accessed, heard, reflected on and debated, there is the recognition that planning has to make available resources and capacity to access such knowledges in different places and formats and in different languages as required (Rydin, 2007). The social construction of knowledge is not an alternative for science or empirical research but it is an extension of such knowledge, supportive of and a necessity for knowledge development for practice (Jansanoff, 1996). The importance of 'new' and or extended planning knowledge agents and knowledges require a form of acceptance from planners, planning and the institution. In this regard, Rydin (2007: 58) advocates for a knowledge framework as a priority to help make sense of accessing, testing and institutionalising planning knowledge:

> "This suggests that the planning system should be conceptualised as a series of arenas in which a variety of knowledges engage with each other, with planners not just responsible for procedural aspects of the engagement but more actively involved in the co-generation of knowledge through testing and recognising knowledge claims. There needs to be space for giving voice to these various claims – opening-up – but also for testing and ultimately recognising these claims - closing-down. Contemporary planning theory has tended to be better at discussing opening-up than closing-down."

The recognition that people know or think they know the effects of rules or policy or what it should be, demands contemporary members and networks of society to be involved with experts and through government processes in the development of multiple epistemologies for a given practice (Jansanoff, 2004). However the literature reveals that in cases where the status and action of planners were made equal to that of stakeholders, this was troublesome to people, as they expected and accepted expert knowledge and authority from planners as important. This further confirms the collective and self-discipline, re-affirming the concept of a

'disciplinary' society, where people subjugate themselves to power and expert knowledge as knowing what is better for society. This is a paradox of society where society rebels against discipline but is also willing to submit to discipline, often happening unconsciously (Hoch, 2007; Messner et al., 2008).

3.5.3   Not all knowledge as rational is (un)necessary and bad!

In taking a post-modern approach, there is a real fear of losing a core frame of planning knowledge; that practitioners' knowledge can simply be lost or replaced by the power of other knowledges and knowledge actors (Rydin, 2007). A practitioner also runs the risk of losing focus, given the many and often conflicting views on a planning matter (Saarikoski, 2002; Rydin, 2007). The question put forward to the post-modernist is: What should the practitioner do, once all the voices have been heard? Saarikoski (2002) and Forester (1999b) argue for realism to prevail in planning, the recognition that there is a reality of worse or better planning in the face of power and unequal systems.

A concern about the bias and one-sidedness of planning knowledge for action does not necessarily mean that the alternative is totally inclusive knowledge. In using a Foucauldian perspective, knowledge and power is inseparable and therefore validity and accuracy should not be the concern knowledge. It is more important in transformative research to establish the links between knowledge being developed and implemented and its relationship/s with power (Messner et al., 2008). Taking on a Foucauldian approach, Flyvbjerg (1998b), in his study of rationality and power, gives consideration to the relationships between power and knowledge, as reflected in these questions (Flyvbjerg, 1998b; 2001: 145):

> "Where are we going? Who gains, and who loses, by which mechanisms of power?
> Is it desirable? What should be done? - If anything at all."

Saarikoski (2002) supports feminist epistemologies to bridge the divides between post-modernism and the realities of unequal systems and to overcome bias in knowledge. Feminist epistemologies focus on counteracting and improving existing knowledge and power relations within unequal societies. Some feminists approach knowledge and rationality not from a point of dismissal that it is unnecessary and bad, but rather to delve into it (Saarikoski, 2002). The engaged approach is to understand its points of origin, its impacts and its relevance and to counteract that which excludes and dominates the epistemologies of different women and to replace this with knowledge that is sensitive to the needs of women. This also reflects the usefulness of the social, the political and the biases within knowledge

which is a political trade-off and choice in the development of knowledge for action or practice (Saarikoski, 2002). Saarikoski (2002: 4) notes that feminists

> "… maintain that the fact that knowledge is unavoidably "biased" does not make it hopelessly subjective. Instead, they propose grounds for choosing between better and worse biases and knowledge that is guided by them".

Knowledge can never be free from biases, given dominant power relationships, even so-called objective knowledge. The simultaneous critique of males in the production of knowledge and the critique on objectivity can be referred to as the *bias paradox* of knowledge (Saarikoski, 2002). Perhaps in planning, borrowing from this analogy, a claim could be made for the *'bias paradox of planning knowledge, simultaneous and multiple biases'*, such as:

- A colonialist bias that shaped planning knowledge for repression, exclusion and domination and was replaced by post-colonialism;
- Race, gender and class bias in planning knowledge, that historically was constructed predominantly by white, middle class male professionals within and supportive of political power interests, and now in a post-apartheid context has been taken up and extended by younger black male and female planning practitioners;
- Regional bias of academic domination from the global north, imposed onto the global south and the current focus of bias towards theory from the global south; and
- A shift from theory, to a theory from practice.

3.5.4   Power-knowledge relationships, critical practices and its limits to reflection in action

Power-knowledge relationships are not necessarily good or bad but necessary and in flux, as power-knowledge relations are constantly shifting (Foucault, 1984c). Practice is regarded as an important analytical platform to focus on changing the knowledge-power relationship, given that practice interfaces between knowledge and power (Messner et al., 2008). Practice demonstrates the power in accessing who is included, what knowledge matters and which interests it serves in the (re)development of knowledge for action. Practice can play a particular role to critically examine practice and knowledge and power relationships. Professions and professionals, apart from claiming and narrowing knowledge claims to the experts, also create boundaries of knowledge, divided into that which matters and that which can be dismissed. Professionalism creates and produces hierarchies of power and knowledge, where the assumptions and expectations are that professionals know what is

best. Other forms of knowledge and other sectors' knowledge are often regarded as lower knowledge (Gaventa and Cornwall, 2006).

The pragmatists contend that the only way of knowing is through acting in the world and with a continuous and critical reflection on that action (Schön, 1983; Westbrook, 1993; Sandercock, 2003a). Reflection is embedded in praxis and not separate from it, thus enabling thinking and reflecting on reality as a point of change (Gaventa and Cornwall, 2001). Schön (1983) makes the argument that knowledge comes from practice and returns to practice, thus re-enforcing practice. Therefore critically assessing practice remains important for knowing, developing and changing practice. Practice disciplines such as planning would likely delve into problem solving at first and thereafter consider the social and the transformation aspects of knowledge (Messner et al., 2008). A practitioner often knows much more than they articulate, not because they do not want to, but because it is embedded deeply and is often invisible to themselves. Yet it is this knowledge that shapes behaviour, intuition, judgement and decision-making. Practitioner knowledge consists of stored experiences and knowledge, which is socially constructed, mediated and accepted by other practitioners (Schön 1983; Forester 1989; Innes and Booher, 2015).

Messner et al. (2008) argue that critical reflection in action should be focused on critical reflection on practices, especially those practices that are routinised and, institutionalised through (un)written knowledge and can become a hindrance to organisational learning and change. Reflection in action on critical practices should also be expanded to consider not only the relationship between knowledge and power, but also to include the relationship with politics and ethics (Jazeel and McFarlane, 2010). Critical practices are also at risk when new knowledge is simply incrementally piled up on top of existing knowledge and where mind-sets, belief systems and ways of doing things remain unchanged (Messner et al., 2008; Berrisford, 2011c).

However, critical reflection can be manipulated or it can be a benign process that prevents learning and the transforming of practice for and with society (Messner et al., 2008). Critical reflection also runs the risk of being criticism and discipline if is associated with too much power (Messner et al., 2008). Critical reflection and critique should be seen as a form of competing rationality, world views in contrast with other views, embedded in social experiences and institutional forms of knowledge. Habermas approaches critique as dialogue, a process of stakeholders bringing in their different rationalities into discourse and in so doing developing collective rationalities and consensus around such realities

(Habermas et al., 1974; Messner et al., 2008). Foucault treats critique as power, which can be good and bad, in the same way that power is both positive and negative (Messner et al., 2008).

The social relations within practice remain important to subjecting control over individuals and individuals subjecting themselves to control, the role of power onto the self, within what is acceptable social context should not be underestimated in understanding practice (Messner et al., 2008). Critical reflection on critical practice also runs the risk of being confined to a certain group of elitists that share familiarity, knowledge and power relations with each other that can come together and reflect on practice without necessarily considering, sharing or diluting the power-knowledge relationship/s, thus re-enforcing the power dynamics that gave rise to the knowledge-action relationship (Gaventa and Cornwall, 2006).

Often critical reflection and critique is approached without an analysis of power and politics. This can make critical reflection superficial, manipulative and without contributing to the learning of practice and the organisation (Messner et al., 2008). Schön (1983) also identifies the limits of planning as a practice and in the context of reflection in action. Planning consists of a core frame of knowledge but also of individual theory of the self and how the planner frames his or her own role in planning. The knowledge in use can be one that is closed and reliant on the principles of the profession, the application of such principles, applied knowledge, or a particular model of knowledge, irrespective of the concrete problem. This very model of knowledge and the expectations of the profession and fellow practitioners to apply this knowledge creates a process of reinforcement of knowledge in use. Therefore, knowing in practice can also be a limitation on reflection–in-action as defined by Schön (1983). Reflection-in-action for several reasons can be an ambiguous outcome (Messner et al., 2008).

3.6   Thinking differently about who are knowledge and epistemological agents for land use planning knowledge

3.6.1   Planning as democracy, beyond participation

Whilst planning knowledge production for action will remain a contested and incomplete activity, it is further argued that the distance between the subject (the citizen) and the object (planning knowledge) remains important in reducing the biased relationship between power and knowledge (Dryzek, 1990; Gaventa and Cornwall 2001; Jazeel and McFarlane, 2010).

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The promotion of participation in planning and other government processes emerged in the 1970s, but still remain elusive and accompanied by many models, meanings and practices (Cornwall, 2008). Participation is a concept that has travelled and captured by popular international development and finance institutions, but in the process has lost its radical edge (Healey, 2011; Huxley, 2013). Despite the development of participatory methods, Arnstein's 1969 participation model continues to be instructive in thinking about participation in the current context. The model classifies three levels of participation, *no participation*, *tokenism* which include access to information and consultation, and *citizen power* referring to partnerships (Cornwall 2008; Huxley, 2013). Much of what is regarded as participation in today's context would fall within the category of tokenism according to Arnstein's model. Oranje (2012) contends that participatory planning approaches in a post-apartheid South Africa are disappointing. Despite earlier indications that government would be overhauled to engage with society, the participation practiced in planning is merely one of being legally and administratively compliant (Oranje, 2012).

Often conventional approaches to participation within research and policy development are founded on legislated participation processes, and poor participation is perceived as disinterest or that stakeholders are unaffected by such policy initiatives and projects (Cornwall and Gaventa, 2006). However, there are various barriers to participation, which can explain why participation in planning can be regarded as unresponsive and an unrewarding process (Gaventa and Cornwall 2001, 2006; Cornwall, 2008; Huxley, 2013). For example, Lung-Amam (2013), in a case study in the Silicon Valley, found that conventional planning approaches favoured the existing middle and upper income white residents of older neighbourhoods who were opposing the redevelopment of older homes into newer and bigger homes for professional Asian extended families. The established white suburban residents were well versed with planning procedures and interpretations of regulations. They were also well organised and supported by retirees who were able to stand up in front of the council and the planning commission in the allocated time to voice their objections and concerns about the new development trend. The reverse was true for Asian immigrants, who were poorly versed in the regulations and were culturally not comfortable in addressing decision-making structures such as the planning commission (Lung-Amam, 2013).

In another case study in Zambia, Berrisford (2011b) found that in (re)developing Zambian planning legislation, the usual public comment process was followed, with the usual disappointing results. In part this was linked to the specific context of Zambia, with citizens

concerned that being critical would upset powerful political alliances. Other factors that prevented participation were the small professional community and a lack of urban activism and non-government communities. The result was that the planning legislation was not widely discussed or explored, despite it having a direct impact on how people would use their land and property (Berrisford, 2011b).

In a governance context, much emphasis is placed on meeting democratic requirements and pluralistic approaches to policy making. This in itself is problematic and not a universal practice, with huge variations between the global south and north (Dryzek, 1990; Cornwall and Shankland, 2013; Huxley, 2013). Power relations not only exclude certain interest groups, but also prevent certain issues from being voiced, thus preventing the development of awareness and consciousness which are important aspects for functional participation platforms, arenas or deliberative democracies (Dryzek 1990; Gaventa and Cornwall 2001, 2006).

Participation can be both voluntary and legislated as part of governance models (Cornwall and Shankland, 2013). In the Brazilian example, there are mixed results towards participation, notwithstanding, the ideal legal participatory conditions that have been established. This is linked to an underestimation of the culture of politics that reproduces itself in legislated participatory forums, which simply serve as platforms to extend dominant political interests, thus crowding out democracy. The unevenness of participatory democracy within Brazil can be linked to an underestimation of the local political culture and how power works (Cornwall and Shankland, 2013).

The longer the duration of participation as an ongoing form of stakeholder involvement, the more likely it is to produce collective rationalities and consensus building such as that of city visioning and policy making and the emergence of community activists that act as little 'Harbermasians' (Matthews, 2012). Similarly, the role of communicative planning theory and participatory approaches should not be evaluated in a short space of time, but requires a longer time period for assessment. Time is not the only factor; ongoing social investment into civil society remains important as well as the culture of politics that lend support to, or crowd out participatory spaces (Cornwall and Goetz, 2005; Matthews, 2012; Cornwall and Shankland, 2013). The role of stakeholders, in particular the marginalised, youth and women, requires greater investment in political education. This may be outside formal participation systems but it remains important to develop civil society processes and leadership across sectors, geographical areas and representation (Cornwall and Goetz, 2005). This suggests

that participation fares better in a context where individual interests are less at stake and could also mean that participation is likely to be more useful in a context of collective visioning, plan making and policy development. However, power and politics remain present and active in any context (Gaventa and Cornwall, 2006).

The practice and models of participation should also vary, based on what is being done and the intentions of the participation (Cornwall, 2008). Participation models and practices can be approached from different angles, such as participation that is legislated, what it means to stakeholders at the receiving end and how it can be used by stakeholders (Cornwall, 2008). Participation is also complex. Sometimes the most empowering model of participation can have disappointing results, whereas in other cases the most basic level of participation can allow for access and the growth of new ideas and a shifting of consciousness. Essentially participation is a start; it represents possibility, to enable a shift in knowledge-power-relationships. However, it requires commitment, longevity, and change from below and above if it is to make a difference (Cornwall, 2008).

Participation, particularly legislated approaches, can be regarded as an extension of government and governmentality, as it informs the way in which things are done, extending this thinking and practice to community and development activists. It can discipline the non-bureaucrat on what the bureaucracy is, but it can also allow access to the bureaucracy (Messner et al., 2008; Cornwall and Shankland, 2013). An example within the eThekwini Municipality is the area based management programme, a technical managerial approach applied within traditional rural areas to build skills and usher in forms of governmentality, such as sustainable agricultural systems, within the traditional land tenure areas of the municipality (Beall et al., 2015). This form of practical institutional response laid the foundation for rural areas and their traditional representatives to engage in wider city processes such as city budgeting and the integrated development plan process (Beall et al., 2015). This very notion of participatory approaches and spaces, formal and legislated, informal, voluntary or contested, also brings with it the power of mobilisation and potential new thinkers and doers, serving as a reminder of the reversibility of the power-knowledge dynamics at play (Messner et al., 2008; Cornwall and Shankland, 2013).

3.6.2   In search of the 'common good' in land use planning

Critiques of communicative planning theory doubt the possibility of consensus building or searching for public interests within the context of power and larger unequal systems in

which planning is located, and consider them unlikely to deliver what is referred to as the 'common good' or public interest for planning. However, as argued by Dryzek (1990) and Healey (2006), Habermas' social theory still remains important in the public policy making context. Giving up on the basics of his theory would mean giving up on discursive democracy and consensus building in policy making within planning, which are important practices of government (Dryzek, 1990). This can be equated to the concerns of post-modernism but without offering alternatives and simply shifting planning from one crisis to the next, resulting in a crisis of nihilism (Dryzek, 1990; Forester, 2004; Rydin, 2007). What does come across as a concern in the literature reviewed is that normative approaches to planning remain acceptable, while consensus building and the Harbermasians approach to public realm or public policy making is dismissed. However, collective rationality is a necessity for public policy development. Discursive democracy and consensus development as a temporal project remain important for disciplines such as land use planning that intervene in the public realm (Dryzek, 1990; Lefebvre, 1991).

Planning is also an inherent paradox, as it should be responsible to both the individual and the collective (Gunder and Hillier, 2007). Dryzek (1990), like Hoch (2011) and Forester (1989), takes a pragmatic view of discursive democracy, one that encourages the search for public interest as an ongoing social project as opposed to giving up on it, since policy development is a continual process within government, including planning. Thus, the argument being made is one of choice between worse and better forms of public policy making, including that of planning knowledges for practice.

3.7   Seeing clearly again - Taking back the power of agency in transforming planning practice for everyday lives

3.7.1   The role of agency

The role of agency, as planners and other actors that intervene in the production and implementation of planning knowledge for action or in practice as individuals and/or as collectives, should be considered within a multi-conceptual analytical framework (UN-Habitat, 2009). Agents are part of networks, with power, formal and informal, and with the capacity to be active, inventive, risk-taking, pragmatic and politically savvy (Turner, 1986; Forester, 1989, 1999a, 2009). This is a big departure from seeing agents as constrained within the limitations of controlling structural forces, systems and institutions (Rossi, 2004). The role of agency also recognises the overlapping and conflictual systems working simultaneously,

supportive of and/or impacting on the multiple and conflicting identities of agency, such as planners simultaneously being an advocate for the underrepresented but institutionally expected to be a technocrat for political interests (Healey, 2013).

The emerging analytical and conceptual approach on how planning theories, ideas and practices travel and are assimilated within new contexts and places, can be enriched through recognising the role of agency in such a process (Robinson, 2013). For example, the modernist approach to planning has been transposed through several forms of agency including planning education, planning consultants, planning publications and literature, colonial government and international development agencies, thus re-affirming the role of agency in planning knowledge and action (UN-Habitat, 2009). The important structuring role of planning legislation is also a product of travel, personalities, power and politics as described by Berrisford (2013) in his account of how planning legislation has been developed and implemented within developing countries. Planning epistemology is shaped through complex power dynamics and social relations that determine what knowledge is in circuit, and what is acceptable. Thus, the relationship between knowledge and power can also be analysed as the relationship between agency, power and knowledge (Cornwall and Shankland, 2013).

3.7.2   A time for planning practice from the global south

The role of African cities globally and within the African continent remains neglected and dominated by the west, academically, politically and in the context of policy development (Pieterse, 2011a; Beall et al., 2015). The provocative call from the likes of Yiftachel (2006), Roy (2009), Watson (2012) and Pieterse (2014) remains important in internationalising African urbanism and planning as a contribution to the global south and to the internationalisation of urban planning agendas. What is also interesting about the focus on Africa and South Africa in particular is the attention given to practice as the place from which to start theorising. The list of theorists interested in practice and theorising from practice is certainly growing (Beall et al., 2015). The trend emerging is also towards collaboration between practice and theorists in formulating agendas about African urbanism, which remain complex, post-colonial and without particular delimitations of what is uniquely African urbanism (Robinson, 2011; Pieterse, 2011a; Beall et al., 2015).

However, this collaboration between theorists and practices of interest within African cities is still very selective and often does not cover the mainstream, the mundane but everyday

implications of city management including planning (Todes, 2011, Steenkamp and Winkler, 2014). To date the focus has been on strategic spatial planning, but without delving into the connection with regulatory planning. The contributions of African urban practices for theory building with and for the global south remain vast and largely untapped. Perhaps it is the time to provoke a focus on theorising for and with practice, further internationalising practice from the global south (Hoch, 2011).

3.8   Summary of the literature reviewed

3.8.1   Making sense and clarifying the binaries encountered in the literature

In completing the theoretical framework and the literature review, some new and old debates and theoretical stances were encountered. I am in now in a better position to clarify how these conflicts and doubts have been settled in my mind as the researcher and within this research (Boote and Beile, 2005). However, I am also very aware that these views are temporal and likely to evolve and change over time.

Macro versus micro context for planning research: The theory was fairly divided on the value of planning practice research, when it is so dependent on larger macro structuring forces. In my own view, there are different sides to planning theory - it really depends on the researcher's preference. Practice and micro research is my interest and my experience and I am able to access this world and see planning from the inside and thus be counteractive in dealing with both the micro and the macro politics of planning. The macro politics and structures do not necessarily sit in a neat box, but are pulled down into local levels of government, power and politics. Dealing with the micro picture of planning does not mean one is blinded or has ignored macro systems that impact on planning. It is also somewhat academic and fatalist to focus only on the macro picture, when it is agency that is able to change the macro; structures and structuralism do not change on their own.

Agency versus structure: The theory was divided around the relative importance and limitations of structure on agency and agency on structure. I remain convinced that agency matters, not only from the literature reviewed but as evidenced in the empirical section of this research as discussed in Chapter Six to Nine. In being supportive of agency, structuralism is not ignored. I also contend that agency is not always good and structuralism is not always bad. At a simplistic level, structures and systems which are regarded as somewhat fixed,

such as the Constitution, can also be ignored by agency, and often this is regarded as failed implementation, thus re-confirming the view that agency matters.

Theory versus practice: Much of the literature reviewed constantly came back to the separation between theory and practice. Theory does not grasp the complexity in which practice works and practice does not engage with theory. My view is that this gap is genuine, real and old, and surprisingly little has been done over the past decades to begin to narrow such divides. However, theorists like Forester (1989, 2004, 2012) and Hoch (2002, 2011) take a pragmatic approach to theory and have managed to enter the world of practice. With more research and situated theory emanating from practice, this gap is likely to be narrowed in time. The new wave of social research, currently making a difference in the field of climate change research, hopefully will find its way into planning, where academics, practitioners, social scientists and society can create new theories and knowledge for practice (Jansanoff, 2004; Pieterse, 2014). However, theory and practice will always have an inherent tension. Practice is what leads and it is up to theorists to closely follow practice to have an appreciation of the complexities of planning in a real-world context, and through this process to shape both theory and practice (Fainstein and Campbell, 2012; Parnell and Robinson, 2006).

Planning knowledge versus planners: The literature on planning, its embeddedness in structures, systems and culture, talks clearly to planners as implementers, following and doing simply what is required. In particular, the literature takes as a point of departure that legislation shapes planning and practice outcomes. Whilst these views are not unimportant, there is more to what controls planning and the theories and knowledge (un)used in practice, as Forester (1999a) contends that there are many sides to planning theory and practice. The importance of politics, the institution, legislation and systems, often taken as fixed, are explored in this research within the context of what space planning and planners have to shape planning knowledge and planning practice. This is discussed further in Chapters Six to Ten.

Theory and practice from the north versus that from the global south: It is my view that to dismiss theorising and practice from the north is unproductive and uninformative, as learning from such practices and counter-theories remains useful in informing practice within the global south. However, it is also contended that the differences in the global south are vast when compared with the north and theorising for planning and practice is urgently needed for the global south. The global south is also diverse, thus treating the global south as

homogenous and exclusive demands a cautious and considered approach to planning theory and practice. A collaborative approach is advocated for theorising planning with and for practice within the global south and as well as between the global south and the north. The more diverse the theoretical and practice opportunities are, the more informative they can be for planning everywhere and anywhere (Robinson, 2013). However, theorising for planning and practice within the global south should also be cautious and willing to learn from the pitfalls experienced in developing theory.

Process versus the substantive: The debate about process and substance, whilst very dominant in the critiques regarding communicative planning theory, seemed to attract less debate and discussion based on the literature scanned. The point of departure is that process and substantive approaches are equally important and one cannot be without the other. However, there is an appreciation that theory and practice can and should take on a particular preference, based on the practice environment and the particular strengths, insights and views of theorists. There are no hard and fast rules. As long as politics are located within processes, discourses or agendas, outcomes cannot be guaranteed, and recognising the realities of such limitations remains important (Forester, 2009).

Strategic spatial planning versus regulatory land use planning: The literature available on spatial planning was generally restricted to strategic spatial planning. There was also a clear separation between strategic spatial planning and regulatory land use planning (Albrechts, 2004). However, in this research I see regulatory land use planning and strategic spatial planning as part of the same social spatial production system. I acknowledge the different scales of operation but regulatory land use planning also operates at a city-wide level, whilst still responding to a site level. I regard this separation as artificial and therefore unify the strategic and regulatory aspects of land use planning within this research.

There is definitely a greater bias in the literature towards strategic spatial planning based on the difficulties with accessing literature that talks to the roles and transformation of regulatory planning or theorising for this aspect of planning (UN-Habitat, 2009; Todes, 2011). Attempts to liberalise planning also resulted in a shift from comprehensive planning to strategic spatial planning (Albrechts, 2004). However, ignoring regulatory planning further underestimates the impact of planning on spatial outcomes, and the impact of planning on the everydayness of what citizens' experience (Yiftachel, 2009). Partly, a lack of research or theoretical review of regulatory planning dismisses this important form of planning as technical. I would argue that

both forms of planning are important in the context of re-imaging planning theory, practice and outcomes for cities of the global south.

The typical conflicts between strategic spatial planners and regulatory land use planners from within the same institution, the same municipal planning department, is perhaps an extension of this separateness between the two types of planning. These conflicts further entrench strategic spatial planning as important, progressive and professional, and regulatory land use planning as mundane, operational and unimportant. These conflicts between practitioners, apart from personality differences, are also a result of the subtle conflict between academic and technical universities. This conflict and difference between the types of planning is further entrenched in the registration of, and job reservation for, professional planners.

3.8.2   Key insights emerging from the literature reviewed

A distinct observation in the literature is the urgency and passion of theorists from the global south, and in particular theorists from South Africa, who have taken up the challenge and responsibility for conceptualising, critiquing and (re)developing theories and urban knowledge for and from Africa (Robinson, 2011; Watson, 2012; Pieterse, 2011a; Pieterse, 2014; Erwin, 2015). However, a glaring gap is that the theorisation from Africa is still within the context of the academic, the theorists, and without sufficient interaction and collaboration with practice from the global south.

The literature from theorists in the global north and south gives recognition to learning from the very happenings within the global south, in particular the focus on the practical and the informal, 'grey' spaces, as important and connected spaces of cityness in the global south. However, less is said about practice in the global south, whether it is reflecting and responsive to the more cutting edge theoretical approaches emerging from the global south or is lagging way behind the emerging theory. The literature also did not engage with how theory, practice and realities could be bridged in the global south, possibly suffering the same misalignment between planning theory and practice in the global north.

A particular and new focus on a theoretical and conceptual analysis of how planning ideas travel, 'land' and assimilate in different places is important to understand the role of local politics, agency and the often unusual knowledge actors that give rise to certain planning ideas. These planning ideas and practices can become embedded and taken for granted as

knowledge for practice, without appreciating their source from varying contexts and related implications.

The literature reviewed demonstrated that the role of planning legislation cannot be underestimated in how it determines what type of planning practice unfolds. However, planning legislation in Africa has remained a challenge even for countries that have produced new legislation post-colonialism (Berrisford 2011a, 2011b). Essentially planning legislation remains tied to colonial forms of planning for different reasons, including governments wanting to be accepted as part the global economy. The legislation takes a comprehensive view and not a real and pragmatic view of how it should serve the poor and not only the well-off. The legislation also ignores social knowledge as important in developing legal planning systems that promote planning realities, and its relevance and acceptance. It takes on a linear and authoritative view of development and implementation without appreciating context and stakeholder differences, and remains flawed by insufficient and inappropriate forms of consultation. In addition, planning legislation and planning practice are increasingly being pressurised to deal with investment and the business side of planning. Missing from the account of planning was that beyond legislation there exists considerable room for professionals, local government and society to inform planning knowledge, plans and regulations differently and to realise a different form of practice.

There is a growing acknowledgement that planning knowledge is represented through complex and abstract spatial coding. Some form of code is still required, and collective rationality still prevails. However, this code must allow for the richness of social planning knowledges to shape space and places efficiently and innovatively. Lefebvre (1991) refers to a 'super code' to rethink social knowledge production in the current context of uncertainty and diversity. In order for planning to be relevant this code needs simplification, to encourage society to be flexible and for planning to respond to the flexibility and complexity of society (Massey, 1991).

The literature on participation in planning reveals this as a major shift, a positive change within planning practice as compared to some three decades ago (UN-Habitat, 2009). However, participation still remains a top-down approach, an uncommitted process of simply being legal and administratively compliant (Oranje, 2012). Participatory approaches in planning also continue to be legislatively defined. Whilst this has been a point of struggle and to some extent victory in modern government, it often remains compliance driven.

3.9   Conclusions

The literature reviewed for this empirical study identified similar studies and focal areas that could be used theoretically and comparatively to discuss this study's findings. However, much of the literature played an indirect role in the research. Nevertheless, drawing from a wide variety of disciplines and more and less recent research, a clear and helpful literature review was developed to inform the interpretations and discussion of the research. In addition, the empirical data from this study helped to align, nuance, and add new dimensions to the published literature that explores land use planning, its use, roles and construction within practice. It is hoped that this research will be used by other researchers in developing a research portfolio that begins to understand planning practice and the role of planning knowledge (Lauria and Wagner, 2006; Hoch, 2011). It is recommended that further research in this field is undertaken to build on, confirm, vary and dispute the findings of this research (Boote and Beile, 2005; Randolph, 2006). Based on the literature reviewed and the empirical findings emerging from this study, a future research agenda is suggested in Chapter Eleven.

CHAPTER FOUR: RESEARCH DESIGN, METHODOLOGY AND 'RESEARCH SITE'

4.1   Introduction

To arrive at a research design and to select the research methods for this study, I grappled with the literature on research methodology. What emerged were certain rules of how research design and methodology should be used. In engaging with the literature on methodology, the 'rules' were clear about when qualitative, quantitative or mixed methods approaches were appropriate. I also had to face the difficulties of being an 'insider' and if this made for good or bad research. I needed to establish a methodology that worked for me and the research area of focus. In this case it was important to search for a research identity and typology that was flexible yet still robust enough to interrogate the research findings. I stuck to the principle that the research design and methods engaged should be practical and make sense to me and the research area of exploration. This does not mean that I disregarded the 'rules' of doing research, in particular the ethical aspects. Being ethically aware and deliberate was an important principle for me and part of the entire research process.

This chapter discusses the research identity, design and the sequencing and layering of data collected. The chapter explains in detail the research methods used, the research site or study area and how research participants were selected. My role as the researcher, as an 'insider and outsider' and how I informed and shaped the research, whilst still being led by the findings and not my own set of preconceptions and biases, are further discussed in this chapter. I also took a conscious decision to reveal sensitive information about myself, as there is value in understanding my circumstances and position at the time of undertaking this research. How I managed my own 'positioning' and circumstances when undertaking this research is an important part of the research process and outcomes.

4.2   Research design and identity

The planning field largely relies on research and design methods from the field of social sciences and generally it is not involved in the development of its own research design and methods (Du Toit and Mouton, 2013). Consequently, the research design and methods for this research draws from the social sciences. However, the mix and combination of qualitative research techniques employed in this research may be regarded as an important methodological contribution to the planning research environment. More specifically, this relates to how epistemology (the study and justification of knowledge), methodology

(research approach) and research methods (actioning the research) are understood and used in this research (Carter and Little, 2007). The research design itself can also be seen as a research experiment, methodologically and empirically.

If there is an eloquent way of describing the research identity of this study it will be according to Friedmann (1987), who contends that all planning must deal with the meta-theoretical problem of how to enable 'technical' knowledge in planning to be effective and to influence public action. Friedmann (1987) further argues for planning theory to focus on responses to this meta-theoretical challenge. The empirical exploration of planning knowledge within an organisation, the socio–political relations that transpire in the generation and application of such knowledge presents an opportunity to make planning contextual, inclusive and real, and in doing so respond to the meta-theoretical problem of land use planning.

Du Toit and Mouton (2013) provide a typology of research design and methods used in the built environment and they conclude with 10 prototypical designs. In this regard, this particular research will fall within the typology of 'meta-theoretical' within a particular geographic setting. This typology is fairly flexible from a research design perspective, in terms of the methodological paradigm/s, methodological approach/s, data sources and the core logic of the research. The research design consists of sub-designs including a literature review, conceptual analysis, theory construction, philosophical and logical argumentation (Du Toit and Mouton, 2013). Forsyth (2012) identifies planning research cultures as a construct of the work and institutional setting in which planners find themselves. In examining the categories of research culture offered by Forsyth (2012), this research would be in the category of assessing practice which includes research styles that are interpretive, empirical, theoretical and argumentative.

Lincoln (2010) argues that epistemology is deeply connected to the methodology used in research and *vice versa* and influenced by the researcher. It is further argued that the research methods used speak to the researcher's standpoint, paradigm and convictions about where to access knowledge on the research area (Creswell, 2009). As a researcher, I ascribe to a constructivist-interpretive, qualitative research paradigm for this study. This paradigm is reflective of my world views, basic beliefs and action that guide the research and methodological preferences selected and used within the research (Guba and Lincoln 1994; Creswell, 2009). In essence I give importance to the views of participants in informing and shaping planning knowledge for practice (Creswell, 2009). Having said this, it is important not to be boxed into methodological labels and to give recognition to the blurring of boundaries

within social research. What should always remain in focus are researcher ethics and the social-political possibilities of research (Denzin et al., 2006). The qualitative research paradigm allowed me to insert myself into the research and to make sense of its inherent conflicts (Creswell, 2009; Lincoln, 2010). It was also important for me to recognise my own power orientations and to be both conscious and comfortable with how this found its way into the research (Lincoln and Cannella, 2009).

After much internal conflict and contemplation, it is important to state that this is <u>not</u> a mixed methods approach, specifically because my worldview, my philosophy and understanding of the research question, and where and who to involve in the research, remains embedded in a qualitative research paradigm (Lincoln 2010; Klassen et al., 2012). To make sense of the research question and sub-questions, using both a quantitative and qualitative approach to support each other was not a necessity for this research endeavour. Community interviews and the quantification of the responses, was simply a method of data collection and did not distract from the qualitative approach of the research and the way the data was used. As the researcher, my conviction is that the very essence of this research question is about the qualitative and the research methods were chosen to fit the inquiry (Flyvbjerg, 2006). So in essence, whilst multiple research methods of inquiry were utilised, this research is not a mixing of research paradigms (Lincoln, 2010). The overall research paradigm, research question and sub-research questions and the data collection methods are reflected diagrammatically in Figure 4.1 to follow.

Chapter 11 Conclusions
Reflections, Practical Implementation, Study Limitations, Future Research

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Objectives
& Questions

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CPT, Power,
Institutionalism,
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Empirical Findings and
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Chapter 10 Integration: Building Planning Theory from African Urbanism
Theorising for Land Use Planning Knowledge, Deepening and Nuancing Field of Planning – Power/Rationality

Figure: 4.1 Diagrammatic representation of the research. Source: Author

4.3   Synopsis of research strategy and research methods

A research strategy comprises a set of skills, assumptions and practices that a researcher will use to move from a research paradigm to the empirical setting, thus putting the researcher's paradigm into action (Guba and Lincoln, 1994). In this study, the data gathering strategy enabled the collection of data from a multiplicity of stakeholders using several data collection techniques to establish the importance of planning knowledge to explore, inform, expand, and (re)think planning knowledge for action/practice. This research used (1) institutional ethnography, (2) informant interviews, (3) convenience community/resident interviews (4) focus groups and (5) municipal reports and documents, as discussed in detail in section 4.4.

4.3.1   Data sequencing and layering

The way the study was designed and implemented was intended to enable the sequencing and layering of data. The institutional ethnography aspect of the research was the starting point of the data collection process. This allowed for the role of planning knowledge to be explored and to emerge from within the natural setting of planning practice. This first phase of data collection assisted in refining the research sub-questions for the remainder of the study. The completion of the ethnography component of the research, also allowed for tweaking of questions for the informant interviews, focus groups and resident interviews. Whilst sequencing of data collected was distinct, a level of overlap between data collection phases was unavoidable. It was also through the process of institutional ethnography that decisions on who to include as research participants became clearer. Once the institutional ethnography was completed, the next phases entailed the informant interviews, and then followed by the focus groups and the 168 resident/community interviews. The sequencing of data collected allowed for improvement and learning to take place as each of the data collection phases was undertaken. The data gathering and sequencing strategy used for the research, is diagrammatically reflected in Figure 4.2 below.
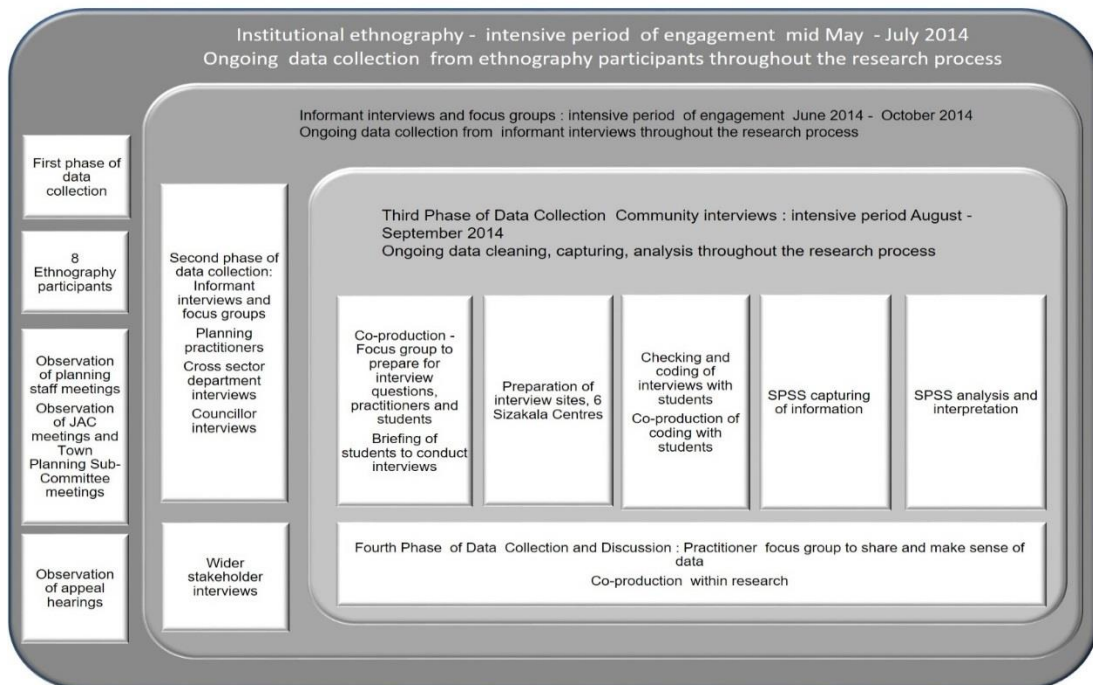
Figure: 4.2 Representation of data gathering strategy and sequencing. Source: Author

The research was conducted over a three-and-a-half-year period, commencing in May 2013 and concluding in February 2017. The first six to eight months were dedicated to preparing the research proposal. The preparation for ethical clearance and access to the research site was completed and approved in May 2014. The intensive data collection process for the research took place from mid-May to October 2014. The transcribing, capturing and analysis of the data was mostly undertaken in the years 2014 and 2015. The writing and to some extent further data analysis and interpretation was largely done in the years 2015 and 2016. Despite having a core intensive period for data collection, it is not unusual for data collection to extend throughout the research process, which was experienced in this research.

4.3.2   Qualitative research criteria

The qualitative research assessment criteria within the constructivist-interpretative paradigm include credibility (is it reliable and believable?), transferability (can the study be replicated and show similar findings?), dependability (or trustworthiness) and conformability (Guba and Lincoln, 1994). In this research a wide range of data and data sources were used to support the research findings. The emerging themes aligned with each other and interpretations were evidenced from the data collected. In addition, the alignment between the resident interviews, development activists' stories and wider stakeholder interviews supported each other. The community/resident interviews were also statistically collated and analysed, but were interpreted qualitatively. The research findings revealed a high level of consistency within and between the stakeholder groups participating in this research.

4.3.3   Making sense of the data, together

Following the data collection and analysis stages, the findings of this research were also shared with a wider practitioner focus group. This was organised as a brown bag session by the Municipal Institute of Learning (MILE) which was held on 1 September 2015, as detailed in Chapter Eight. I also held two follow-up interviews to assess how I made sense of the findings. The follow-up interviews were undertaken with one of the development activists interviewed previously for the research and with a planner who is currently drafting a historical account of the Durban Town Planning Scheme (DTPS).

4.4 Research methods, preparation and access to participants

4.4.1 Institutional ethnography within the context of the research

Institutional ethnography was used as one of the core data gathering strategies for the research, and entailed participant observation of seven respondents and the Regional Coordinator of the Central Land Use Management (LUM) Region over an eight-week period. I spent on average three days with each participant, ranging from one day to four days. As a participant observer, I as the researcher became part of the group of planning officials that worked within the Central LUM Region (Babbie and Mouton, 2002).

The methods of data-gathering included going through the work assignments allocated to the land use planning practitioners[2], my observations and discussions with the practitioners, what they examined and focused on. What emerged as common daily knowledge within planning practice were the varying levels of spatial plans, including building plans, written planning proposals, the history of the site and the town planning scheme, comprising the zoning map, scheme clauses and definitions. I also had access to email correspondence between the practitioners and the private planning consultants. Being located within the natural setting of practice I also observed the discussions, banter and dialogues among the practitioners and between the practitioners and the Regional Coordinator. Ethnography required that I accompanied the research participants to site and established what they looked for as important knowledge in assessing the planning proposals and building plans under consideration. The use of electronic systems such as Google Street View, Geographical Information Systems (GIS) with zoning layers and Standard Operating Procedures (SOPs) to be followed for the type of application being considered were also observed in use and served as important planning knowledge that practitioners used on a daily basis within practice. I established from the ethnography participants what knowledge was looked at and what knowledge took priority in making a planning decision on an application.

In essence, I shared in the daily life worlds of the practitioners in the Central LUM Region, through whom I learnt what land use planners actually do within their natural settings and daily context. The roles and use of planning knowledge emerged and was uncovered from this process. Since I worked with eight participants and not all of the staff, the observations I

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[2] Referred to from now on as practitioners.

made should also be seen as a sample of observations and the extent of generalisations, assumptions and interpretation assigned to these observations need to be considered in this context (Babbie and Mouton, 2002). Taking into account this limitation, focus groups and informant interviews were used to access the perspectives of the other four Regional Offices involved in assessing planning applications and supporting planning decision-making.

I interviewed the Central Regional Coordinator and had the opportunity to observe him over a three-day period. This was useful in enabling me to understand the discourses circulating within the Branch and the Department. I observed the advice and instructions provided by the Regional Coordinator to the staff of the Central LUM Regional Office and in particular the ethnography participants I was observing. Conflicts also emerged and were observed, such as instructions from higher levels within the Development Planning, Environment and Management Unit (the Unit) that conflicted with what practitioners preferred. There were also conflicts between what was happening on the ground, the 'real time' knowledge and decision-making knowledge such as plans and the Durban Town Planning Scheme (DTPS).

Similarly, I observed meetings with planners involved in reviewing the DTPS, where it was evidenced that the technical aspects of a town planning scheme dominated. The technical revolved around rationalisation across schemes, risking the loss of unique sense of place, heritage and history as the scheme and its zones were collapsed into a particular technical format, as explored further in Chapter Six and Seven. I observed the inherent conflicts, and the power relations that emerged in the four decision-making structures, namely the Joint Advisory Committee (JAC), the Town Planning Sub-Committee, the Provincial Appeals Committee and the recently introduced Municipal Planning Tribunal (MPT). Table 4.1a summarises the role/s of the various planning decision-making structures.

Table 4.1a: Decision-making structures, representation and nature of decisions

Structure	Representation	Decisions Considered
Provincial Appeals Committee	Appeals Registrar, Independent Appeal Panellists Objectors, Applicants, the Municipality, Legal and Specialists capacity for one or more parties to the appeal	Adjudication of the appeal
Municipal Manager's Appeal Committee	City Manager, Legal Advisor, Planning Practitioner, Regional	Adjudication of the appeal

Structure	Representation	Decisions Considered
	Coordinator	
Full Council Executive Committee Economic and Planning Committee Town Planning Sub-Committee	Political Representation Planning practitioners and executive planning management present applications, reports, plans and answer questions from the politicians	Approval of planning policy, amendments to policy. Prior to SPLUMA politicians considered rezoning applications as well
Head: Development Planning, Environment and Management Unit	Head	Considers and submits planning reports, plans and amendments to plans and schemes as a recommended by JAC and for decision making to the political committee and the MPT Decision making delegations for Special Consents, Sub-divisions, Consolidations
Joint Advisory Committee (JAC)	Deputy Head, Manager: Land Use Planning, Manager: Land Use Projects, Manager: Strategic Spatial Planning, Manager: Environmental Impact Assessment, Traffic Engineer Regional Coordinators (6) Planning Practitioners	Makes recommendations on all types of TPS, amendments and applications that are considered by the Deputy Head, Head, the MPT and the political Town Planning Sub-Committee
Regional Coordinator and Planning Practitioners (North/South Central, Inner West, Outer West, North, South Regional Offices)	Regional Coordinators for each the six offices Planning Practitioners	Makes recommendations on all types of TPS to JAC and for further consideration by the Deputy Head, Head, MPT, and Town Planning Sub-Committee. Delegations to consider decisions on building plans, business licenses and other minor applications.

Joint Advisory Committee (JAC) meetings (a meeting of planning officials) are weekly meetings attended by the regional coordinator of each sub-municipal regional area, the Manager: Land Use Management Branch, the Manager: Land Use Projects Branch, the Deputy Head: Development Planning, the Unit Head, and the practitioners assessing development applications. With the implementation of SPLUMA, a representative from the Environmental Department, the Strategic Spatial Planning Branch and the Transport

Department may also be in attendance. I observed the JAC meetings before and after the implementation of SPLUMA. The JAC meeting recommends planning decisions to be taken by the Unit Head or the Town Planning Sub-Committee and/or MPT. The formal structural relationships that inform the planning function within the eThekwini Municipality are diagrammatically represented in Figure 4.3 below.
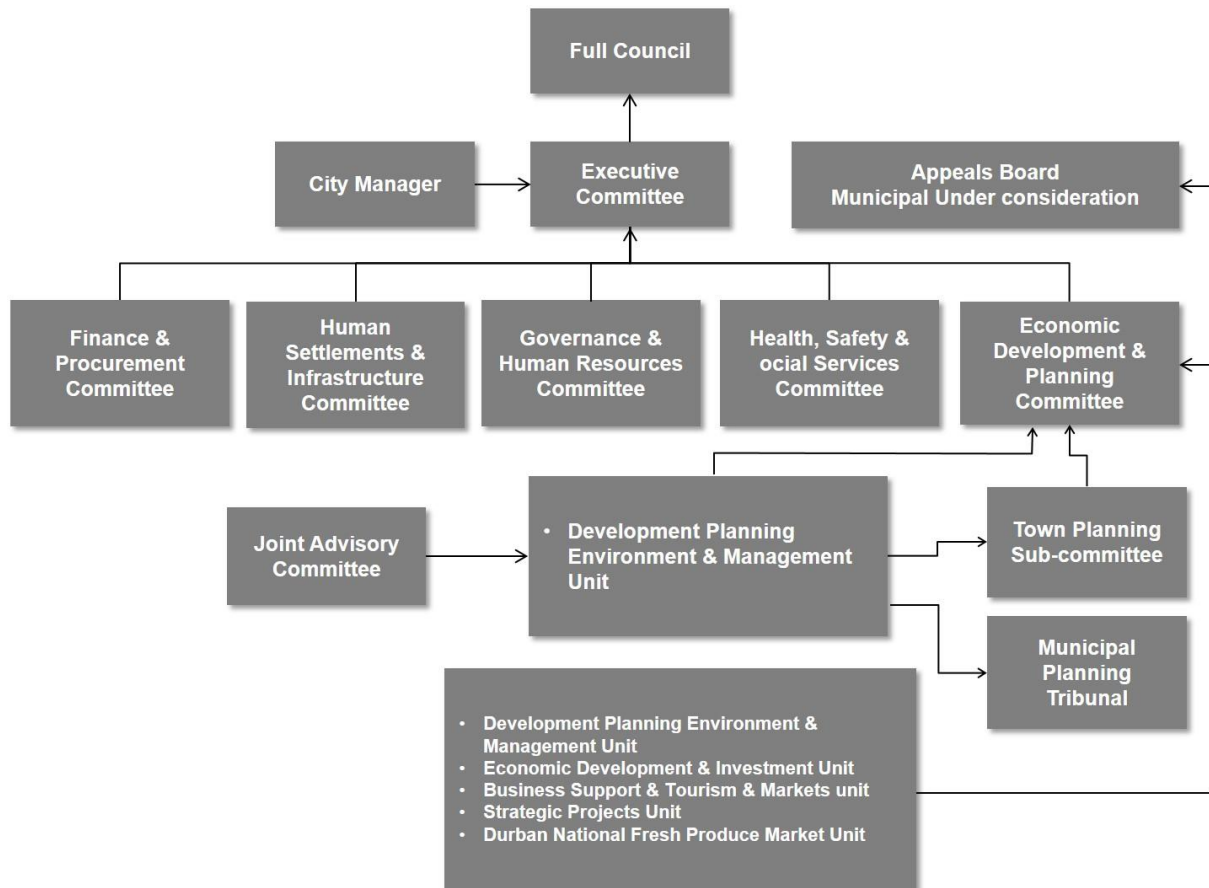
Figure: 4.3 Political and administrative structure for the eThekwini Municipality
Source : Author, adapted from IDP (eThekwini Municipality 2015/2016a: 384).

Three Town Planning Sub-Committee meetings were observed. This committee considers and approves planning policy, such as spatial plans and the review and replacement of the TPS. Prior to SPLUMA, this committee was responsible for decision-making on all rezoning applications but the role of councillors changed after the implementation of SPLUMA, as discussed further in Chapter Nine.

Three appeal hearings conducted by the Provincial Appeals Committee, comprised of several independent specialists appointed by the Province of KwaZulu-Natal, were observed. Appeal hearings are attended by the municipality, the objector/s and the applicant (if the applicant is not the objector). In June 2015, this structure was found to be unconstitutional and regarded as interference with municipal planning. Thus, municipalities will now have to establish their own appeal structure in terms of SPLUMA.

The constitution of the MPT consists of two external and four internal members. The external members are a retired provincial planner and an academic from one of the two universities in Durban that offer a degree in Town and Regional Planning. The internal members consist of the Acting Deputy City Manager, the Acting Head of Planning; the Deputy Head: Development Planning and nominated representatives from the Environmental Department and the Transport Unit, as reflected in the Table 4.1b, to follow. In addition to observing the above meetings, I also attended and observed several other important meetings linked to the (re)development of planning knowledge as follows:

- Three (3) meetings of the SPLUMA forum hosted by the national Department of Rural Development and Land Affairs and the KwaZulu-Natal Department of Cooperative Governance and Traditional Affairs, attended by all invited municipalities from within the province, and were observed on 22 May 2014, 11 July 2014, 15 July 2014 and 27 August 2014.
- Financial and spatial modelling is an important informant of planning knowledge in practice. At the time of undertaking the empirical data collection, I was invited to observe a meeting where a spatial financial project model was being designed, to inform the future selection of capital projects. This was a partnership project between the eThekwini Municipality, the South African Cities Network (SACN) and National Treasury (Cities Support Programme), assisted by external consultants. This meeting was observed on 22 October 2014.
- I observed several smaller practitioner meetings within the Development Planning Department, including a discussion on the annual review of the north TPS between the project coordinator and practitioners from the North Land Use Management Office responsible for the implementation of the TPS, and a meeting with the drafting team involved in the (re)construction of the DTPS. These meetings were observed on 25 and 28 October 2014, respectively.

- I also attended and observed two management meetings on 17 June 2014 and 22 June 2014 during which the performance plans and standard operating procedures were discussed as the key constructs to coordinating the activities and performance of practitioners across the land use management regions.

Table 4.1b: Sample of decision-making structures observed

Organisation /Institution Category Observed	Nature of Decision-making	Institutional Ethnography Observation Dates
eThekwini Municipality: Joint Advisory Committee Meetings Represented by: Deputy Head, Manager: Land Use Planning, Manager: Land Use Projects, Manager: Strategic Spatial Planning, Manager: Environmental Impact Assessment, Traffic Engineer Regional Coordinators (6) Planning Practitioners	Makes recommendations on all types of TPS amendments and applications that are considered by the Deputy Head, the Head, the MPT and the political Town Planning Sub-Committee Discussion on Standard Operating procedures	3 June 2014 17 June 2014 1 July 2014
Town Planning Sub-Committee Represented by: Nine Politicians, five from the dominant political party, two from the lead opposition party and two from smaller oppositional parties Planning practitioners and executive planning management present applications, reports and plans and answer questions from the politicians MPT	Approval of planning policy amendments to policy. Prior to SPLUMA, politicians considered rezoning applications as well Adjudication of certain planning applications	5 June 204 19 June 2014 12 August 2014 29 October 2015
Provincial Appeals Committee Represented by: Appeals Registrar, Independent Appeal Panellists Objectors, Applicants, the Municipality, Legal and Specialists capacity for one or more parties to the appeal Open to members of the general public	Adjudication of the appeal	7 October 2014 3 November 2014 5 November 2014
Joint National Department of Rural Development and Land Affairs and Provincial KwaZulu-Natal COGTA meetings with municipalities to inform and prepare for the implementation of SPLUMA.	Preparation for and implementation of SPLUMA.	22 May 2014 11 July 2014 15 August 2014 27 August 2014

Institutional ethnography allows for the study of a professional culture or 'planning tribe' as described by Greed (1994), thus enabling the researcher to study not only what is being said, but also what is being done, their access to 'sacred text', the interpretation of such text, and social and ruling relations (Greed, 1994). The use of ethnography remains a powerful tool to appreciate what is actually being done in practice as often this is invisible to practitioners themselves. This finding is supported by Greed (1994: 6) who states that

> "…it is a useful methodology when turned upon the planners themselves, as a tool in exposing the values of the planning subculture as held by its members."

Herbert (2000: 551) explains further that

> "Ethnography explores the tissue of everyday life to reveal the processes and meanings which undergird social action, and which enable order to be reproduced and sometimes challenged."

Walby (2007), whilst supporting institutional ethnography, suggests that the value of institutional ethnography can only grow from understanding the weaknesses embedded in the process of undertaking institutional ethnography as a method of inquiry. Walby (2007) questions the notion of ethnography and its claim of leaving the natural environment uninterrupted by the researcher. This is not possible as the disruption and presence of the researcher must be acknowledged in the research. The notion that institutional ethnography preserves the subject and does not objectify the subject by the researcher is also questioned by Walby (2007). Walby (2007) also raises the issue of a 'lack of power–analysis' found in institutional ethnography. Smith (2005) contends that knowledge, its use and construction within the context of embedded social relations takes on the role of power within institutions. This is described by Walby (2007: 1008):

> "Institutional ethnography (IE) is a method of inquiry that problematises social relations at the local site of lived experience and examines how textual sequences coordinate consciousness and ruling relations."

As a novice to ethnography, I relied heavily on the work of Dorothy Smith as the authority on institutional ethnography (Walby, 2007). Despite this preparation that I undertook before implementing institutional ethnography, it must be recognised that the ethnographer cannot pre-empt the exploration and discovery during and after the ethnography process, as argued by Smith (2005: 225):

> "Institutional ethnography explores the SOCIAL RELATIONS organising INSTITUTIONS as people participate in them from their perspectives. People are the expert practitioners of their own lives, and the ethnographer's work is to learn from

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them, to assemble what is learned from different perspectives, and to investigate how their activities are COORDINATED. It aims to go beyond what people know to find out how what they are doing is connected with others' doings in ways they cannot see. The idea is to MAP institutional aspects of the RULING RELATIONS so that people can expand their own knowledge of their everyday worlds by being able to see how what they are doing is coordinated with others' doings elsewhere and elsewhen."

Accessing participants for the institutional ethnography component of the study

In parallel to seeking the approval of the University of Pretoria's Committee for Research and Integrity for the study and the proposed research methods and 'instruments', I obtained the approval of the Unit Head and the Deputy Head: Development Planning in the municipality. A meeting was arranged with the Regional Coordinator of the Central LUM Region in mid-May 2014 to discuss the research and how it relates to the functions of the Branch and, in this case, the Central LUM Regional Office. Essentially, I needed to be located in the Central LUM Regional Office and wanted to work with a sample or a set of volunteers as the ethnography participants. The ethnography participants should ideally constitute different levels of staffing, newer and older staff members in age, length of service, male and female and diversity. These were not essential criteria for selecting the participants, but certainly would be useful. The Regional Coordinator also requested that I meet all of the staff at a pre-scheduled staff meeting. The intention of the meeting was to provide an overview of the research and the type of research participation I was looking for, to allay any fears regarding confidentiality, and request for volunteers.

The meeting took place with staff from the Central LUM Region in May 2014. The Regional Coordinator explained to staff that I was visiting the office in my capacity as a researcher and that access to the site had the necessary municipal approval. In the presentation I also made it very clear that it was very important for both me and the staff to view me as researcher. I provided a short presentation of the proposal, discussed participant confidentiality, consent and the research and integrity approval process from the University. The only question received related to how long the institutional ethnography component would be, for which I indicated that it could be between 6 to 8 weeks.

The practitioners were asked if anyone would like to volunteer; some people joked that it was a good time for me to do their work, but no one volunteered. There was one staff member that requested that even if he were selected, he would like to decline; this is a practitioner

that has his own problems with management. Whilst ethnography limits the intrusion and the gap between the researcher and the researched, as Walby (2007) argues, ethnography has to recognise that it does not eliminate this phenomenon between the two parties. The selection then was based on the list prepared by the Regional Coordinator, on the basis that I met each of selected participants independently and tested if they were willing to participate in the research. I was fortunate that all seven (7) plus the Regional Coordinator agreed to be participants. All participants indicated that 8h00-16h00 Monday to Friday would be the core time with a lunch break between 12h30-13h15.

It was also agreed that I would read active planning applications to understand the key issues, accompany participants to site meetings, be privy to the enquiries on applications often made by the applicant and objectors and attend decision-making meetings concerning the applications. At the time, I indicated that I would spend between three to five days per participant, but that the time could be shorter or longer, depending on how long it would take for me to gain an understanding of the participant's work and processes involved in undertaking such work. It was also agreed that I would come back to participants to finalise the outcomes of applications, as often the applications are finalised outside of the 8 week period that I allocated to spend with ethnography participants.

The institutional ethnography component of the study started with the Land Use Management Assistants as the first set of observations. This served as a good entry point to understand the type of work received from the public and/or their consultants, the allocation of work, record keeping and customer enquiries. The institutional ethnography commenced on 19 May 2014, after the University of Pretoria Faculty Committee for Research and Integrity approved the research (see Appendix 4.2 for more detail). The ethnography aspect of the research was undertaken from May 2014 to the end of July 2014, with some breaks in-between. It was soon evident that the staff selected for the institutional ethnography sometimes needed to be away for training or for personal reasons. However, I was also able to use the 'down time' for the informant interviews. The programme was flexible; I would confirm the core time for me to be present with the participant the day before. To assist with communication, the participants and I exchanged contact numbers, and we would call each other if anything urgent came up.

As I spent more time with the ethnography participants, the participants seemed to understand quite well how participant observation worked. On an ongoing basis they showed

me applications, maps and text in the town planning schemes. They called me when they were having informal discussions with colleagues or when they discussed their applications with the senior planning practitioners and/or the Regional Coordinator. Table 4.2a provides a record of the ethnography participants involved in this study.

Table 4.2a Institutional ethnography participants

Organisation/ Institution Category Sector	Participant Number	Institutional Ethnography Observation Dates
Institutional Ethnography Participants Central LUM Regional Office	IE Participant 1: Land use management assistant	19 May 2014
	IE Participant 2: Land use management assistant	20 May 2014
	IE Participant 3: Land use management assistant	21 May 2014
	IE Participant 4: Implementer land use management – Technical Planner	28 – 30 May 2014
	IE Participant 5: Implementer land use management – Technical Planner	23 June; 2-3 July 2014
	IE Participant 6: Implementer land use management – Professional Planner	25-27 June 2014
	IE Participant 7: Implementer land use management – Professional Planner	11-13 June 2014
	IE Participant 8: Implementer land use management – Professional Planner	28 and 29 October 2014; 3 November 2014

4.4.2 Informant interviews within the context of the research

Arising out of the research strategy, the intention was to interview a multiplicity of stakeholders who I viewed as important in sharing their views on planning knowledge for action. The sample of key informants selected for the interviews are shown in Table 4.2b, to follow.

The selected interviewees have a comprehensive view on planning knowledge for action, which complemented the information obtained from the ethnographic and community

interviews. The interviews were largely semi-structured and took an organic discussion format guided by some key questions and themes proposed for each 'category' of stakeholders. The questions and themes posed in the interviews were informed by the research question, sub-research questions, the preliminary literature reviewed, some questions emanating from the ethnographic study, and my own views on the research. Despite different 'categories'/sectors of informant interviewees there was substantial overlap between the questions and themes posed for each 'category' of interviewees (see Appendix 4.4A - 4.4 G for more detail). As the interviews progressed, I was able to probe a particular theme differently. This allowed me to clarify what was heard from one interview to the next, especially in cases where a new theme or a particular slant on an existing theme emerged from the interview (Rubin and Rubin, 2012).

Accessing informant interviewees

Participants were reached telephonically and through email requesting an interview. I also met participants at certain planning meetings and arranged suitable times to conduct the interview. At times there was an opportunity to interview more than one representative from the same sector, thus allowing for similar and different views on the area of research. The numbers of interviewees were informed by the time spent in the data gathering stage and to what extent similar themes and views were emerging (Rubin and Rubin, 2012). The final list of participants interviewed changed from what I started off with in the research design proposal, which is expected in undertaking qualitative research (Creswell, 2009; Rubin and Rubin, 2012). Additional interviews were also added to the sample framework. This happened organically as often a particular interviewee would recommend that I interview someone else that would assist further with the research. Table 4.2b, to follow reflects the sample of informant interviewees undertaken for this research.

Table 4.2(b): Sample Framework for Informant Interviews

Organisation/ Institution/ Professional planners and technical planners Category/Sector	No of People Interviewed	Respondent Number and Type of Post	Date of Interview
Development Planning Department Interviews Representing Drafters of Planning Knowledge Implementers of Planning Knowledge Management and Executive Management	12	1 Implementer/Regional Coordinator 2 Drafter/Technical Planner 3 Drafter/Professional Planner 4 Drafter/Technical Planner 5 Implementer/Regional Coordinator 6 Drafter/Technical Planner 7 Drafter/Professional Planner 8 Drafter/Technical Planner 9 Drafter/Professional Planner 10 Management 11 Executive Management 12 Management	18 May 2014 3 June 2014 11June 2014 13 June 2014 19 June 2014 26 June 2014 12 June 2014 20 June 2014 30 June 2014 4 July 2014 4 July 2014 29 October 2014
Environmental sector	4	13 Professional Planner/ Environmental Planner 14 Manager Biodiversity Practitioner 15 Manager Environmental Impact Assessment 16 Executive Management	18 May 2014 24 June 2014 8 August 2014 15 August
Transport sector	4	17 Executive Management/ Transport Planner 18 Management/Transport Planner 19 Executive Management/ Transport Planner 20 Management/Transport Planner	30 July 2014 30 July 2014 30 July 2014 30 July 2014
Rates and Property sector	1	21 Executive Management	31 July 2014
Human Settlements sector	1	22 Manager/Professional Planner	2 February 2015
Infrastructure Sector	1	23 Executive Management/Engineer	19 February 2015
Legal Experts and Appeals	4	24 Professional Planner/Appeal Tribunal Member 25 Attorney Appeal Tribunal Member 26 City Legal Advisor 27 City Legal Advisor	15 May 2014 29 September 2014 1 December 2014 2 April 2015
Specialised consultants creating land use plans and town planning schemes	2	28 Professional Planner 29 Professional Planner	2 October 2014 8 August 2014
Community Activists	4	30 31	5 August 2014 9 September 204

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Organisation/ Institution/ Professional planners and technical planners Category/Sector	No of People Interviewed	Respondent Number and Type of Post	Date of Interview
		32	11 September 2014
		33	18 September 2014/ 12 April 2016
eThekwini Municipality Political	4	34 (lead political party – ANC)	22 August 2014
		35 (lead opposition party - DA)	21 August 2014
		36 (lead opposition party - DA)	3 September 2014
		37 (lead political party – ANC)	18 September 2014
Academic Planning Sector within eThekwini	4	38 (academic and city planning commissioner)	5 August
		39	8 August 2014
		40	5 December 2014
		41	9 December 2014
eThekwini: South African Property Association (SAPOA), Developer Consultants	2	42	31 July
		43	1 August 2014
Ingonyama Trust Board	1	44	1 August 2014
South African Cities Network	1	45	16 July 2014
South African Council of Planners	1	45	5 April 2015
Economic Sector Formal and Informal	3	47	24 July 2014
		48	24 July 2014
		49 (Informal Economy)	25 July 2014
SAPI eThekwini and National	2	50 (National)	3 June 2014
		51 (eThekwini)	25 July 2014
Appeals Provincial Registrar Representative	1	52 Provincial appeals registrar	6 September 2014
Provincial Officials	2	53 Professional planner	5 November 2014
		54 Professional Planner /Legal Specialists	28 August 2015
Former City Manager	1	55	6 September 2014 /20 September 2015
Sizakala Management	1	56	1 June 2015
Total	56		

4.4.3 Convenience resident/community interviews within the context of the research

The convenience community interviews involved accessing planning knowledges, explicit or formal knowledges of planning as well as tacit, common, local knowledges obtained through experience, daily living and sometimes actions taken by residents. The interviews took the format of semi-structured interviews with 168 eThekwini residents/community representatives. A convenience sample, a non-probability sampling method was used. Often convenience samples are actioned to assess the effectiveness of a given programme or practice and in this case current planning knowledge, practice and expectations (Bickman and Rog, 2009). The respondents were interviewed at six Sizakala Centres in the eThekwini Municipality. Whilst the findings from the non-probability sample are informative and extremely valuable as discussed further in Chapter Eight, the findings cannot be generalised for a particular population of interest because a non-probability sampling process was used to identify respondents for the interviews (Bickman and Rog 2009). However, this research did not require a scientific sample approach and given the associated cost and time, a probability sample was not necessary. In addition, since the nature of the research is not about measurability, the research focused on accessing multiple views and working with as many knowledge actors and voices as possible (Lincoln, 2010).

However, accessing a variety of views from people that do not usually have a voice and managing these multiple responses in a way that can be ordered and understood, required a quantifiable approach to make sense of the data. The convenience community/resident interviews were largely open-ended questions with a couple of closed-ended questions. This form of research instrument is supported in determining local knowledge especially within the agricultural and environmental sectors, as supported by Warburton and Martin (1999). The closed-ended questions took the format of a nominal mutually exclusive measure (such as gender) or ordinal measures (allowing for the ranking of views/preferences) with regards to people's expectations and experiences with formal and or local knowledges for planning (Warburton and Martin, 1999; Babbie and Mouton, 2002). To assist with the ranking or ordinal data an index was used, such as from very easy to very difficult (Babbie and Mouton, 2002). The interview probed several thematic areas including views on land use flexibility, intolerance, levels of control desired from the municipality, the involvement of neighbours, preferences for managing land use conflicts, notions of compliance, preferred public engagement processes and socio-demographic data. The closed ended questions related more to preferences as an indication of formal planning knowledges, this was also posed as

open ended questions (see Appendix 4.5 closed-ended questions 2.0; 2.1 and 6.0 and open-ended questions 2.2; 2.3; 4.1). This overlap was necessary to enable as much participation as possible and not to exclude participants who had not been exposed to formal planning knowledge. The focus group of practitioners, and the findings from the in-depth community activists' interviews proved to be valuable inputs into designing the interview questions for the residents (see Appendix 4.5 for more detail). However, the manner in which planning knowledge and local knowledge are accessed remains an area of exploration in this research. The interviews were conducted face-to-face to compensate for any respondent, who was illiterate, and to assist in establishing consistency in how the questions were asked and understood, and to improve a response rate for the interviews (Babbie and Mouton, 2002). The qualitative convenience resident interviews were administered in both isiZulu and English to enable a greater level of inclusivity and varied lived experiences and views on land use planning and knowledge.

Three town and regional planning in-service students from the Durban University of Technology (DUT) who were working within the Central Land Use Management Region assisted in undertaking the community interviews. The participation of the students in this research was recognised as part of the in-service training programme. The use of four interviewers (the three students and myself) had the potential to limit consistency in how the interviews were conducted and the responses received (Matteson and Lincoln, 2009). However, training sessions held prior to conducting the interviews and the 'piloting' of the interviews proved extremely useful in maintaining consistency in administering the interviews. In addition, debriefing sessions were held daily to resolve any issues pertaining to the administration of the interviews and to make sense of any response considered inconsistent. The debriefing session took place every afternoon after the completion of interviews. Every interview was checked for completion, and errors and responses clarified where necessary. The open-ended questions were then coded to assist in organising the data for input into a computer software programme, the Statistical Package for Social Sciences (SPSS), was used to enable the 168 interviews and data from these qualitative interviews to be organised, measured and analysed. This essentially allowed for qualitative data to be presented in a quantitative form to make sense of the large number of respondents and responses received (Babbie and Mouton, 2002).

Process involved in setting up the convenience community interviews at the Sizakala
Centres and sampling

In discussion with the Head of the Unit, the Deputy Head: Planning and with staff involved in land use planning management, several Sizakala Centres were identified to undertake the resident interviews. The centres identified were KwaMashu, Phoenix, Umhlanga, Chatsworth, Umlazi Mega City and Pinetown. The reason for selecting these centres was to have a good coverage of areas falling within the DTPS jurisdiction including the primary scheme areas like KwaMashu and Umlazi which were previously excluded from the municipality's land use planning and administration system. These areas were (un)managed, or poorly and repressively managed, though other apartheid legislation; in particular the Regulations for the Administration and Control of Townships in Black Areas, often referred as the R293 areas (Mabin and Smit, 1997; Van Wyk, 2012). The inclusion of the Umhlanga and Pinetown Sizakala Centres was undertaken to have potential representation from residents with higher incomes. There are no Sizakala Centres for so-called higher income areas within the Central Municipal Sub-Region, for suburbs like the Berea, Glenwood, Morningside and Durban North as an example. The inclusion of areas under the DTPS was useful but not a necessity for the research. The location of the Sizakala Centre in relation to the Regional Office and TPS are depicted in Figure 4.4, to follow.

In essence the use of convenience community interviews was to obtain or access multiple voices regarding knowledge/s for land use planning and practice. The selection of Sizakala Centres was useful but not central to the research design. It should be noted that there were no convenience community interviews conducted at Sizakala Centres within the South Durban Basin area, which is located adjacent to the port of Durban. As the former Head of the Unit, I was involved in the preparation of a plan known as the Back of Port Plan which recommended major changes to land uses within the identified area due to current and future pressures experienced by the existing and further growth of the port and logistics sectors within the municipality (eThekwini Municipality, 2015/2016b). The recommendations contained in this plan were controversial and attracted objections from certain stakeholder groupings. In this regard, I did not want to aggravate the community with my presence based on past experiences, nor did I want any of residents and community associations and activists to think that this study was part of the Back of Port Study and to place the municipality in any awkward position regarding my private research. This exclusion of convenience community interviews from the South Durban Basin area did not detract from

the value of the community interview findings. However, representation from the Coloured race group was under-represented in the community interviews undertaken, as discussed further in Chapter Eight.
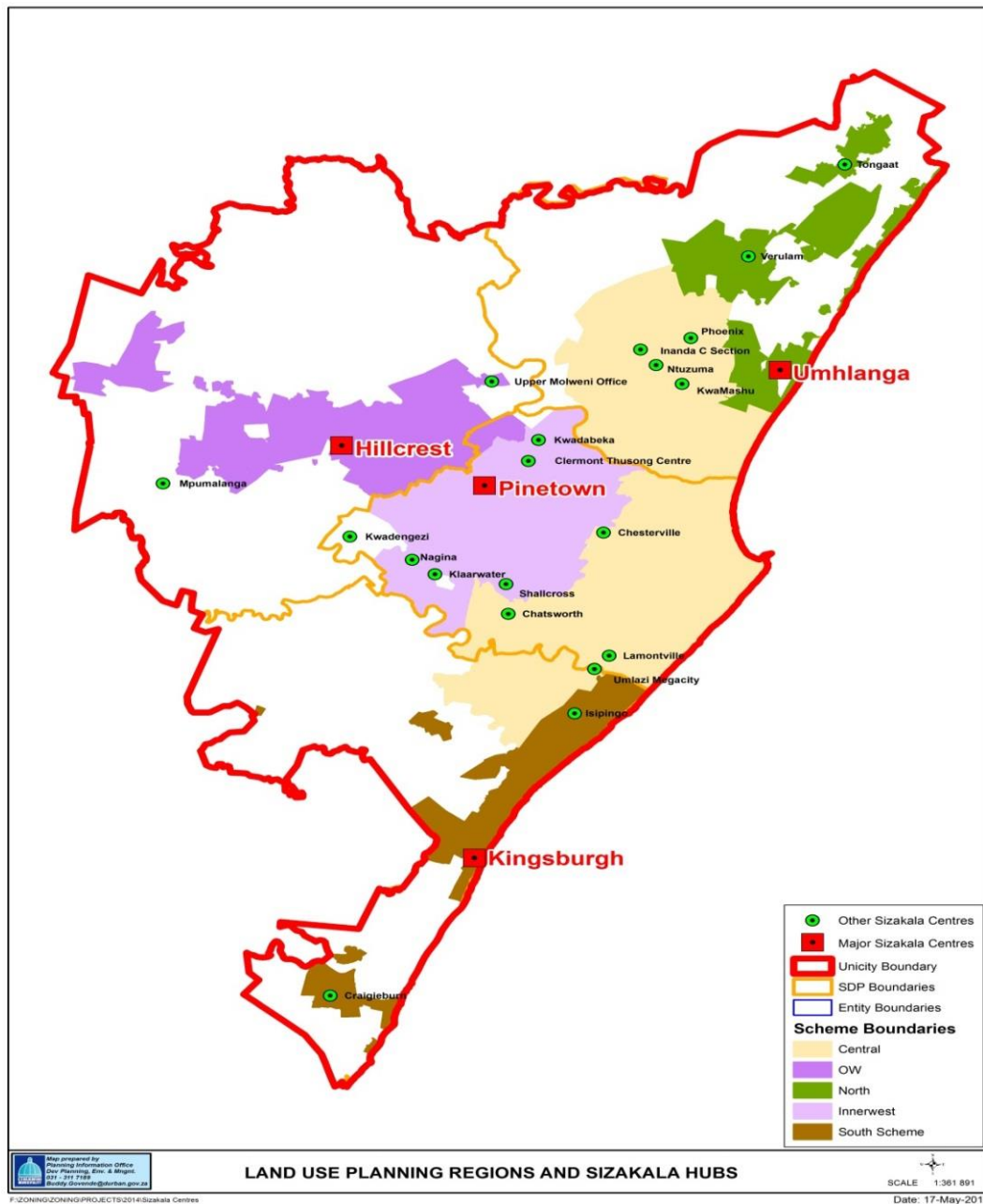
Figure 4.4 Sizakala Centres, Planning Regions and TPS Boundaries
Source: eThekwini Municipality (2013a). Prepared by the Information Planning Office, Development Planning Environment and Management Unit, eThekwini Municipality.

Pre-visits to the Sizakala Centres were undertaken in August 2014. The purpose of these visits was to orient myself as to the layout of the centres and the public counters and waiting areas. The pre-visits were also instrumental in meeting the centre management and staff to inform them that I, together with the three students, would be conducting community/resident interviews from the 25-29 August and 1-5 September 2014. On advice from Sizakala management this month-end period would be the best and busiest time to conduct the interviews, as the queues were longer and participants could be interviewed whilst they waited. I also introduced the students to the supervisor and the security guards at the Sizakala Centres. It was important for the security guards to know that I and the students had the necessary permission to interview the customers.

The interviews were generally conducted with participants as they queued or waited to be assisted. This made it easier for participants to be interviewed as they were not giving up any additional time to participate in the research. At times, because of the efficiencies in Sizakala Centres, the waiting time was less than 10-15 minutes. On these occasions participants did provide additional time to be interviewed. The interviews took approximately 10-15 minutes to complete. The questionnaire is included in Appendix 4.5.

The first day of conducting convenience community interviews set the scene for the remaining five (5) days of interviewing. After one hour of interviewing at the Phoenix Sizakala Centre, the students and I convened to discuss how the interviews were progressing. A small change was made to how we posed question 2.1, allowing for one or multiple options, depending on how the participants responded. Initially the target was to obtain between 25-30 interviews per Sizakala Centre. However, the first day set the target of the possible number of interviews per interview site, 28 interviews were completed, which became the target for each of the interview sites.

Given that the interviews were part of a qualitative research methodology, extending the number of interviews for statistical purposes was not relevant. Therefore, the target of 28 interviews was established based on what was comfortably obtainable from the first interview site. This meant not rushing through the interviews, not feeling pressurised about completing a certain number of interviews, and being comfortable if people refused to participate for whatever reason. The potential participants that refused to be interviewed numbered 17 people, approximately 10% of the 168 interviews completed. The levels of willingness of participants to engage in the interview varied within and between Sizakala Centres. More refusals were received at the Umhlanga Sizakala Centre and more enthusiasm and interest

was shown at the Chatsworth and Phoenix Sizakala Centres. Generally, more willingness to engage in an interview came from participants who were comfortable with speaking English. However, 70 (42%) of the 168 interviews were undertaken in isiZulu. The higher income groups seemed less interested in engaging with the research and were very time conscious. On the other hand, the middle to lower income groups seemed more willing to participate and voice their views. Whilst ten days for the convenience community interviews was originally envisaged, this was reduced to six days, as the anticipated number of interviews was easily obtainable.

The interviews were <u>not</u> conducted at the planning counters within the Pinetown and Umhlanga Sizakala Centres, two of the selected six centres that have a planning office, the rationale being that the potential participants were likely to be consultants/draftspersons. This would have created a bias as this type of participant would have had far greater experience and knowledge of planning than the average resident likely to be interviewed at the Sizakala Centres. However, there was a small overlap of respondents (7 out of a total of 168) who came to the general enquiries area of the Sizakala Centre who also engaged in work as a draftsperson and/or builder. The use of the Sizakala Centres represented not only a convenient place to access people that are likely to have views on planning knowledge, but also participants that are largely property owners and tenants. The Sizakala Centres are places where enquiries regarding municipal matters can be conducted. A customer visiting the Sizakala Centre would often be the head of the household making payments or enquiring about rates, utility accounts and the lodging of complaints. The profiling of residents interviewed is discussed further in Chapter Eight.

In keeping with the ethos of this study and the role and value of co-generated planning knowledges for land use planning and practice, I convened a small focus group of practitioners to obtain views and inputs regarding the questions to ask in the resident/community interviews. This focus group was constituted by staff with whom I engaged through interviews and the institutional ethnography component of the study. They indicated their interest to be more involved in the community interviews. The focus group participants consisted of five practitioners with the following experiences and interests:

- Two land use planners (2) involved in the review, rationalisation and changes to the DTPS – directly involved in knowledge generation for planning action;
- A land use planner (1) involved in land use related projects and with a particular skill in working with communities within poorer community areas;

- A land use planner (1) with both environmental and planning knowledge and currently involved in mainstreaming environmental knowledge into planning knowledge for action; and
- A senior land use planner (1) involved in implementing the DTPS and guiding planners/technicians within the Central LUM office in assessing applications.

A draft set of questions for the community interviews was used to further discussions with the focus group. The interview questions went through several changes, but still in keeping with accessing community voices regarding knowledge/s for land use planning. Several inputs could not be considered as I thought these were too planning specific or too specific to the municipality, considering that the intention of this study was not to investigate the municipality's effectiveness in undertaking its planning function. The focus group also expressed an interest to be involved in a further discussion regarding the results of the community interviews. This focus group session was undertaken on 1 September 2015. A summary of this session is included in Chapter Eight.

In early August 2014, I also held several briefing sessions with the three students who assisted with the administration of the community interviews. The students showed much interest and excitement about undertaking community interviews, within the context of learning about interviews and about planning. A training session was held to ensure that the students understood the purpose of the resident interviews as well as each question, and how to deal with difficult situations such as no response or a reluctance to respond to certain questions. A 'pilot' session was undertaken which entailed us interviewing each other and discussing how the interview went from the perspective of interviewer and interviewee. We also had an opportunity to interview a support staff member from the Unit, and this interview was used to learn about what worked and what did not. The students also indicated that they would interview a friend or neighbour and bring back issues and suggested changes to the interview questions to the second briefing session. At the second briefing session we picked up on certain issues that the students experienced when 'piloting' the interview. Table 4.2c to follow summarises the issues and how they were resolved.

Table 4.2c Potential interview problems and interventions to minimise such problems

Potential Problem/Issue	Interventions
Participants may feel that they are not educated or schooled enough to participate and add value to the research.	The introduction with the potential participants must make it very clear that no schooling is required and answers such as 'I don't know' also informs the research.
	To enable potential participants to feel more comfortable, closed-ended questions should be used in the beginning. Closed-ended questions take away the pressure of thinking to a certain extent and there is no right or wrong answer.
	The order of questions was changed to enable the interview to start with 2 closed-ended questions as opposed to 2 open-ended questions as originally intended.
Participants may be confused if they should speak about planning knowledge generally or to speak directly about their neighbourhood and experiences.	The interview questions were changed to be neighbourhood specific in most cases, as one of the students indicated that we are interviewing citizens and they should be interviewed in a context they understand and to which they can relate.
A concern was about income - whether it applied to individual income or household income.	The question was changed to specify individual income.

As indicated earlier, the convenience community interviews were conducted in English and isiZulu. The translation of the interview questions was undertaken by one of the land use planners from the Central LUM Region. Notwithstanding the translation being done, the students wanted to go through the translated interview questionnaire/schedule to ensure that the meaning of the questions and the information sought remained unchanged, especially since they understood the intention of each question. There were several questions that were debated and eventually reviewed to ensure that these questions posed in isiZulu also reflected what was intended in English. I was pleasantly surprised by, and grateful for, the interest that the students showed in the research. I also had to have total confidence in the students to make sense of the isiZulu questions and to correct these questions as required since I am not proficient in isiZulu. In fact one of the students made these changes directly on my laptop. It was a moment where I trusted and relinquished control of the research to the students.

4.4.4 Focus groups within the context of the research

In addition to the focus group convened to discuss and finalise the resident interview questions, four other focus groups sessions were held. Three focus groups took place with practitioners from the North, South and Inner West LUM Regions. One practitioner focus group was held for the Strategic Spatial Planning Branch, with practitioners involved in generating spatial plans such as the SDF, local area plans and spatial policy. These focus groups were not part of the research proposal as I wanted people to feel free when engaging with the research. Focus group sessions were undertaken at the request of the regional coordinators. When the regional coordinators enquired about whom to invite, I indicated that ideally it should be open to any staff member interested and available to attend. This then removed any concerns about regional coordinators creating focus groups to support their views. Each group consisted of less than 12 participants as reflected in Table 4.2d. The sessions took a very fluid and organic format. After I had introduced the research and area of focus, participants spoke freely and built on, clarified or questioned what others were saying (Babbie and Mouton, 2002). At certain points in the discussion, I would pose a particular theme or question to obtain the group's views on this aspect of the research. The guiding questions used in the focus group sessions with practitioners from the Regional LUM Offices and the Strategic Spatial Planning Branch are included as Appendix 4.4A.

Table 4.2d: Focus groups participants

No of People Involved	Focus Groups Organisation/ Institution/Category Sector	Focus Group Participants
5	eThekwini Planning Practitioners Focus Group Discussion for Drafting Community Interview Areas /Questions	Drafters and Implementers of Land Use Planning Knowledge
7	eThekwini Planning Practitioners Strategic Spatial Planning[3]	Drafters and Implementers of Strategic Spatial Plans and Policies (SDFs, SDPs, Urban Development Line, LAP, Densification Corridors) Professional planners and technical planners

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[3] The Framework Planning Branch changed in name to become Strategic Spatial Planning Branch

No of People Involved	Focus Groups Organisation/ Institution/Category Sector	Focus Group Participants
7	eThekwini Planning Practitioners Regulatory Planning Inner West LUMs Regional Office	Implementers of Land Use Planning Knowledge (Strategic Planning and Statutory, SDF, TPS, Parking Standards, Legislative Procedures) Regional Coordinator, Professional Planners and Technical Planners
6	eThekwini Planning Practitioners Regulatory Planning Outer West LUMS Regional Office	Implementers of Land Use Planning Knowledge (Strategic Planning and Statutory, SDF, TPS, Parking Standards, Legislative Procedures) Regional Coordinator, Professional Planners and Technical Planners
4	eThekwini Planning Practitioners Regulatory Planning South LUMs Regional Office	Implementers of Land Use Planning Knowledge (Strategic Planning and Statutory, SDF, TPS, Parking Standards, Legislative Procedures) Regional Coordinator, Professional Planners and Technical Planners
n/a n/a	eThekwini Planning Practitioners Regulatory Planning: North and Central LUM Office, interviews were held North LUM Regional Office Regional Coordinator Interview Central LUM Regional Office Regional Coordinator Interview (Institutional Ethnography Participant 8)	n/a n/a

4.5   About the researcher

I have spent 23 years within the employ of the eThekwini Municipality and ten (10) years as the Head of the Development Planning, Environment and Management Unit. I would certainly be viewed as an insider within the context of the institution and the area of research. However, my status as insider and outsider also shifted within the research and the organisation, as planning practitioners, sector representatives and participants from within, and at times outside, the municipality would see me as both an insider and outsider. I also saw myself as an 'insider/outsider' but I felt more of an 'insider' conducting this research. The change in my work status at times also made me feel like an 'outsider' given that I was re-

deployed from the Unit in exchange for a sabbatical, with effect from end of September 2013; as a political strategy to remove me from the Planning Unit. This affected my status within the municipality, how I saw myself and how others saw me. However, the fact that I worked within the Unit for such a long time and continued to work for the municipality, in many situations I was received as an 'insider', and thus felt like one. The politicians and certain executive management also assigned to me both 'insider/outsider' statuses. In this research, the boundaries between an 'insider' and 'outsider' were blurred and fluid, and supported the concept of in-between spaces, neither 'insider' nor 'outsider' (Halstead, 2001). There are no preferences for insider versus outsider status within research; benefits and disadvantages are associated with both positions. The benefits usually associated with insider positioning relates to the understanding of the organisation, the relationships, politics, access to participants, data collection and exposure to information and situations that are sensitive and confidential, which was my experience in this research (Unluer, 2012).

There are also precautions that 'insider' researchers need to be aware of in order to manage the disadvantages, which was part of my experience in undertaking this research. For example, I had to ensure role separation as a senior member of staff and a researcher, especially during the ethnography component of the study. Often the participants wanted to work around my schedule (Walby, 2007; Unluer, 2012). In another example an applicant submitted a deliberately flawed application and insisted that the planner proceed with the application. In this situation it was difficult for me not to intervene and protect the member of staff. These were the lessons I had to learn within my first week as a researcher and to ensure I stayed only within the context of my researcher role. I do admit it was difficult at first, but important for the research, I had to refrain from veering off my role as a researcher (Unluer, 2012).

As an 'insider' researcher, often the participants and informant interviewees assumed I knew the answers to the questions I was asking given my working history within the Unit and the area of research (Unluer, 2012). This was not the case and I often explained that I entered the Unit as a planner with a particular focus and strength in advocacy and strategic or integrated development planning. The confession I had to make on many occasions throughout the research was that I did not engage in regulatory planning during my time in the municipality, and my only knowledge of regulatory planning was based on the understanding I received from the reports I read and the presentations I attended. It is also important to acknowledge that apart from the Back of Port Plan, I was not involved in land

use planning from both a knowledge generation and knowledge application perspective. What this points to is the sizable gap between management at particular levels within an organisation and where and how the actual planning work gets done.

Unluer (2012) posits that being an 'insider' or 'outsider' does not make for a good or bad research, but what is important is to be aware of the disadvantages and take the necessary precautions or research design options to deal with such situations. There are different views about being an 'insider' or 'outsider' when conducting research, but essentially it is recognised that subjectivity and interpretation are all part of scientific research (Herbert, 2000; Sandercock, 2007). Some even argue that the observer's subjectivity is an analytic asset in research and it is important to be aware, conscious and reflective of this (Herbert, 2000; Lincoln and Cannella, 2009). In qualitative research, the researcher is also the main research instrument (Babbie and Mouton, 2002).

However, being so close to the research site and research participants within the municipality also meant that I had to take special precautions to ensure confidentiality and sensitivity in undertaking and writing about this research without compromising my findings, interpretations and reflections (Unluer, 2012). Given my 'insider' status, at times I was exposed to more sensitive settings and information as opposed to a researcher from the outside. However, this meant I had to ensure confidentiality and responsibility with such information (Unluer, 2012). For example, whilst in my personal capacity I was an objector to a development taking place in close proximity to my residence, due to my research I also had access to the planning report and feedback from colleagues as to how the matter was discussed and finalised. Despite having a specific interest in the matter, this information could not be used or passed on to anyone else.

I took a conscious decision not to use a recording device, as this would likely threaten the confidentiality of research participants. Participants were also assured that their names would not be disclosed in the thesis. I did however take detailed notes of all interviews and focus group sessions, which were used as evidence in the write up of the empirical chapters. It is also for this reason that individual interviews were given preference over focus groups. In this way, I could allow the research participants to feel as free as possible in participating in the research (Babbie and Mouton, 2002). However, I did engage in focus groups at the request of research participants, as indicated before. I can only assume that the participants were sufficiently comfortable with me and each other to engage in the focus group interview. I did ask all internal participants if my presence as a researcher was problematic, if my

presence constrained what was being said in the interview or focus group, and the answer I received was always 'no'. In fact, at times people would joke about this question and in a typical Durban slang, say 'I am an old friend'.

As indicated in the literature on 'insider' positioning of researchers, familiarity is a particular problem due to assumptions that what is said or not is assumed to be understood by the researcher, because the researcher is part of the group (Unluer, 2012). To deal with this situation, I had to clarify what was said or not. This response also needs to be understood within the space the interviews were being conducted, as place is extremely important and in some way influences how participants respond to questions and what questions the interviewer can pose (Walby, 2007). The extensive number of research participants and research methods used also helped to gain clarity on certain issues. For example, whilst I am aware of the pro-development political position of the municipality, I was not aware to what extent this prevailed and how knowledge in planning was used or not used to support development. The research revealed that this particular discourse was well established in the way planners looked at applications. The pro-development stance also emerged from several informant interviews (inside and outside of the municipality). The institutional ethnography component of the study and the decision-making meetings and the appeal hearings further confirmed the pro-development stance of the council. In essence, the different research methods and data sources helped to clarify the dominant findings, re-enforcing themes and the interpretations I assigned to the research data. This was extremely useful as my own views and biases were managed and I was led by the empirical findings. However, my own subjectivity was not always possible and necessary. It was important for me as the researcher to know when this was important or not and how to make sense of what I observed and heard, and to be aware of my own ideas and views throughout the research process (Tufford and Newman, 2012)

Only aspects of institutional ethnography were utilised in the research. I say this because 'true' institutional ethnography frames the problem based on the discovery (Smith, 2005). I used institutional ethnography to discover and uncover what I conceptually wanted to explore in this research - the roles, uses, construction of planning knowledge in practice and as an analytical bridge to cross the divides in planning theory, planning practice and planning realities. As a research technique, institutional ethnography intends to establish what drives planning from the inside (Greed, 1994; Herbert, 2000; Smith, 2005). As stated before, given that I was within the senior executive management of the Unit, through a process of

delegation and operationalising how the work gets done, I was not exposed to the daily working knowledge, instructions and culture/s of planning practitioners. In fact, as Head of the Unit I rarely attended decision-making meetings of the JAC or the Town Planning Sub-committee or the appeal hearings as this was delegated to the Deputy Head, managers and regional coordinators of the Unit and the respective practitioners dealing with particular plans, policies, projects and applications. It was not always possible and desirable for me to be involved in everything, and in this regard the authority for planning was delegated to varying positions within the municipality.

Apart from the delegations, it is rare for functional executive staff to have the time to strategically and functionally be involved to the extent they should, since much of one's day is spent on so- called high level meetings that have little to do with your function. This is in part related to executive management being both functional and administrative, and often it is the administrative functions that dominate the time and effort within the municipality such as performance cards, audit committees, labour forums, councillor meetings etc.

4.6   Ethical clearance

The Head of the Town and Regional Planning Department, University of Pretoria approved the research proposal in April 2014, and research and integrity approval of the study was granted by the University's Faculty Committee for Research and Integrity in mid-May 2014 (see Appendix 4.2). Access to the site, participants and the data gathering process for the research effectively commenced in May 2014 (see Appendix 4.3). A requirement for ethical clearance from the University was that the proposed instruments, such as interview schedules and questions, be submitted for approval and prior to undertaking any form of empirical research, and this was complied with (see Appendix 4.4 A - 4.4 G). The Committee for Research and Integrity requested a separate motivation for demographic and socio-economic related questions; which formed part of the resident interview schedule, which was subsequently done and led to final approval.

 At the end of September 2013, I took 4 months of paid leave and a further 12 months of sabbatical leave, which ran sequentially, totalling 16 months free from direct involvement with the municipality and the Unit (see Appendix 4.1 for more detail). City management agreed to the sabbatical on the basis that I take a transfer to another unit or function and that the post of Head: Development Planning, Environment and Management Unit be advertised for a new appointment. A new Head of the Unit was appointed in April 2014. This provided me with the

opportunity to be disassociated formally, but still very much part of the organisation and area of investigation.

There were several occasions when research participants inside and outside of the municipality indicated that they felt comfortable in speaking to me candidly, more so now than before because I was no longer the Head of the Unit. At the same time, I could also sense certain participants were more reluctant to engage and to give me access to the research information sought. However, this was minor problem compared to the overwhelming support and access to participants and information that I received, not only from the Unit but also from other units within the organisation. This is the main advantage of an 'insider' researcher, as access to research participants is often much easier compared to an 'outsider' researcher (Unluer, 2012).

The new Head of the Unit was one of two internal contenders for the post. This created a sense of organisational shift, with the emergence of new powers, organisational politics and alliances. On several occasions, participants in the research and non-participants, such as colleagues who I would 'bump into', would often share how they felt about the changes, some positive and some negative. My internal response to this situation was that I was a researcher and the most I could do was listen to what people had to say and not contribute actively to the organisational politics. My standard comment was that change is important and with time everything will settle down.

One of the informant interviewees told me that it will be very difficult for me to write about myself in a positive way and this also turned out to be true. I also found it really difficult to write critically about the practitioners, in particular those who were responsible for implementation, as I am aware that they were simply doing as expected. To some extent practitioners were oblivious to the how they contributed to a particular planning practice that supported business, political interests, organisational and/or personality agendas; a planning practice that intended to do good but was unaware of its unintended consequences. I decided that I had to write about this in the true form that planning practice presented itself to me, revealing the messiness, the social relations and the regimes and discourses that practitioners were involved in, but unaware of and hence invisible to them.

There were also negative comments about me as the former Head of the Unit, which came through from an interview with a developer and a community activist, specifically that I did not make enough time to engage with them when I was in that position. So, in many ways, this research has also been an opportunity for self-reflection, a critical assessment of the role

I played, as the former Head of the Unit. Often, I wish I had taken this journey a couple of years before, so that my management of the Unit could have benefitted positively from what I have gained through this research. In fact, one of the ethnography participant's (IE Participant 3) asked me on my third day with him, "Did I as management learn from being exposed to the coal face of planning?", to which I answered, "Yes and I wish this was done some years ago."

4.7   Approval process to locate the research within the eThekwini Municipality

It should be noted that at the time, the eThekwini Municipality had no set procedure to apply for access to undertake independent academic research within the municipality. In the process leading up to the sabbatical, I made a request for access to the municipality as the research site, with a proviso that closer to the time of undertaking the actual fieldwork a more detailed application would be made.

The detailed application followed the same format as prescribed by the University of Pretoria's Faculty Committee for Research and Integrity (see Appendix 4.3). Given that I held a senior position within the municipality and specifically within the area of study, I was extremely cautious to ensure as far as possible that I obtained access from all the necessary decision-makers. An application to access participants, observe various meetings and access resources in the form of documentation was submitted to the Head of the Unit and the Deputy Head of the department where the research was undertaken. A letter giving me access to the municipality as the research site is included as Appendix 4.3.

4.8   An overview of the eThekwini Municipality - the institution

The study was undertaken within the Land Use Management Branch, the Strategic Spatial Planning Branch and the newly established Land Use Management Projects Branch, all within the Development Planning Department, located in the Development Planning, Environment and Management Unit of the eThekwini Municipality, Durban, South Africa. It is important to clarify that this study does not follow a case study research method, but still utilises the detailed data collected in the research to explore planning knowledge in use, its roles and the way it is being (re)constructed for planning practice (Flyvbjerg, 2006). This study is 'geographically bounded' and the study itself is based on an important metropolitan city within South Africa (Flyvbjerg, 2006; Robinson, 2007; Watson, 2012). The intention of this research is not to generalise the findings, but rather to learn them and demonstrate to

practitioners the importance of alternatives and possibilities in the (re)development of planning knowledge for practice. This in-depth study of planning practice and in particular the (re)development and implementation of planning knowledge is studied within the context of a local municipality arrangement, internal to the institution as well as external, focusing on the jurisdiction of the municipality, its residents and stakeholders.

The three branches within the Development Planning Department are used as a point of access to understand how planning knowledge is being used, its roles and how it is being (re)developed and applied within the municipality. This does not mean that other sectors and processes are absent from the generation and application of planning knowledge. However, the department and the selected branches do have a specific responsibility for the development and application of planning knowledge for practice, as discussed in more detail in section 4.8.2.

4.8.1   Overview of the Municipality

The metropolitan Municipality of eThekwini is the result of more than a decade of legislative restructuring resulting in the formation of the Durban Metropolitan Council in 1996 and the eThekwini Municipality in 2000 (Maharaj, 1997; Robinson, 2007). Chapter Five will cover the formation of the municipality in more detail. The structure of the municipality consists of an Executive Committee (EXCO) headed by the Mayor and supported by five (5) Committees. Under the Economic Development and Planning Committee, sits the Town Planning Sub-Committee. Every councillor serves at minimum on one committee. There are 205 councillors in total, of which 103 councillors are local councillors for each the 103 wards and the remainder are party political representatives (eThekwini Municipality, 2013/14a).

The administrative side of the municipality is headed by the City Manager and supported by seven (7) Deputy City Managers, each responsible for a cluster of functions or units. Each function is managed by a Unit Head. The Sustainable Development and City Enterprises Cluster comprises five units: The Development Planning, Environment and Management Unit, the Economic and Investment Unit, the Business Support, Tourism and Markets Unit, the Catalytic/Strategic Projects Unit (still to be formally established) and the Durban Fresh Produce Market Unit (eThekwini Municipality, 2013/14a). This structure is depicted in Figure 4.3 to follow.
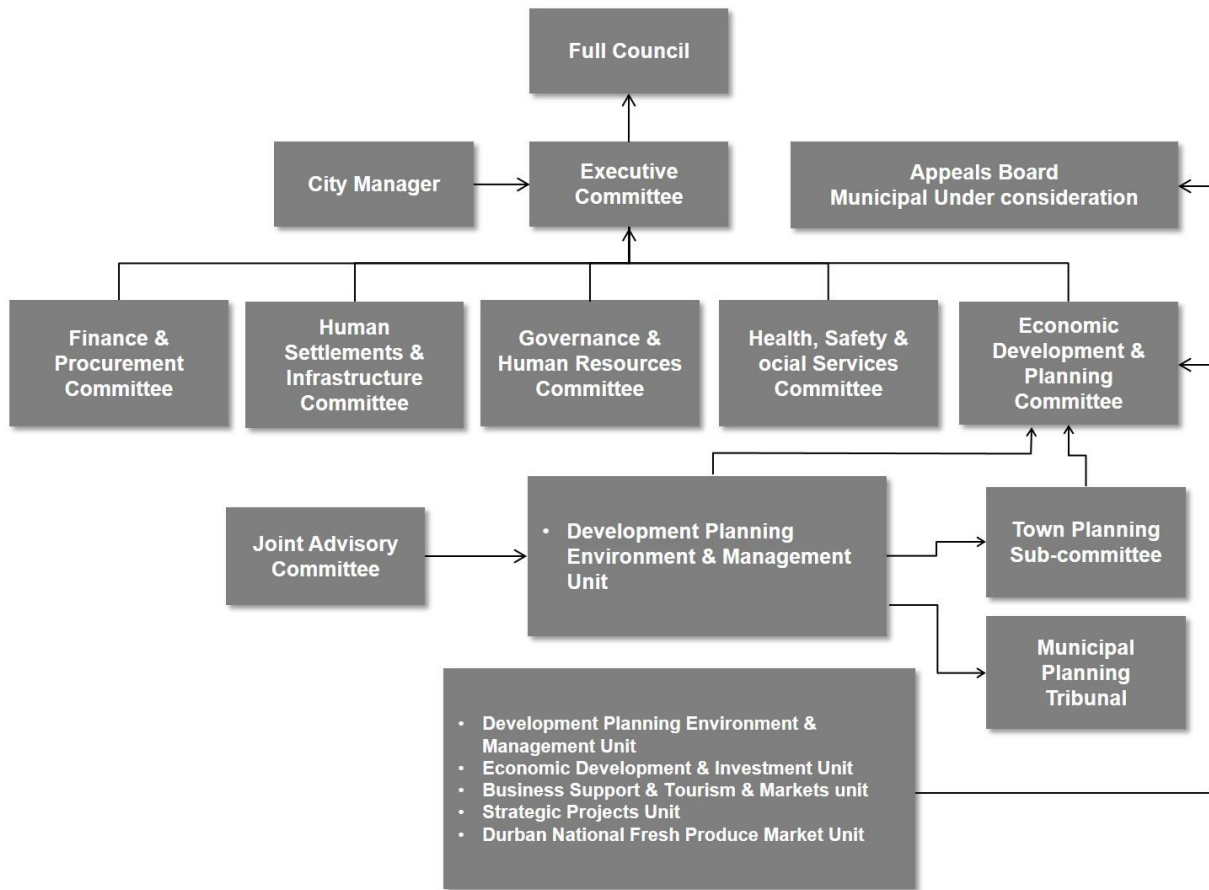
Figure 4.3: Political and Administrative Structure of the eThekwini Municipality
Source: Adapted from eThekwini Municipality (2015/2016a: 384).

With the intention of advancing governance within a vast and diverse metropolitan area, the eThekwini Municipality is divided into five (5) sub-municipal regions that allow for local government services to be decentralised to residents, including planning and building services. Each sub-regional area is served by a local administration hub referred to as a Sizakala customer centre, which means "to get help" in isiZulu. The services offered at the regional Sizakala hubs include applications for municipal services such as water and electricity, town planning and building control enquiries and the submission of planning and building applications, community facility bookings, environmental health services, community participation, cash receipting, municipal service complaints and the offices of the local councillors for the area (eThekwini Municipality, 2015h).

There are four regional service hubs or Sizakala Centres, namely Hillcrest (Outer West municipal sub-region), Kingsburgh (Southern sub-region), Pinetown (Inner West sub-region) and Umhlanga (Northern sub-region). These four regional hubs provide a full building and planning service (strategic spatial planning and regulatory land use management). Given the location of the head office together with other council departments in the central Durban area, the Central Region is not served by a Sizakala Centre but forms the fifth municipal sub-regional area. There are several local and satellite hubs that constitute the Sizakala system such as Chatsworth, Phoenix, KwaMashu, and Umlazi. The planning service available at the local and satellite Sizakala Centres is limited to building plan submissions. Refer to Figure 4.4 for a map showing the Sizakala system.

4.8.2 Overview of the Development Planning, Environment and Management Unit

The Development Planning, Environment and Management Unit, which is likely to undergo a name change to 'Planning, Climate Change, Biodiversity and Resilience Unit', consist of three functional departments and one administrative support branch. The structure of the Unit is represented diagrammatically in Figure 4.5, to follow. The focus of this study is on the Development Planning Department, where the generation and application of planning knowledge is located.

In summary, the Unit consists of approximately 260 core professional/technical staff providing a land use planning, building assessment, building inspectorate, environmental planning, environmental impact assessment and enforcement service (eThekwini Municipality, 2014c). The annual Unit budget for the 2015/2016 financial year was just under R275 million. The estimated staffing budget for 2015/2016 was R201 million (eThekwini Municipality, 2016/2017b).
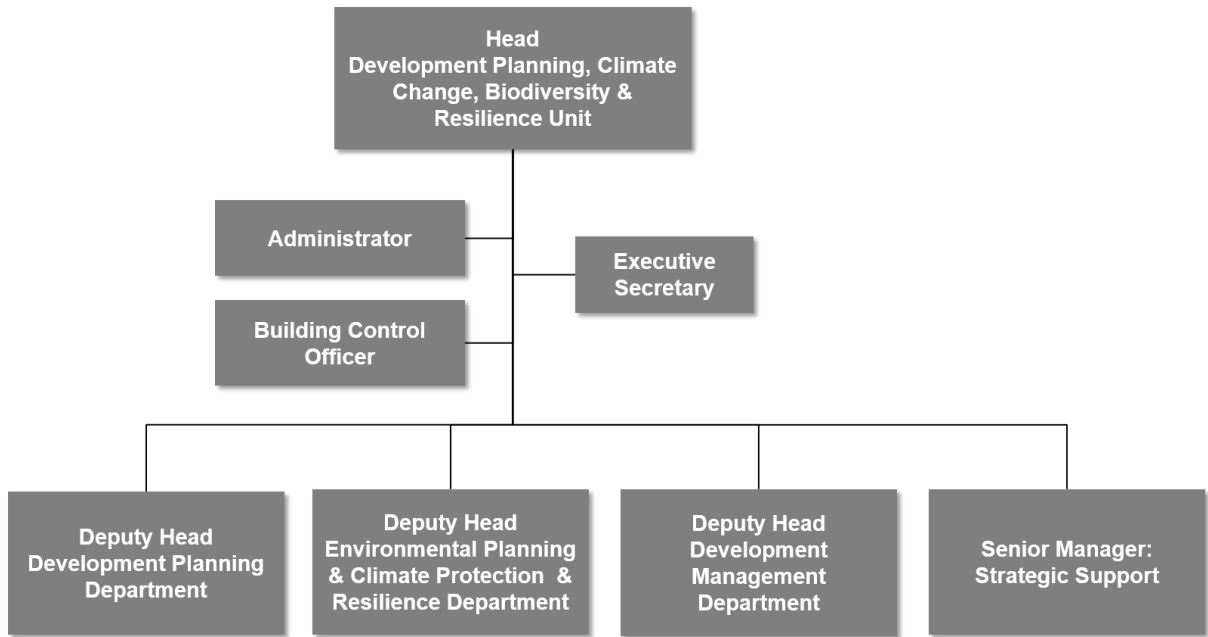
Figure 4.5: Development Planning, Environment and Management Unit Structure
Source: eThekwini Municipality (2014c)

4.8.3 Overview of the Development Planning Department

There are five branches within the Development Planning Department - Land Use Management, Strategic Spatial Planning, Land Use Management Projects, Public Sector Housing, and Planning and Information, as represented diagrammatically in Figure 4.6, to follow. As an appreciation of scale, the number of people involved in the generation and application of land use knowledge for action (inclusive of all five branches) equates to approximately 110 planners/technical planners including all levels of management involved in the function. The focus of this research excludes the Public-Sector Housing Planning Branch.
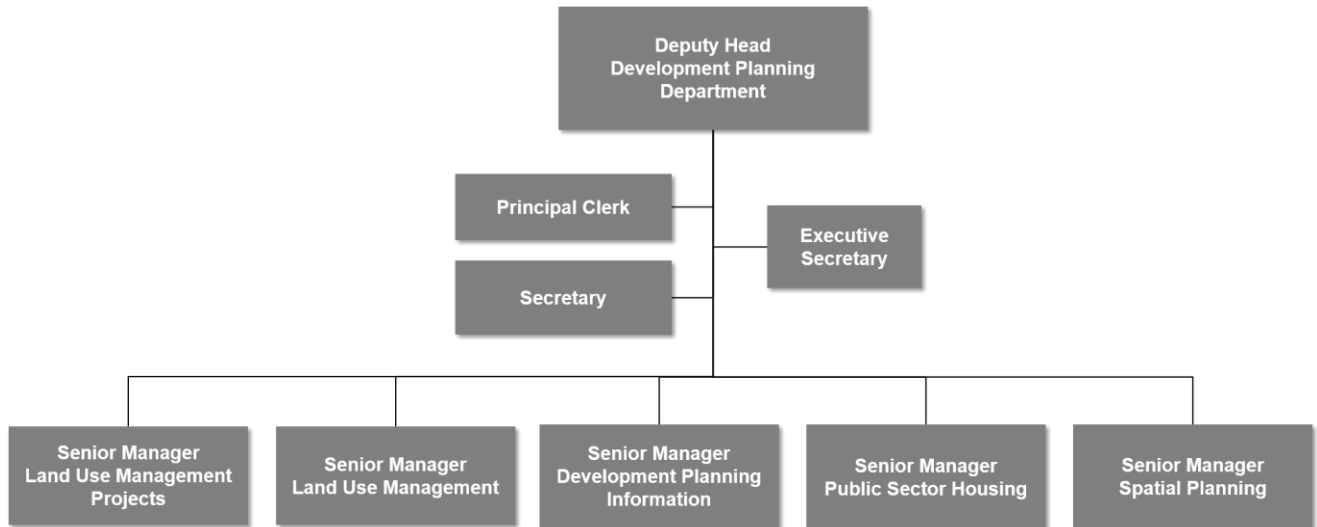
Figure 4.6: Development Planning Department Structure
Source: eThekwini Municipality (2014c)

The Land Use Management Branch consists of practitioners who are the implementers of land use planning (those that apply planning knowledge for action). They assess and recommend approval or a refusal for land use applications and initiate land use compliance infringements. This branch is divided geographically into (6) sub-regional teams - the North, South, Inner West, Outer West and the North and South Central administrative regions, as shown in Figure 4.7 to follow.
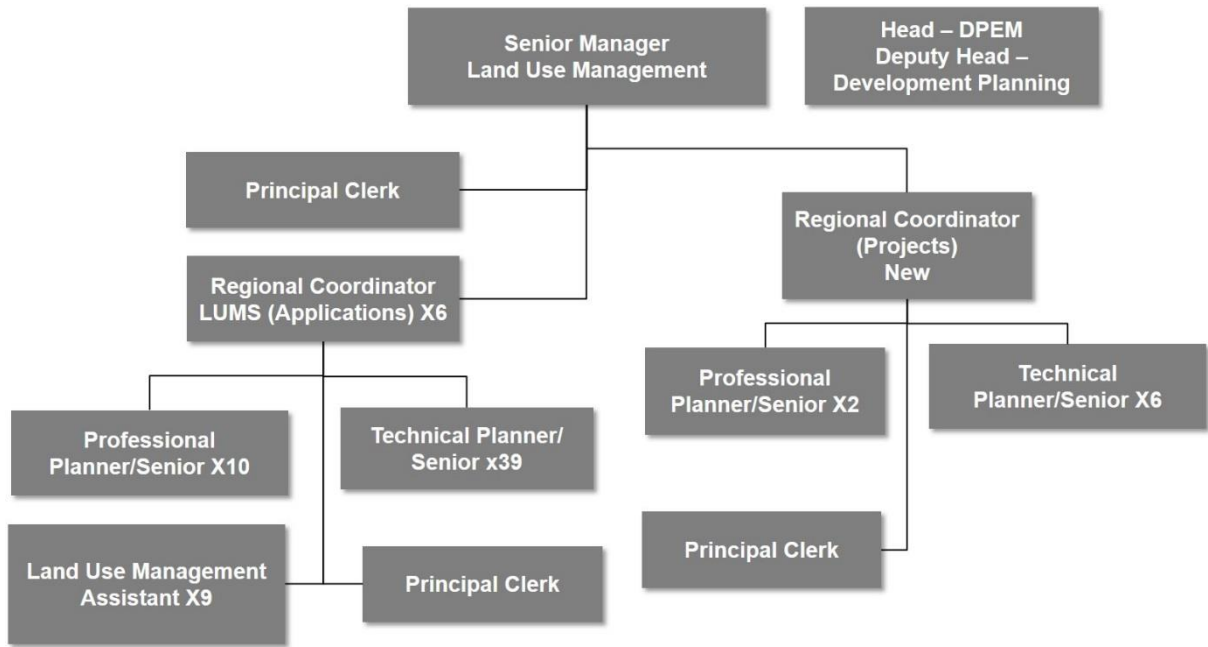
Figure 4.7: Land Use Management Branch
Source: eThekwini Municipality (2014c)

The amalgamation of the six municipal entities in 2000, as part of the local government restructure resulted in the eThekwini Municipality inheriting six land use management branches and on occasion departments. Apart from the North and Central Local Councils, planning was largely confined to regulatory planning. The formation of the Planning Unit resulted in one Land Use Management Branch, with six regional offices. The Central Region is split into two, north and south. The Land Use Management Branch is responsible for the assessment of applications and ensuring that proposals adhere to the approved plans and the TPS.

The Land Use Management Projects Branch is a fairly new departmental arrangement (in the future organogram it is depicted as a division within the Land Use Management Branch). This Branch generates planning knowledge in the form of town planning schemes, focused on the (re)development of TPS, including the rationalisation, consolidation, extension, review, amendment and replacement of schemes.

The Land Use Management Projects Branch works with a core component of staff (professional and technical planners) and practitioners seconded from the six (6) Land Use Management administrative regions (North, South, North Central, South Central, Inner West and Outer West). The reasons for this staffing approach are twofold. The first is to ensure

that the practitioners who work in this Branch are experienced in the application and practice of planning in order to engage in the review, amendment and replacements to the town planning schemes. The second is to enable the seconded representative/s to coordinate and link back to the land use planning administrative regions in identifying TPS-related challenges and to find ways to resolve such problems, so that they may be more responsive to the realities of the particular region and across regions.

This Branch works on 'plugging the gap' between the strategic spatial planning undertaken by the Strategic Spatial Planning Branch and regulatory planning, converting such planning knowledge into town planning schemes, which are managed and implemented within the regional LUM offices. This Branch also undertakes its own strategic TPS projects, which result in an overall review of town planning schemes for particular areas under change. In essence this Branch centralises the changes and extensions to town planning schemes and works in conjunction with the Strategic Spatial Planning, Land Use Management and the Public-Sector Housing Branch.

To date, this Branch has consolidated and standardised various town planning schemes and land use controls within the former entities or boroughs of the erstwhile Durban City Council from 30 schemes into five core schemes. The five core schemes have further included and rationalised former township land use controls and new public housing areas established through the Less Formal Township Establishment Act, 1991 and the Development Facilitation Act, 1995. These areas, together with the former township areas, make up a primary scheme which is annexed to the core scheme for the municipal sub-region, in terms of the land use planning system operating within the province of KwaZulu-Natal **(**PPDC KwaZulu-Natal Province, 2004). As stated in the 2013/2014 eThekwini IDP (eThekwini Municipality, 2013/2014b: 23),

> "The municipality now has 5 Planning Schemes to manage the 5 regions. These schemes are truly a South African product in content, in definition, in shaping South African suburbs and environments."

The Strategic Spatial Planning Branch provides a centralised spatial planning function that is divided into sub-regional teams but which are located centrally in the Development Planning head office, refer to Figure 4.8 to follow. This Branch undertakes and coordinates the package of plans for the municipality that comprises a hierarchy of spatial plans at varying scales and times frames, including the city-wide Spatial Development Framework (SDF), which is a legal component of the Integrated Development Plan (IDP). In order to provide a

local, city-wide and sustainable perspective on spatial planning and spatial governance, the eThekwini Municipality adopted a catchment based planning approach, dividing the city spatially into four (4) sub-regional areas. Spatial Development Plans (SDPs) have been prepared by the Strategic Spatial Planning Branch for each of these areas, as shown in Figure 4.9a and 4.9b to follow, together with several other lower level plans described as Local Area Plans (LAPs). Each of the SDPs is renewed annually based on changes in the local level plans and the sub-regions. The SDPs also contribute to the annual review and update of the SDF.
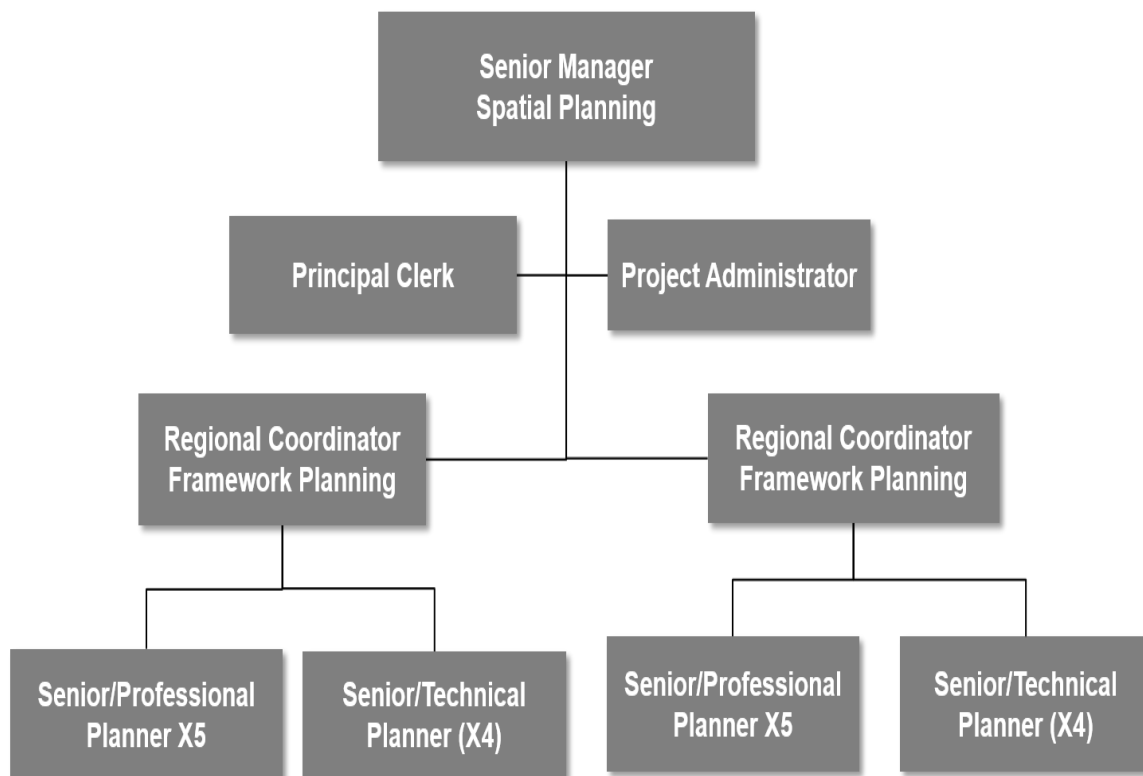
Figure 4.8: Strategic Spatial Planning Branch Structure
Source: eThekwini Municipality (2014c)

Planning as an approach and one that informs the package of plans is regarded as an iterative process moving in and between different scales and issues, from global, national, provincial, city-wide to local concerns and opportunities, as depicted in the municipality's hierarchy of plans (eThekwini Municipality, 2013/2014b). The main purpose of the SDF is to respond to the development context, challenges and vision of the city. The SDF is regarded as a strategic spatial tool that corrects spatial imbalances of the past, through indicating new development areas and strategic interventions that respond to spatial development needs. The SDF increasingly relies on traditional methods of planning, the importance of infrastructure, the concerns of big business, and planning tools such as the urban edge (Todes, 2011; eThekwini Municipality, 2013/2014b; Sim et al., 2016). This depiction of the spatial planning system utilised within the eThekwini municipality is shown in Figure 4.9a and 4.9b, to follow.
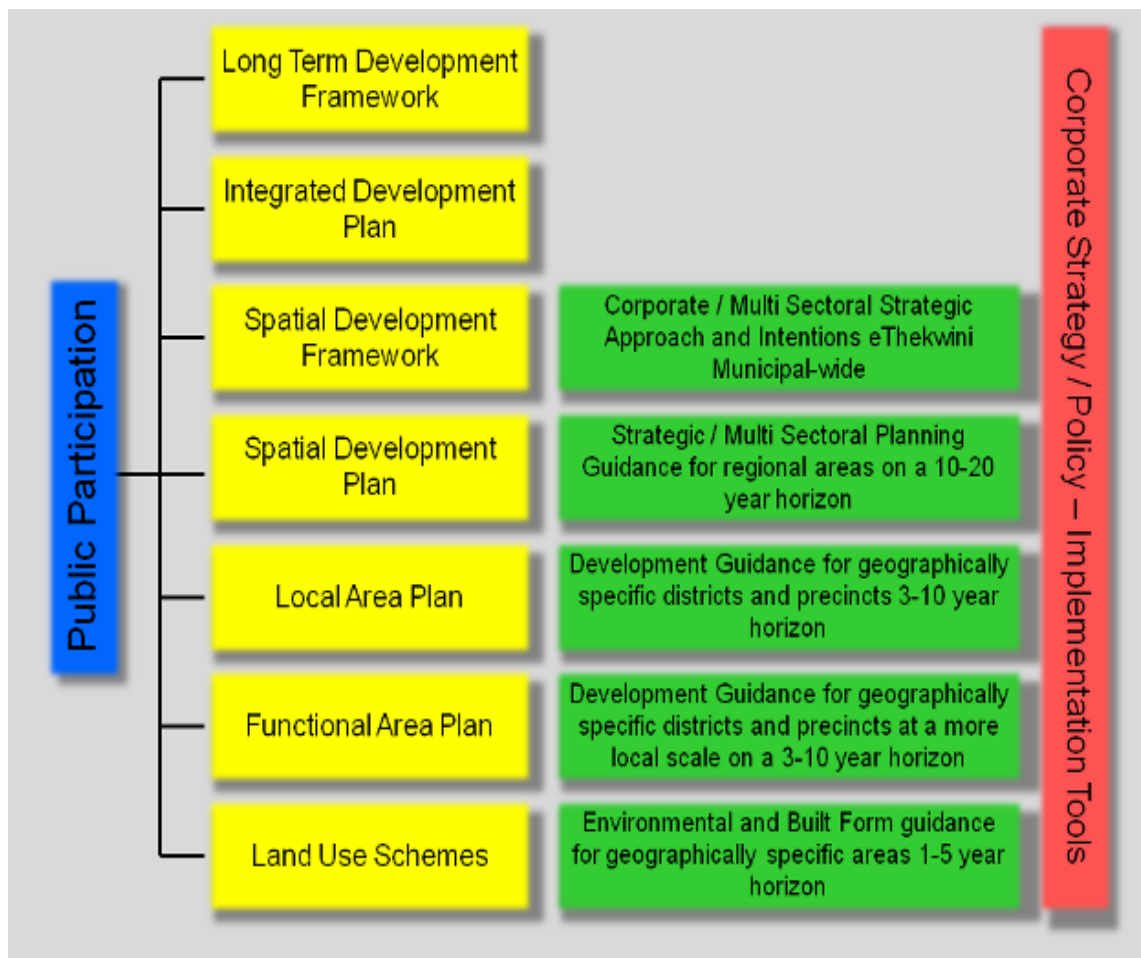
.**Figure 4.9a: eThekwini Municipality Package of Plans**
Source: eThekwini Municipality (2015/2016b: 30)
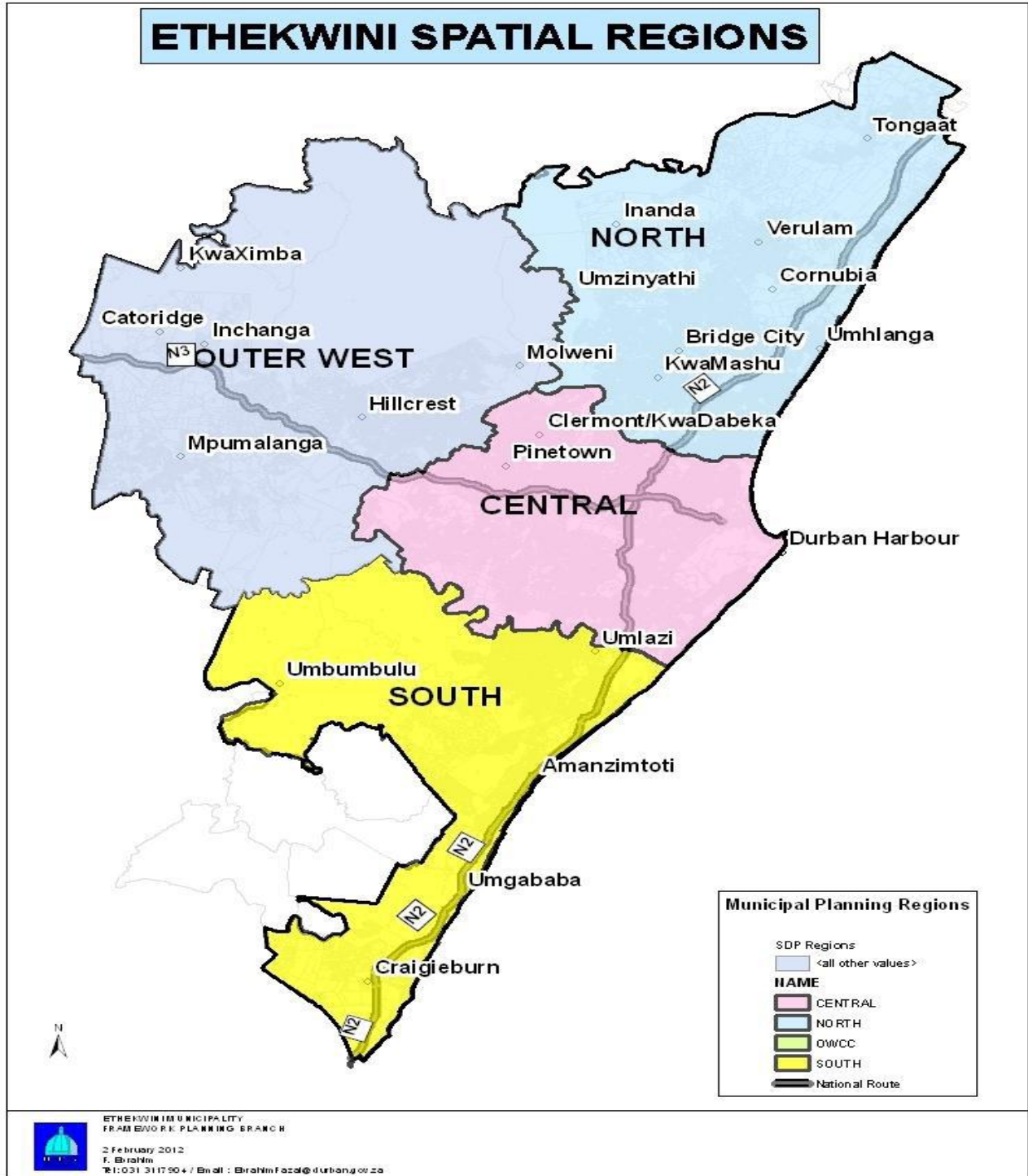
Figure 4.9b: eThekwini Municipality Spatial Regions
Source: eThekwini Municipality (2015/2016b: 34)

4.9 Preparing data, analysis, interpretation and theorising of data

The literature on qualitative data analysis often makes the point that there is no one particular or ideal approach to analyse qualitative data and it is usually informed by the research question (Neuman, 2014). In this research the data analysis approach varied as required for each of the research sub-questions.

The data analysis undertaken in this research was a challenging, evolving and iterative process to make sense of the findings within and between each of research sub-questions. The analytical approach used was mostly inductive, based on the data findings evidenced (Neuman, 2014). The data collected was adequate to demonstrate the interpretations and concepts offered in this research, an important aspect of qualitative data analysis (Neuman, 2014). The data presented and the analysis for this research is organised around five chapters, Chapters Six to Ten.

4.10 Data analysis strategy

The collection of data was sequenced with a degree of overlap between data methods and data sources. The institutional ethnography was the starting point for the data collection and data analysis. The approach to data analysis involved the coding of data at different levels, within each data set and between data sets. It commenced with open coding, then making connections between codes, followed by selective codes to demonstrate the central themes coming through from the data. Thereafter, levels of connections between clusters of themes was undertaken to form concepts and narratives appropriate for the research question and sub-research questions (Babbie and Mouton, 2002; Neuman, 2014).

In essence the collection of data and the analysis of data to answer the research sub-question one took a form of discovery and validation for the remainder of the research: *How is land use planning knowledge used in planning practice, within the eThekwini Municipality?* This is represented diagrammatically in Figure 4.10 to follow.

Figure 4.10: Conceptual diagram showing layering and sequencing of data collection
Source: Author

Research Sub-question 1:
How is land use planning knowledge used in planning practice within the eThekwini
Municipality?

The data analysis was anchored around the institutional ethnography and then built on from the informant interviews, focus groups and key documents. It was also important in this study to commence and reach preliminary findings for the research sub-question one, which confirmed the importance of planning knowledge in action and set the agenda for further research. Whilst changes to the research approach were anticipated depending on the findings of research sub-question one, investing time in the institutional ethnography component of the research as the first step in data collection helped to confirm that the design and structure of the research was appropriate for the remainder of the study. In a 'regular' research approach to a study, this would be seen as 'risky' but in a research that utilises ethnography, the discovery approach and flexibility would be regarded as important and expected of institutional ethnography and a motivation for further research (Smith, 2005). A process of coding within and between the data sets helped to uncover the roles, uses and importance of planning knowledge within planning practice for the eThekwini Municipality. This is reflected diagrammatically in Figure 4.11, to follow.
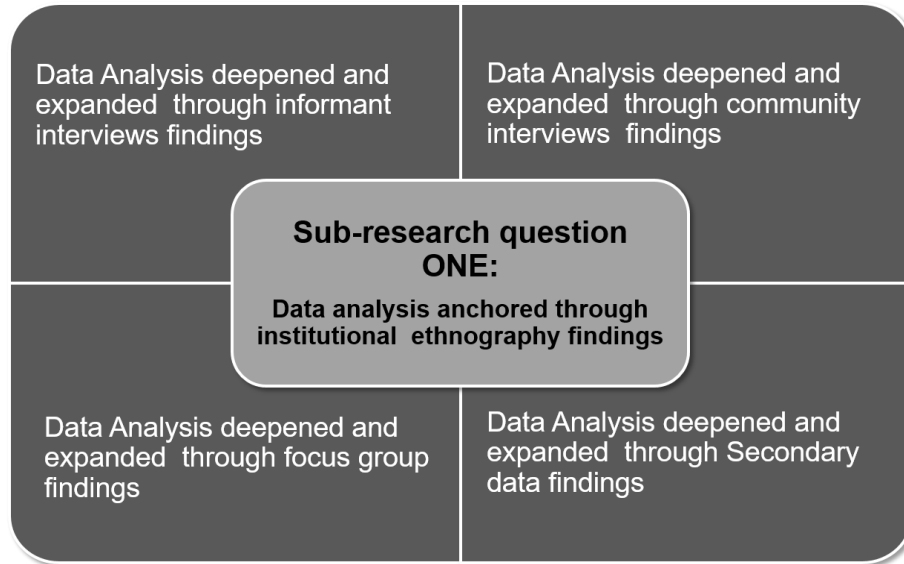
Figure 4.11: Conceptual diagram showing data strategy analysis for research sub-question one. Source: Author.

Research Sub-question 2:
How is land use planning knowledge for action being developed/re-developed institutionally within the eThekwini Municipality?

The data was anchored firstly through the institutional ethnography findings, based on a small number of meetings observed where land use planning practitioners were in discussion regarding the (re)development of planning knowledge. It was then augmented by relevant findings from the informant interviews and focus groups. Data from informant interviews was first analysed in terms of similarities and differences according to the different sectors or stakeholders making up the data collection sample. Differences between and within groups of stakeholders were also given particular attention to appreciate how planning knowledge is being (re)developed institutionally within the municipality. The process of selective coding was used, to create themes and the associations between themes were used to create core themes, and at a higher level the connections between core themes were used to build concepts and emerging narratives on how planning knowledge is being (re)developed within the eThekwini Municipality. This is reflected diagrammatically in Figure 4.12 to follow.
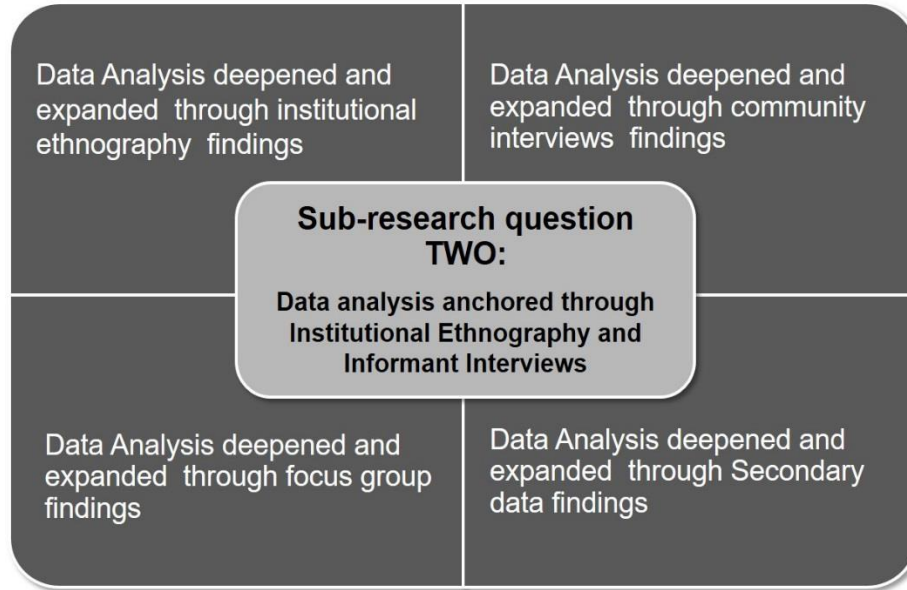
Figure 4.12: Conceptual diagram showing data strategy analysis for research sub-question two. Source: Author.

Research Sub-question 3:
What are stakeholders' experiences with and perspectives on land use planning knowledge for informing planning practice within the eThekwini Municipality?

The first cut of the data was centred on key themes emerging from the informant interviews, especially from stakeholders outside the municipality. The second cut of analysis was undertaken for the remainder of interviews obtained from within the municipality, including from sectors on the periphery of engaging in the construction of planning knowledge. The third cut of analysis was the findings from the 168 resident interviews. These data sets, whilst very different, have been used together to inform the findings for this research sub-question. The data collected from community interviews were pre-coded and post-coded and captured within a statistical software package, the Statistical Package for Social Sciences (SPSS). SPSS made it possible to arrange the large number of responses from the 168 community interviews to be organised, measured and analysed, essentially allowing for qualitative data to be presented in a quantitative form (Babbie and Mouton, 2002). However, the findings from the community/resident interviews were considered temporal. Generalisations from this data remain limited because of it being a non-probability sampling method. The data analysis for sub-question three is reflected diagrammatically in Figure 4.13 to follow.
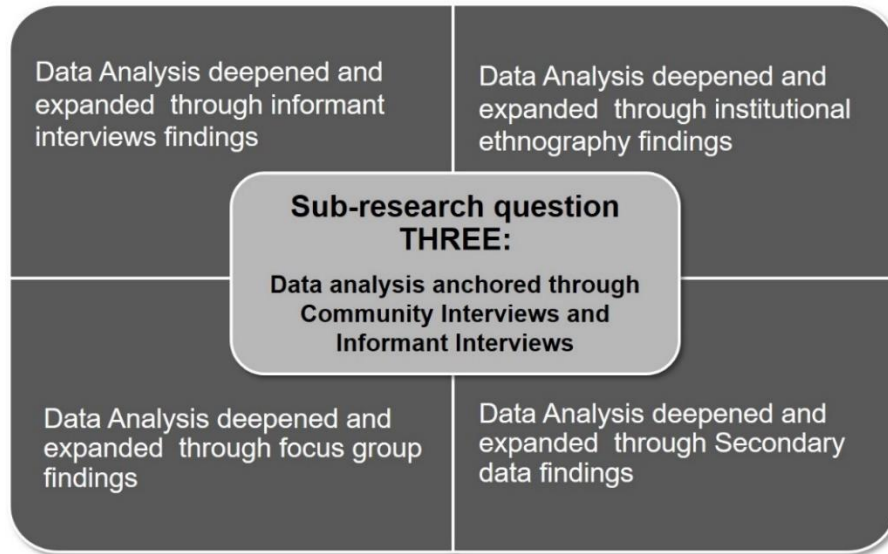
Figure 4.13: Conceptual diagram: showing data strategy analysis for research sub-question three. Source: Author.

Research Sub-question 4:
How is land use planning legislation being (re) /redeveloped within and for the eThekwini Municipality?

The analysis for this research sub-question was largely anchored around the findings from the ethnography meetings observed in the legislative making process between the three spheres of government (national, provincial and local), appeal hearings and decision-making meetings. Informant interviews also played an important role by contributing information to this sub-research question, in particular from the legal sector, business, community activists, politicians and practitioners. The findings were then augmented by an analysis of the legislation. These data sets, whilst very different, have been used together to inform the findings for this research sub-question. The process of coding between and within data sets and the concepts and narratives deduced from the data were used to explain how legislation is being made within the planning environment, nationally and for the eThekwini Municipality as reflected diagrammatically in Figure 4.14 to follow.
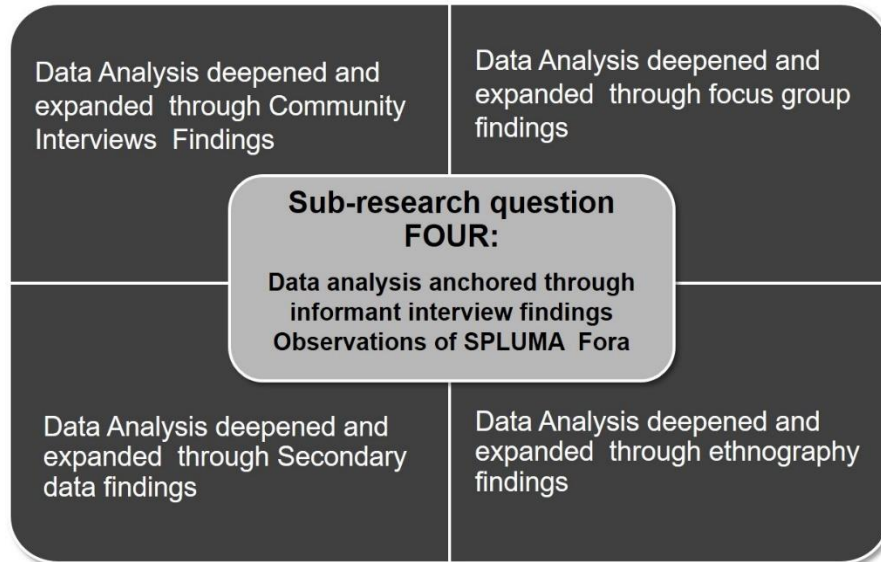
Figure 4.14: Conceptual diagram showing data strategy analysis for research sub-question four. Source: Author.

4.10.1 Overview of analytical terminology used in the research

Given that part of the research design and research methods included institutional ethnography, which is dependent on observations and key text, informal interviews and field notes, there are certain patterns and concepts to look out for in the field and in making sense of the data. These patterns and concepts also take on my interpretation of institutional ethnography and its use in this research context. The following concepts were used regularly in the research analysis and thus a brief explanation of each is provided.

Actual or actuality refers to land use planning in practice under observation, in particular the practitioners that volunteered to participate in the ethnography study and the various meetings observed. The data is obtained from their own experience in their own context doing their daily work – the world of the planning practitioners (Smith, 2005).

Bureaucratic ethics describes how the bureaucracy is shaped by power relations from both below and above, directly and indirectly influencing how practitioners are expected to work, think and deliver certain planning outcomes within particular timeframes and formats. The actual quality and implications of decisions are less of an issue than complying with bureaucratic ethics, shaped by an environment that manages through indicators, audit

reports on performance or simply counting what was achieved (e.g. number of building plans processed).

Coordination, *command and/or directing* refers to how the planning practitioners coordinate and govern space and spatial relationships. This often relates to the role and power of text, its creation and implementation – planning knowledge texts such as planning legislation, town planning schemes, the SDF, lower levels of spatial plans, performance plans and standard operating procedures (Smith, 2005).

Discourse is used to refer to dominant thinking, organised socially, as hierarchy, politically and economically, that circulated amongst practitioners, management and politicians within the organisation. The role that practitioners play to sustain and reproduce this thinking, such as being pro-development, chasing timelines and working primarily with development consultants, reproduces and maintains dominant discourses within the institution (Smith, 2005; Bisaillon, 2012).

Experience is used to convey the importance of the practitioners day-to-day implementation and (re)development of planning knowledge as a voice, their experience, through observing them at work and speaking for themselves, in other words, in terms of what they say and do (Tummons, 2010).

Observed or *observations* indicate what practitioners not only said but what they did, what they demonstrated in their use of planning knowledge, such as standing operating procedures, legislation, plans, town planning schemes and the SDF and other levels of plans (Smith, 2005; Tummons, 2010).

Planning Ideology as a concept is used regularly to convey dominant planning thought, a belief system of a planning approach. Ideology in this research also refers to a planning system that comes from elsewhere and one that is not grounded in the current context (Bisaillon, 2012).

Text is used to describe text in a spatial plan, clauses from legislation or definitions from the town planning schemes that are reproduced across the municipal planning offices and that intend to control land use and ensure consistency in planning across the municipal area. The role of text helps to coordinate what planning practitioners do and all structures involved in planning decision-making. Text also coordinates and subjugates practitioners within and outside of the municipality to conform to the text (Tummons, 2010; Smith, 2005).

Society is used liberally but essentially entails a 'slice of society' within limited place/s, context and time as the participants engaged in this research, consisting of community activists, community/resident interviewees, and a variety of stakeholder representative groupings.

Social relations are a key concept used to explore the social organisation in the institution - the coordination, control and subjugation of practitioners' relationships (drafters and implementers of planning knowledge). Practitioners often supported social relations, power alliances and interests but were also frequently unaware of their contributions to reproducing these relationships and alliances within the organisation (Smith, 2005; Tummons, 2010).

Standpoint is used to denote the actual, felt, observed everyday experience of a sub-group, where the sub-group starts reflecting the same feelings, the same views. In this case many standpoints come through from the sub-groups involved in planning, such as practitioners that (re)developed planning knowledge and practitioners that implemented planning knowledge. It gives meaning to a particular position of practitioners/officials/politicians/ groups within the institution, or what they believe and how they act within the institution (Smith, 2005; Bisaillon, 2012).

Work, or what practitioners do, refers to *work knowledges*, that is, what practitioners know and how they coordinate their actions using planning knowledge or texts, such as town planning schemes, framework plans, LAPs, parking standards etc., to over-rule their own views*.* Work knowledges limit discretion and individual thought, but also give practitioners the power to write knowledge, in turn giving this knowledge power to direct action over others in the construction and use of space (Smith, 2005).

Uncovered, or emerging through exploration, is used to refer to how practitioners use planning knowledge and (re)construct such knowledge for planning practice with or without them knowing (Bisaillon, 2012).

4.10.2 Overview of posts referred to in the research

- *Strategic Spatial Planners or Forward Planning Practitioners* refers to professional planners and technical planners involved in strategic spatial planning.
- *Land use management implementers* refer to practitioners (professional planners and technical planners) involved in assessing planning applications.

- *Land use planning drafters* refers to practitioners (professional planners and technical planners) involved in (re)developing town planning schemes, spatial plans and spatial policy.
- *Planning practitioners* also refers to all types of planning practitioners consulted in this research, inclusive of professional planners and technical planners.

4.10.3 Overview of geographical places referred to in the research

A number of geographical places were referenced through the study and referred to on a regular basis. It would help to provide a very brief description and depiction of each of these places, as reflected in Figure 4.15 to follow.

Pinetown is a large and complex area; it is located west of Durban. It was an independent local authority prior to the formation of the eThekwini Municipality in 2000 (Scott et al., 2015).

Chatsworth was one of first Indian Group Areas established south of the city (Hands, 1964). During apartheid and in particular around the 1980's many informal settlements were established near the boundary of this area. Post-1994, these settlements were upgraded and new RDP (reconstruction and development) housing or infill development was intensified in buffer areas previously set aside to separate race groups.

Phoenix, located north of Durban was one of the later areas designated by the apartheid government for the Indian race group. Phoenix is also an important area for RDP and infill housing.

KwaMashu, located to the north of the city, was one of the main areas set aside by the apartheid government for the historically African race group (Hands, 1964). It is also an area that has densified over the years but remains limited in attracting new forms of private investment.

Umlazi, is situated in the south*,* was set aside for the historical African race group. It has a history of church land and the involvement of the church in the development of the area (Hands, 1964). Due to this church land, Umlazi became an easier location to establish informal housing during the 1980s. Unlike KwaMashu, Umlazi hosts a larger town centre and administrative area, and has a growing and dynamic economic base.

Umhlanga is an upmarket residential and economic centre that served as a major contributor to rates base of the North Local Council, prior to the establishment of the eThekwini Municipality in 2000. The primary land owner and developer in the area is the Tongaat Hulett Group, spearheading development in the north and in the outer west areas of the city (Scott et al., 2015). The rates base of Umhlanga and the outer west areas are important revenue sources for the eThekwini Municipality.

Berea (North and South) was historically re-designated as a White Group area during apartheid (Comrie et al., 1951). It is well located in relation to the CBD; it is a dynamic mixed used area and accessible to all major routes. It consists of good quality residential environments including higher density development in the form of flats, apartments, town houses, duplexes and maisonettes. It comprises the following suburbs: Musgrave, Essenwood, Windermere, Morningside, Westridge, Umbilo, Glenwood and Bulwer (Hands, 1965).

Durban North, inclusive of Broadway, was also re-designated as a historical White race group area. It is well located to major amenities, and consists of good residential environments. It consists of the following suburbs: Umgeni Park, Glenashley and Prospect Hall (Hands, 1975).
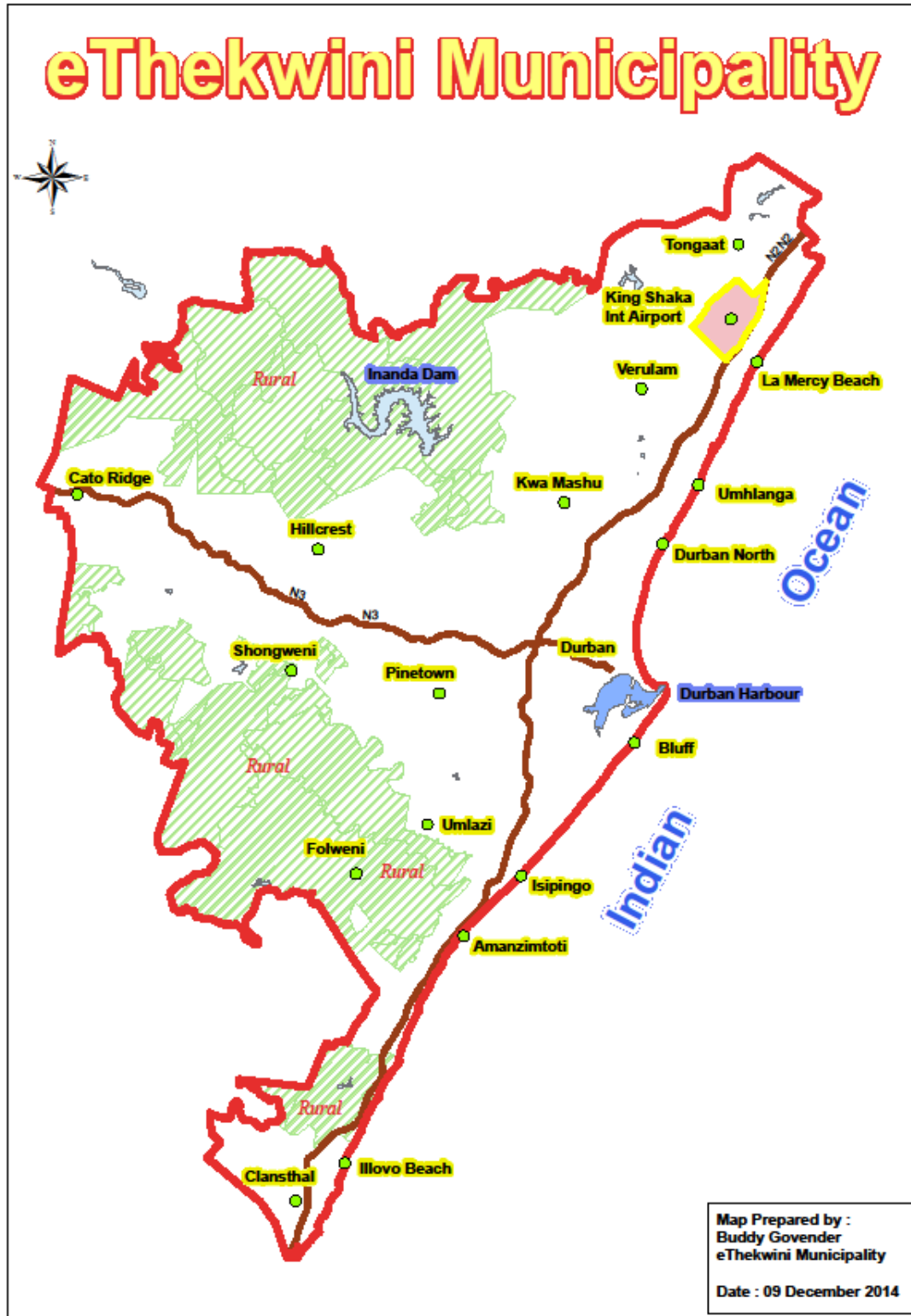
Figure 4.15: Common geographical places referenced in the research
Source: Author. Prepared by the Information Planning Office, Development Planning, Environment and Management Unit, eThekwini Municipality.

Plate 1: Visuals of Chatsworth, South of Durban.
Source: Author

Plate 2: 'Traditional/rural' far north of Durban - Molweni (above) and large scale private sector development north of Durban – Umhlanga (below)
Source: Prakash Bhika

Plate 3: Public realm upgrade: KwaMashu, north of Durban (above) and the city: port, beachfront and CBD (below)
Source: Prakash Bhika

Plate 4: Conversion of residential to religious and community use (with or without planning consent)
Source: Author

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4.11 Summary and Conclusions

The research does not intend to romanticise the value of participation and co-generation in the construction of planning knowledge. Nor does it expect consensus on societal views on planning knowledge for practice. However, it recognises the importance of exploring this area of planning knowledge with 'society' in an attempt to inform planning and responding to the call for planning to become relevant and acceptable through engaging and sharing lifeworlds and experiences. As evidenced in this chapter, stakeholders in this study are diverse, yet it is not always possible to obtain a perfect representation of interviewees (Bickman and Rog, 2009).

In order to proceed with the research, a flexible research design was selected by using a 'meta-theoretical' research identity. The design of the research strategy and the data collection methods was carefully sequenced and layered. This allowed for the research to 'inform the research' thus reaffirming the importance of the research area and the research question and sub-questions. Essentially each phase of the data collection process, informed the next phase of data collection.

The research recognises the importance of and the difficulty and contestation around expectations of planning knowledge for practice; this is discussed further in Chapters Six through to Chapter Ten. However, it is envisaged that the research framework, my subjective and analytical role in this research and the collaborative opportunities created, assisted in making sense of the diversity and conflicting views in planning knowledge, as a start to theorising for practice, as further discussed under Chapter Ten.

In reflecting on the research design and selection of research methods, research site and context, this study is unique, it is empirically extensive and grounded in practice. It offers an opportunity to explore planning practice and the roles of, and opportunities presented by, planning knowledge to influence theory and practice for cities in the global south and in Southern Africa.

Chapter Five, to follow, takes on a historical journey covering the emergence of planning from the 1950's to the current planning arrangements within the eThekwini Municipality.

CHAPTER FIVE: INSIGHTS INTO PLANNING - 'FROM THE CITY OF DURBAN TO THE METROPOLITAN MUNICIPALITY OF ETHEKWINI'

5.1 Introduction

Chapter Four provided a glimpse into the eThekwini Municipality as part of the research context. Given the complexity, travel and history of planning, this chapter provides insights into planning as practice, how it was imported, imposed, rooted and matured within the municipality. This is not a historical account, even though key dates are referenced. It essentially tells a story of how planning commenced in Durban and how this started to shape planning knowledge, approaches and planning practice from then until now. This chapter is informed by available historical documentation, my own views and informant interviews undertaken specifically to develop an understanding of the travels of planning knowledge, the contestation, and the people that influenced planning practice within the municipality. In trying to establish the journey of planning, it is evident that there is a lack of documentation that accounts for how and why planning practice took its particular form. Information on planning practice is limited for the post-1994 period. The role and impacts of the municipal restructuring process on a local government function like planning, and the institutional arrangements, remain under-researched. This is my story of the 'start, the travels and conflicts' in planning practice in municipality, and it is accepted that there could be several versions to this story.

5.2 Planning in Durban – 'a shared relationship with international planning'

Whilst it is often taken for granted that the British founded planning within the then Province of Natal, the early Voortrekkers played an important role in the planning of Pietermaritzburg, Weenen, and to some extent, the City of Durban between 1838-1843 (Harrison, 1998). However, city officials linked the first city plan to Captain Gardiner, often referred to as the first town planner for Durban, who arrived at the Port of Natal in 1835. Due to his concerns about the poor conditions of the area, the Captain convened a public meeting in 1835 to plan Durban as a township, and then named D'Urban (City of Durban, 1982). The township of Durban was proclaimed a borough in 1854 and fell under the care of the first Borough Engineer in 1882. However, the formalisation of planning only started in 1934 with the passing of the Private Township and Planning Ordinance of 1934, to manage and control the sale of land. This 1934 legislation was seen as ineffective because it lacked the necessary clout and resources to be implemented (City of Durban, 1982; Harrison, 1998).

More effective planning within the City of Durban and the province of Natal commenced in the 1940s, motivated by concerns similar to those of international planning (Mabin and Smit, 1997). From the early to mid-1940s planning was focused on the redevelopment opportunities and challenges presented by the post-war development boom, which amongst other needs responded to the call for adequate housing and services. Planning started off as an ideal to manage the social upheaval and ills of the early development boom, but this optimistic project of planning was weak and uneven in government at the time, which was ambivalent about central control. Thus, early planning in South Africa was conceived as a narrowed function and more technical than social (Mabin and Smit, 1997).

In 1943 the City of Durban established a Special Committee regarding post-war development and appointed Colonel P.J. Bowling in 1944 as an advisor to the Committee, who was working at the time in Northern Rhodesia (Zimbabwe). Colonel Bowling was regarded as one of the most influential planning personalities during the 1930s to the 1950s within South Africa (Smith, 1950; Mabin and Smit, 1997). An urgent assignment for Colonel Bowling was to determine appropriate building heights, which then also ventured into defining the space between buildings and coverage, that is, the percentage of a plot of land that is permissible to be covered by a building/s and/or structures. This culminated in the Bowling report recommendations submitted in 1945 to the Special Committee for consideration (Smith, 1950; City of Durban, 1982).

The Smith report of 1950 evaluated the Bowling recommendations and responded with a far more extensive and detailed investigation and report which formed the basics of the DTPS. The DTPS was established in 1952 and implemented in 1953 (Clarke, 2012). The issue of building heights, in particular for the central business district (CBD), was seen as important to prevent over-development in West Street (Smith, 1950). At the time concerns related to increases in traffic, block to block development and a lack of light and ventilation. The development of Eloff Street in Johannesburg was used as an example to be avoided in Durban (Smith, 1950). The Smith report was concerned with curbing development that would lead to an irreversible situation of the city being overdeveloped, overcrowded, congested and simply unattractive. Smith's preference was to limit building heights within the CBD so that the City Hall remained the highest building (Smith, 1950). The Smith report varied from the Bowling report, recommending a reduction in heights and densities and having a considerable influence on planning within the City of Durban as included in the future DTPS of 1952 (Smith, 1950; Clarke, 2012).

It is also important to record that Smith was the City and Water Engineer and his recommendations carried an important weight in influencing the City of Durban at the time. The relative status of engineers and engineering services with respect to directing the development of the city versus planning visions and ideals could be described as the beginning of tensions between the two disciplines within the City of Durban, as represented by the Bowling and the Smith reports. This 'conflict' between Smith and Bowling is described by Smith in the following extracts:

> "I also want to emphasise one aspect of the Bowling Report – that it is not a town planning report for the City of Durban, but only a report on the Post-War Development Schemes of the City Council," (Smith, 1950: 3) and

> "In effect, this report becomes the nucleus of the ultimate Town Planning Scheme of Durban as regards building usage, and for that reason it is again repeated and emphasised that the whole report must be regarded as interim legislation pending the final Town Planning Scheme. The early enactment of these regulations is important in order to control the growth of the City during this interim period, particularly in view of the accelerated building programme…" (Smith, 1950: 25)

This tension could also be identified in terms of international city influences and images that Bowling and Smith each brought to the planning of the City of Durban. Bowling took a very British approach and this is seen, for example, in his promotion of city densification, the liberal heights of buildings, smaller plot areas for residential development and the introduction of terraced housing. On the other hand, Smith seemed to be influenced by an American approach to planning, with wider streets, bigger plot sizes for residential development, greater separation between land uses, lower building heights in suburbs and a reluctance to support densification instruments such as terraced housing and flats.

Smith's report concurred with and differed from the recommendations made by the Bowling report. There was consensus on the definitions and categorisation of land uses and buildings. However, the permissible development bulk with respect to the zones as recommended by Bowling was seen as too high and would undermine the services within the city and create a congested environment (Smith, 1950). Bowling's report determined five land use zones that further detailed maximum height and coverage for different land use types such as residential, industrial and commercial. It allowed for the CBD to host the tallest buildings, which would decrease in height as one moved away from the CBD towards the suburbs. The tallest buildings were provided for in zone 1 (eight storeys) for development along the waterfront/Esplanade as known at the time. Residential development was largely contained in zone 5 that allowed for a maximum of three storeys.

The Smith report finalised the calculation of height based on a maximum height limitation but to be determined through the floor area ratio, and with due consideration to the width of streets as the actual or an average as required (Smith, 1950). This was regarded as both flexible for architectural purposes but also prevented overdevelopment (Clarke, 2012). Smith (1950) saw the beach as a unique feature that would be attractive to investors and therefore maximised heights and large blocks of development along the beach area, and reduced heights and bulks within the rest of the CBD and in the suburban areas.

Both Smith and Bowling created special residential zones purely for residential uses and with a set of permissible uses, such as a place of worship for the residential area, provided these uses did not distract from the residential amenity of the area. The special residential zone was further divided into minimum lot sizes, of 10 000 square feet (929 m^2), 7,250 square feet (673 m^2), and 4,500 square feet (418 m^2), respectively. However, the 2,500 square feet (232 m^2) special residential zone proposed by Bowling was objected to by Smith, as this was seen as too small, encouraging overcrowding. He was of the view that people who wanted to live in predominantly residential areas were middle to upper class citizens who could afford larger plots. If small plots of 2,500 square feet were catered for, this would attract lower income residents which may cause disharmony to the amenities of the neighbourhood (Smith, 1950). The concept of amenity interference and disharmony or the promotion of harmonious development had its origins in colonial planning notions of keeping classes and races separated from each other (Harrison, 1998; Sim, 2015). In examining current planning knowledge such as town planning schemes, concepts such as amenity and harmonious development are still very entrenched in current planning practices. To some extent this may relate to protecting local spaces, but also comes with a discourse of sameness, which excludes diversity, difference and change (Sim, 2015). Although the new South African planning legislation, SPLUMA, breaks away from this terminology for the assessment of applications, it is still very much part of the thought processes that planning practitioner's use (SPLUMA, 2013; Sim, 2015).

Smith's report outlined special residential zones, general residential zones, general business zones and definitions for the types of buildings, land uses and limitations applicable to each zone. In order to provide some flexibility in land use, certain uses and buildings could be approved through special consent such as varied business uses within a suburban business zone (Smith, 1950; Clarke, 2012). Smith's report of 1950 set in place controls for height, density and bulk for the area defined then as the CBD, that included Reservoir Hills to the

west, Virginia in the north and to the Umlaas canal in the south as depicted in Figure 5.1 to follow. Industrial and commercial areas, and the control of development in these areas, were also identified in this report. The report set aside land zoned for government, rail and port purposes to ensure the protection of such land from the private sector. In summary, this report was extensive and detailed. It was the beginnings of the DTPS that shaped and continues to shape the spatial imprint of the city of Durban (Smith, 1950; Clarke, 2012).

An exhaustive list of uses was not utilised then, but rather a simple land use schedule that indicated what was permissible and what was not. This was carried through into the current DTPS, with a lot more detail. Clarke (2012) argues that a fine grained DTPS has evolved from Smith's 1950 report to cater for the current context, where uses within a certain zone were re-categorised and included in another zone to ensure compatibility and change over time. I see the ongoing influence of the past into the present DTPS – merely incremental changes without a disruption from the 1950s. It is not disputed that the present DTPS is more fine grained, laden with more zones, more controls, more definitions and prescriptiveness, but it does not represent a shift from the purpose of planning to be comprehensive and to control, suggesting both a discontinuity and continuity with past (Watson, 2002b; Godehart, 2006; Hendler and Wolfson, 2013).

Despite Smith's 1950 report, development in terms of buildings and uses remained largely unrestrained and permitted through a special consent process, often resulting in buildings and uses that were out of character with the surrounding area (City of Durban, 1982). In an attempt to curb such uncharacteristic and potentially problematic development, an Outline Plan for the City of Durban was prepared in 1964, shown as Figure 5.1, to follow. This was then followed by detailed schemes for the nine (9) districts. The Outline Plan of 1964 was a response to the Provincial Administration's requirement that a single scheme for the City of Durban was required and not individual schemes. However, individual schemes would only be accepted if they conformed to a broader skeleton scheme (Hands, 1964). Apart from dividing the City into districts, the Outline Plan allocated broad land uses and facilities per district and per neighbourhood of approximately 10 000 people. The plan also focused on achieving a balance between residential, commercial and industrial land for the City of Durban. However, industrial land at scale was already a challenge to identify and set aside (Hands, 1964). A response to special matters was also part of the plan such as the treatment of open space, road infrastructure, nature reserves, the airport, and additional areas for racial zoning such as Chatsworth (Hands, 1964).
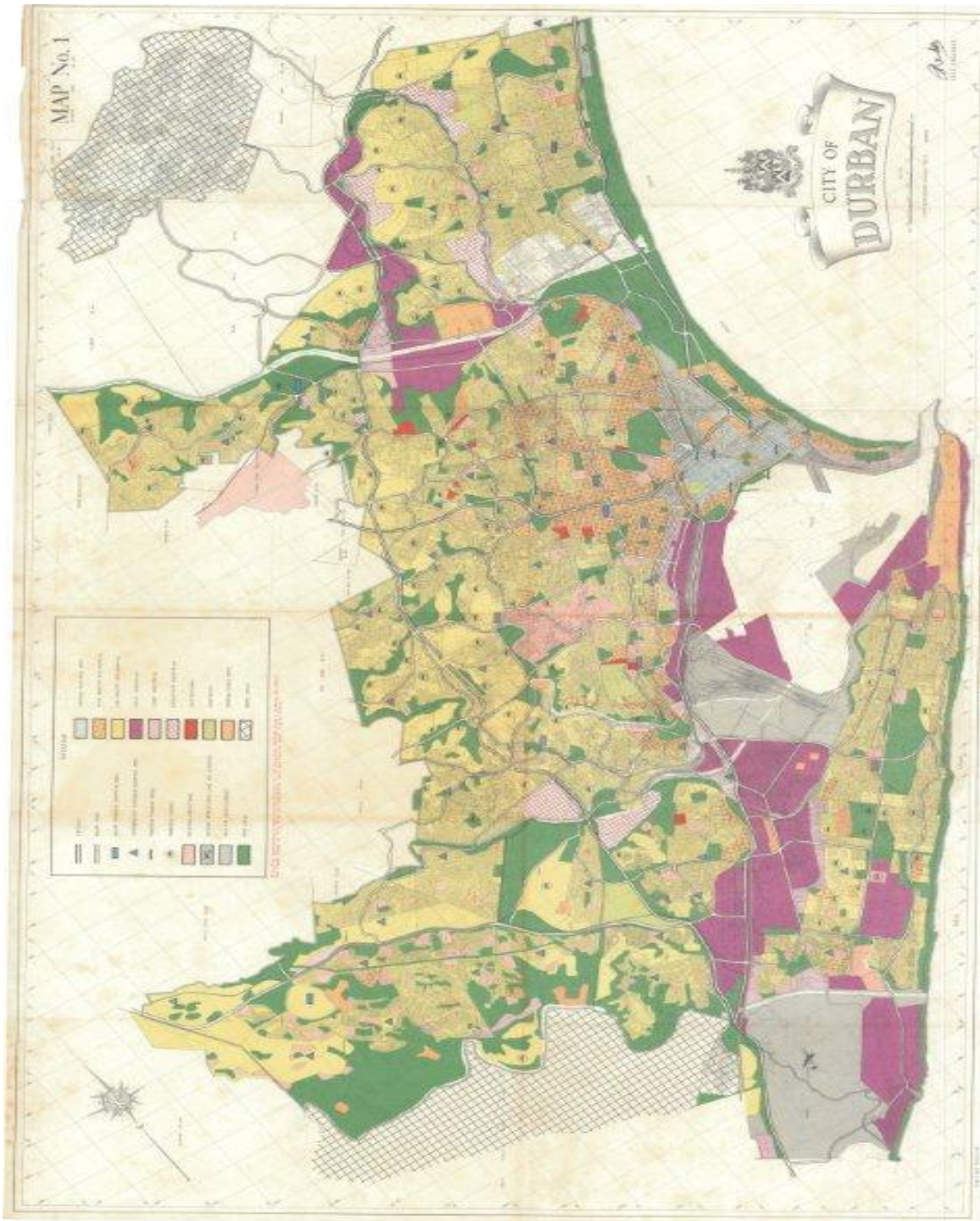
Figure 5.1: Broad Town Planning Scheme for the City of Durban
Source: Hands (1964)

The City of Durban was divided into planning districts and subjected to detailed planning resulting in a TPS for each district, namely the Berea, the Bluff, Umgeni South, North, Duikerfontein, Old Line Suburbs, Montlands and Durban North (City of Durban, 1965, 1967,

1968, 1971, 1973, 1975; Clarke, 2012). This explains why the DTPS, prepared in 1952, was implemented as a scheme 'in course of preparation' allowing new scheme areas to be detailed in accordance with the Outline Plan. Duikerfontein was the first TPS for non-whites and this scheme allowed for smaller plot sizes, more land for flats and a zone known as extended residential, to accommodate the extended family system associated with the Indian race group (City of Durban, 1971). The first TPS for Umgeni North preceded the racial zoning for the City of Durban and was returned to the city planners by the Natal Provincial Administration to align and give effect to racial segregation which became a requirement of planning with the implementation of the Group Areas Act in 1950.

Plate 5: The cover of 'Race Zoning of the Durban Region'
Source: Comrie et al. (1951)

5.3 Apartheid planning for the City of Durban

The City of Durban progressed racial planning proactively and in this regard appointed a technical committee in 1950 to develop race zoning for the city, which was finalised in 1951. The Outline Plan of 1964 and future district town planning schemes were assessed by the Natal Provincial Administrational and its Town and Regional Planning Commission, to ensure that good planning design and the alignment with apartheid plans and racial zones for the city were being appropriately considered (City of Durban, 1982; Mabin and Smit, 1997). Planning was technically and socially separated at a very early stage in South Africa, thus creating the belief and practice that planning is apolitical (Mabin and Smit, 1997). However, this very technical nature of planning ended up playing a major social-political role both then and now (Mabin and Smit, 1997). Planners also saw their role as implementing good planning principles and design within the context of apartheid (Mabin and Smit, 1997). The beginnings of segregated cities started in the mid to late 1800s, well before apartheid. However, this intensified when the National Party won the elections in 1948, partly attributing this win to the promise of racial segregation. This then set in motion the implementation of the Group Areas Act, 41 of 1950 and future amendments to the Act that ensured it had the necessary legal clout and powers to be implemented (Mabin and Smit, 1997).

The City of Durban was considered to represent the ideal spatial apartheid city, through its demonstration of an almost absolute separation of the four main race groups (Davies, 1981). This was achieved through the planning and implementation of racial zoning enacted by the City of Durban, together with the Department of Constitutional Development. Apartheid planning resulted in one of the highest number of relocations to support apartheid zoning, where 50% of Coloureds and Indians, 67% of Africans and 20% of Whites were moved (Davies, 1981). This 'almost perfect model' of the segregated city was achieved through natural and man-made barriers, re-zoned racial zones and new areas for White, Indian, Coloured and to some extent African race groups. The prevention of land settlement was also enacted, despite existing land ownership, and future land purchases were only permissible within designated racial zones (Comrie et al., 1951; Davies, 1981). Planners during apartheid also maintain that apart from apartheid planning, they also tried to undertake planning practice that dealt with issues of the environment, resource management, industrial development and mobility (Mabin and Smit, 1997).

The segregated City of Durban was based on specific principles of the apartheid city model (Comrie et al., 1951). The thinking behind planning and implementing a segregated city was

based on 'voluntary separation' as it was considered that each race group preferred to live insulated from another. A number of existing arterial roads had a single function of taking traffic out of the CBD for designated race groups and therefore not traversing another racial zone and racial neighbourhoods (Comrie et al., 1951). The blockage of certain roads was used to prevent the passage of one race group through another group's area. This was also implemented with respect to where the African race group was permitted to walk through 'White neighbourhoods' using interconnecting roads such Stellawood Road (Comrie et al., 1951).

Thus planning was based on the idea of self-sustaining areas, and with the supply of labour channelled to main industrial and work areas. This resulted in land secured for the non-white race groups being located closer to railway stations and industry. This is evidenced with the placing of Merebank, Wentworth, Mobeni, and the development of single sex hostels in Umlazi at Umlazi Glebe Land, close to the industrial areas of the south and the port of Durban (Smith 1950; Comrie et al., 1951; Davies, 1981). Industry was promoted as a narrow band, not too big so it may serve only the designated race group living close to such work opportunities. The race zoning of Durban also demarcated social class areas for each race group, but limited this level of social engineering to the African race group (Comrie et al,. 1951). The land set aside for race groups was also based on population projections and where different race groups should be living, thus resulting in an arbitrary determination of land availability, which impacted on plot sizes and ultimately densities for different parts of the City of Durban. This planning from the past still forms the basis for special residential zones and densities in the current planning context. The White race group had the largest reservation of land, the best locations, such as scenic areas with sea views, the most developable land in terms of gradient and geology, liberal plot sizes, and potential for expansion in a western and northern direction as reflected in Davies (1981) - see Figure 5.2 to follow.

Year	White		Indian		Coloured		African	
Zones of the City	Inner Zone of the City	Outer Zone of the City	Inner Zone of the City	Outer Zone of the City	Inner Zone of the City	Outer Zone of the City	Inner Zone of the City	Outer Zone of the City
1911	86	14	42	85	-	-	89	11
1936	77	23	28	72	54	56	62	38
1951	67	33	21	79	36	64	45	55
1970	59	41	18	82	8	92	9	91

Table 5.1: City of Durban racial segregation in percentages, over a period of time, intensified during 1951 -1970. Source: Davies (1981: 68).
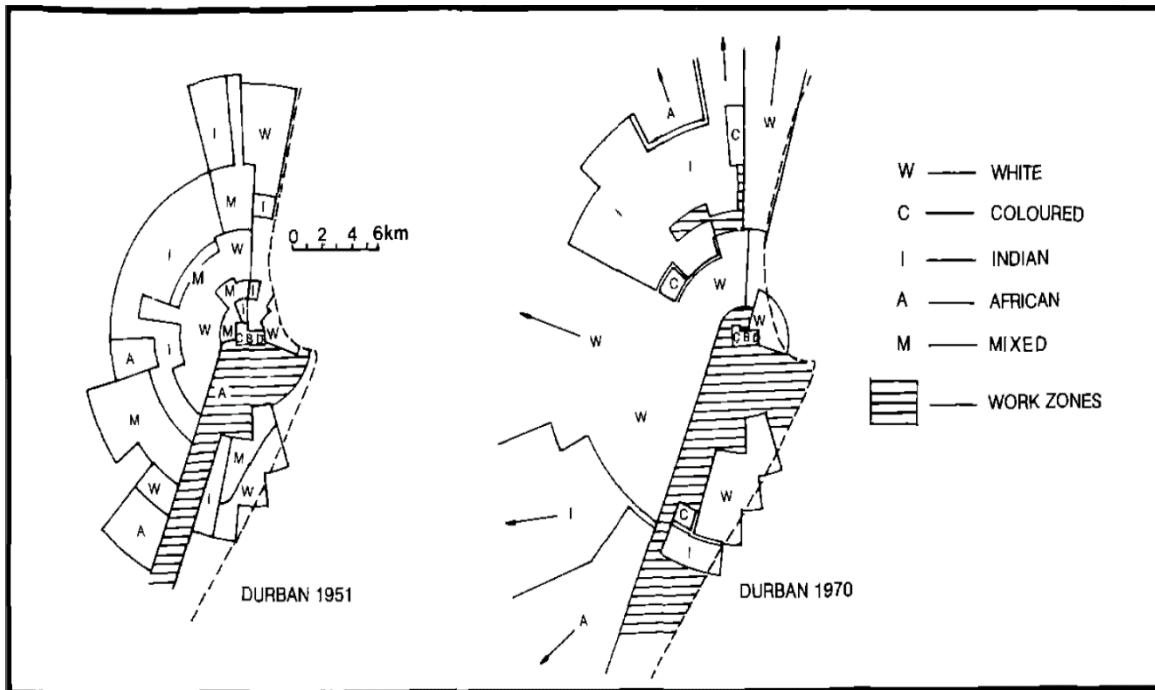
Figure: 5.2 Segregated City of Durban 1951-1970
Source: Davies (1981: 70)

As late as 1989, the City Council of Durban remained split between the liberals and the conservatives regarding the continuation of racial segregation within the city. It also deadlocked on a resolution to declare the entire city or parts thereof as Free Settlement Areas (FSA's). FSA's allowed for the mixing of race groups within residential areas. The notion of FSA's was instituted by national government to acknowledge the failings of racial

segregation and to allow non-FSA's to be policed more effectively and strictly. The proactive response from the City of Durban to plan and implement a segregated city was far from being matched in the removal of apartheid, even when this was possible. An apartheid city lingered on until there was nothing left but to acknowledge the abolishment of the Group Areas Act of 1950, which came to an end in 1991(Maharaj and Mpungose, 1994).

5.4 Planning particularities within the City of Durban and the Province of Natal

The Town and Regional Planning Commission established by the Natal Provincial Administration (NPA) was the first planning commission in the country and took on a more professional approach, as inspired and influenced by the British Royal Town and Regional Planning Commission. Their approach to planning also experienced tensions with the crudeness of race-based planning on occasion. However, race-based planning generally went ahead unchallenged in the province, at best with some level of ambivalence to certain apartheid based requirements (Harrison, 1998). It could also be argued that the City of Durban was more zealous and callous in its planning and implementation of racial segregation than the Commission. As an example, the Commission would at times caution the City or intervene in more strategic planning matters such as the rezoning of land for industrial purposes, based on the impacts it would have on non-white residential areas (Harrison, 1998).

The NPA was also unique in that it maintained apartheid on its own terms. The particularities of having the four main race groups present in one province and a burgeoning threat from an active and growing African and Indian entrepreneurial class to white business, made the province different to the other South African provinces (Davies, 1981). These contradictions can be ascribed to the diverse political representation in the province - the so-called liberals (the English of British origin), the Afrikaners and later on the traditional Zulu Inkatha Freedom Party. This resulted in the province being somewhat separate and distant to the national government and its politics (Mabin and Smit, 1997; Harrison, 1998). This mistrust from national government towards the NPA even led to the Planning Commission's staff being appointed by national government (Harrison, 1998).

The Town Planning Ordinance (TPO), 27 of 1949 for the province of Natal was modelled on the British system with country and town edges, green belts and separate land uses viewed as a means to achieve harmonious development, reflecting the uniqueness of the province and its connection with Britain (Smith, 1950; Hands, 1964; City of Durban, 1982; Mabin and

Smit, 1997; Harrison, 1998). This uniqueness of planning for the province is also reflected in its specific planning legislation, the TPO and its own land use management systems that informed land use planning throughout all municipalities within the province. This independence from national government continued post-1994 as evidenced by the provinces of KwaZulu-Natal and the Western Cape being the only two (of the nine) provinces to develop their own post-apartheid planning legislation (SACN, 2012; Van Wyk, 2012). Like the City of Durban, during the pre-democracy period, the Commission also focused on the TPS as the main mode of planning, together with regional planning (Harrison, 1998). It can be argued that the Commission's focus on regional development was proactive and ahead of its time, especially considering that the importance of regions is only now receiving recognition (Beall et al., 2015).

Perhaps it could be argued that the City of Durban was more aligned to national government priorities and practices than the provincial administration. This can also be attributed to City of Durban's size, resources and consequent exemptions from certain requirements of the TPO that enabled it to be relatively independent of the Commission in its planning decision-making. The City of Durban, given its resources and complexity, had its own history in developing the DTPS. It is therefore not unusual to find that aspects of the DTPS are very different when compared to the TPS of the former municipal entities such as Umhlanga or Pinetown that are now part of the eThekwini Municipality. In part this relates to the political history, resources, scale and complexity of the former City of Durban (Clarke, 2012). There are a limited number of older City of Durban practitioners still employed within the municipality who have voiced their concerns about the (re)construction of the DTPS. These officials are concerned that the process of standardisation and extension of the TPS ignores the very purpose and history of the DTPS. These tensions will be explored further in Chapter Seven.

5.5   A Time to Enter the Municipality

The National Party government focused on the central control of state apparatus, and therefore at the time local government was seen as an organ of the state required to plan and implement spatial segregation as a national state priority. This resulted in new areas being added, removed or re-zoned for a specific race group (City of Durban, 1982; Harrison, 1998). The urbanisation of Africans was always seen as something separate to the urbanization of cities and towns, and where it existed, it was regarded as temporary, work-

related only and treated as such (Maharaj, 1997; Hendler and Wolfson, 2013). Like other municipalities, the City of Durban constructed housing for non-white race groups, and this often resulted in specific institutional structures established within municipalities. However, as apartheid became more expensive and ultimately unaffordable to uphold, these institutional arrangements dwindled over time as municipalities played a lesser role in the construction of housing for non-white groups (Hendler and Wolfson, 2013).

The Local Government Transition Act, 209 of 1993, set in place three intensive phases of local government restructuring, the pre-interim, interim and final phase. The pre-interim phase set in place negotiating structures to enable the re-organisation of budgets, revenues, functions and municipal boundaries (Maharaj, 1997; Watson, 2002b). The interim phase resulted in the first revision of municipal boundaries post-apartheid that allowed for the inclusion of former township areas such as Umlazi, KwaMashu and Inanda into the then City of Durban and the formation of a non-racial Local Council, the North/South Central Local Council.

Despite these changes, planning practitioners working for the City of Durban remained isolated from the former townships. I joined the City of Durban in 1993, at the dawn of a new democracy as a graduate from the then University of Natal, Durban. Back in 1993, my first planning job was with the Housing Section, which can be described as the remnants of the section responsible for the planning of non-white housing which dwindled in function and capacity as apartheid funding declined. I recall being called to the manager's office (the highest planning position within the City of Durban) to remind me that "We do not work in township areas and if I wanted to do so, I should take personal leave". This was in reaction to me assisting the Inanda Development Forum to develop a feasibility plan for the removal of solid waste in the area. Soon afterwards, with the first local government elections held in 1996, the new boundary for the City of Durban included the former township areas (Maharaj, 1997; eThekwini Municipality, 2012b).

Notwithstanding the inevitability of this outcome, city management had given no thought to planning for the townships and the planning officials were reluctant to work in such areas. For me, however, this was an opportunity, not because I had answers, but because I was prepared to work in the township areas. With the townships now part of the municipal area, the City became known as the North/South Central Local Council. This resulted in the establishment of a new division, where I was appointed as the divisional planner to plan for

the former township areas. My experience has been that when there is a 'new' requirement or area of work, often viewed as a 'new function', the easiest institutional response is to create a separate institutional arrangement. However, this approach left the remainder of the municipality largely unchanged and unengaged with the transformation taking place.

With the assistance of a small and very committed team, the first set of post-apartheid plans, the Integrated Development Plan and Local Development Frameworks for KwaMashu, Inanda, Ntuzuma and Umlazi were completed (Godehart, 2006; eThekwini Municipality, 2012b). At that time, a participatory planning approach was utilised, which included the recruitment and training of some 80 community development workers to work with planning practitioners, planning consultants and the community in the development of these local plans and projects. Several of the community development workers were later on employed by the municipality in various capacities and two of the community development workers became local councillors.

5.6   From the City of Durban to the eThekwini Municipality: an important time for constructing land use planning knowledge

The final phase of the municipal transition in 2000 concluded with major changes to the municipal boundaries and responsibilities throughout the greater Durban area through the national municipal demarcation process. The North/South Central Local Council merged with four other local authorities and incorporated a substantial component of traditional authority land located on the boundary of the city. This land was previously part of the KwaZulu homeland during the apartheid era and managed through the KwaZulu administration (Beall et al., 2015; Sim et al., 2016). This demarcation saw the growth of the municipal area by 68% but with a population increase of only 9%, bringing with it the new challenge of responding to peri-urban, rural and deep rural development on land administered by traditional authorities (Sim et al., 2016). The demarcation of the eThekwini metropolitan boundary was regarded by government as necessary for the redistribution of resources and service capabilities, the acceptance and creation of functional interdependencies and for political strategy making (Beall et al., 2015). The new municipal boundary extended to Tongaat in the north, Cato Ridge in the west and Umkomaas in the south, as reflected in Figure 5.3a to follow.

The demarcation of the eThekwini Municipality boundary in 2000 resulted in the, incorporation of informal settlements and rural areas that linked back to the spatial failures created by the apartheid system. During apartheid the movement of African people into white

administered areas such as central Durban was prevented (Harrison and Todes, 2015). In response to these restrictions, in particular during the 1980s when the apartheid system seemed less able to maintain itself, informal settlements began to grow on the boundaries of white administered towns and cities (Harrison and Todes, 2015). This particular form of urbanisation, a response to apartheid, resulted in the densification of settlements on traditional land managed through the KwaZulu administration and later transferred to the Ingonyama Trust (Harrison and Todes, 2015). This is reflected in Figure 5.3(a) to follow.
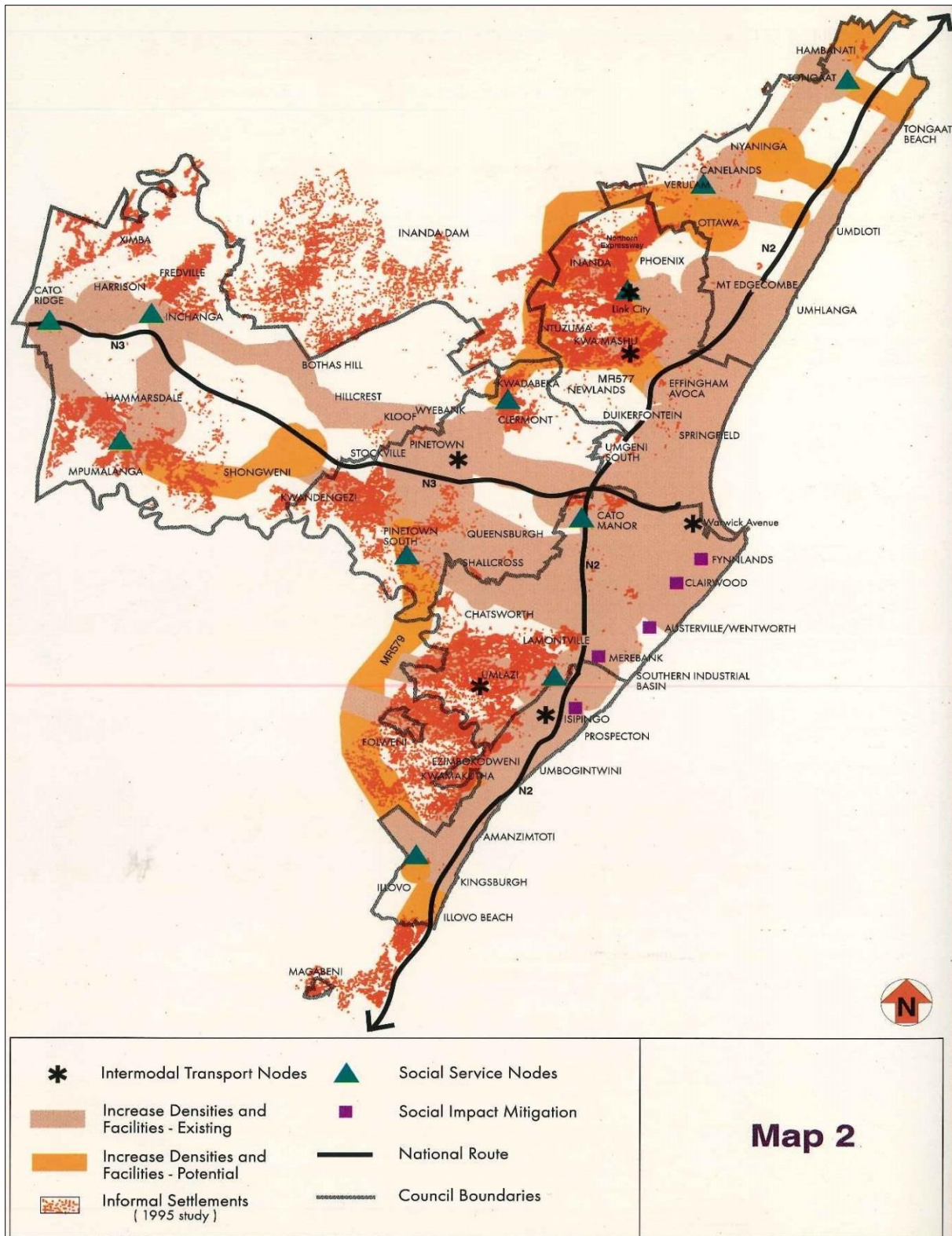
Figure 5.3a: eThekwini Municipal boundary as demarcated in 2000
Source: eThekwini Municipality (2004: 3)

An active period of strategic spatial planning - concepts, tools and plans - followed in the 2000s in direct response to the municipal demarcation process and the formation of the metropolitan eThekwini Municipality (Sim et al., 2016). A hierarchy of spatial planning and new planning concepts and discourse emerged in the first generation of Integrated Development Plans (IDPs) and SDFs (Sim et al., 2016). The SDF filtered down into four sub-regional plans, known as the Spatial Development Plans. The delimitation of the sub-regions followed a catchment approach, anchored by concepts of sustainability and the rational approach to service delivery. A range of new planning concepts became quite prominent in the construction of spatial planning knowledge in the early 2000s as reflected in the SDF (Durban Metropolitan Council, 1999; eThekwini Municipality, 2004/2005; Sim et al., 2016), as shown in Figures 5.5 and 5.6 to follow. These planning concepts included compaction, nodes, corridors, the urban edge, and later the urban development line (UDL), which separated the municipal area into the 'country' (the rural, the traditional) and the urban core.

The new municipal demarcation in 2000 was accompanied by new forms of growth, and demands for services, within the eThekwini Municipality. This new spatial knowledge based on the concept of an urban edge/UDL that divided the city into the urban, peri-urban and rural was regarded as technically sound and environmentally and financially sustainable. Its planning logic was supported across several municipal sectors, including the engineering, sanitation, water, environment, spatial planning and the financial sectors. The financial sector was able to reduce or delay investment into the newly incorporated traditional areas of need, as these areas were regarded as places with lower density, a different rural lifestyle and where servicing standards appropriate to rural areas should be provided. The theoretical argument used at the time was that development intensification should be located in areas with excess infrastructural capacity in the urban core (Sim et al., 2016). A cost services model, as reflected in Figure 5.5, was developed with and for the technical sectors, to assist in the prioritisation of capital and housing projects. The cost services model appears to have been more acceptable politically as opposed to the UDL, which was effectively a service development line. Perhaps models are regarded as more 'scientific' or a line is seen as too arbitrary.

Despite the political history of land, planning, segregation and domination, in the (re)construction of land use planning knowledge, it is not unusual to categorise areas as peri-urban, non-urban and rural accompanied by a particular technical, spatial and financial discourse. However, these policy directives are often in conflict with the political sentiment

and the nature of development in such places. The (re)construction of planning such as the SDF and the Built Environment Performance Plan, with its associated categorisation of zones, ignores the lived experiences, the realities of connection and separation to the wider city fabric. More importantly, the history and spatial manifestation of places are ignored in the process of extending planning systems that engage globalised discourses and planning practices (Cornwall, 2007; Roy, 2011; Sim et al., 2016).

When the traditional authority areas were incorporated into the municipal area, a planning response was expected, through the construction of the SDF, to identify the city's spatial problem and find a solution. At the time the problem was contextualised in terms of development pressures on the periphery leading to sprawl and the extensive transformation of agricultural land to urban development. The solution was framed as the need to curb and constrain development, to reduce the cost of service provision to new areas, in particular lower density traditional areas regarded as rural. This approach has impacted, and continues to impact, the traditional authority areas created by apartheid. Whist much of the traditional areas are associated with poverty and poor service provision, a shift has taken place as these have become a place of investment for a 'black middle class market' and new development.

This technical approach to planning offered a simplistic way to interpret and respond to the multiple challenges of disruption in the past, the current and the future (Li, 2007; Scott, 2008; Sim et al., 2016). What does emerge is a strong technical capability inside and outside of the municipality, a technical coalition making sense in a particular way of what ought to happen spatially and financially within the municipality (Sim et al., 2016). This is reflected in the planning knowledge, and its planning concepts, constructed over an extended period of time becoming more technical and reinforcing earlier ideas of planning, as illustrated in Figures 5.4 to 5.10, to follow.

This technicality is evident in the municipality's latest form of spatial planning knowledge, the Built Environment Performance Plan (BEPP), which focuses on spatial targeting for different areas. The BEPP reflects what can be regarded as a re-categorisation of 'old' spatial concepts with new terminology (see Figures 5.6 and 5.7). Again the old social and political categorisation of places and people, reflecting a history of development and exclusion, is simply re-categorised now as inclusion zones - an urban, sub-urban and non-urban inclusion zone. Like the urban and rural zones associated with the urban edge and UDL, these zones also come with a particular discourse and belief of appropriate service levels and

development opportunities for each category of area/zone (eThekwini Municipality, 2016/2017).

The 1990s and 2000s can be seen as a time of transition and continuity with the past planning ideas. Perhaps then this was a holding mechanism to make sense of the political – spatial challenges, which relied on the over-simplification of the spatial dynamics and borrowed ideas as to what should happen spatially in such areas (Cornwall, 2007; Li, 2007; Scott, 2008; Sim et al., 2016). However, going forward, a very critical rethink of planning knowledge is required. The current form of planning and planning knowledge, which is regarded as 'fixed', 'objective' and taken for granted, can benefit from theorising for practice within an African urban context. Despite the vast opportunities to critically re-think planning problems and solutions, 'the technical coalition', with its own social relations, power and alliances remains a barrier to shifting planning knowledge and its associated impacts on practice and spatial realities for the eThekwini Municipality (Sim et al., 2016).

Figure 5.3b: New eThekwini Municipality boundary as of 2016
Source: Author. Prepared by the Information Planning Office,
Development Planning Environment and Management Unit, eThekwini Municipality.
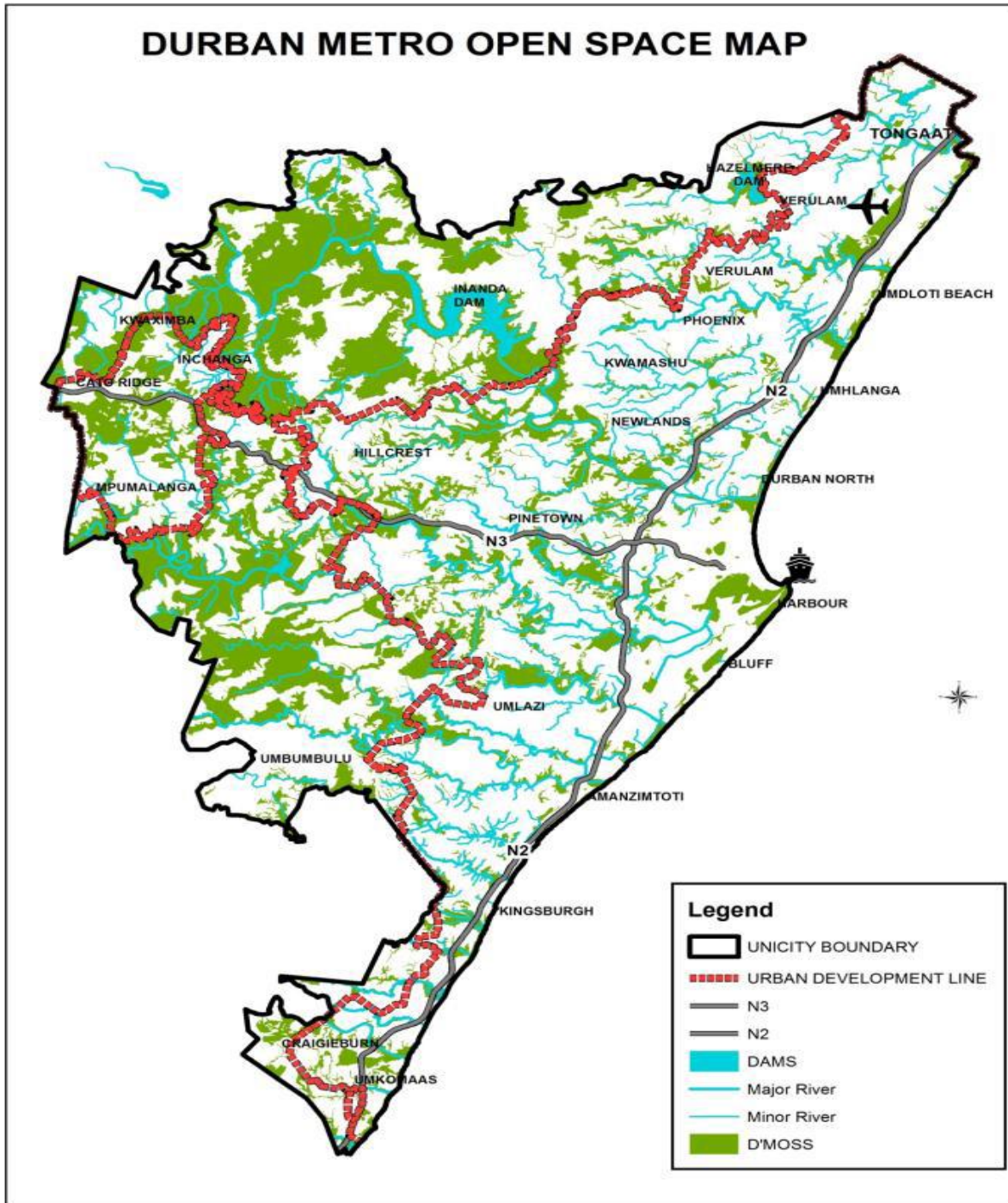
Figure 5.4: Spatial concepts and knowledge - Durban Metropolitan Open Space System
Source: eThekwini Municipality (2015/2016b: 66)

Figure 5.5: Cost Services Model[4]
Source: eThekwini Municipality (2015 /2016b:143)

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[4] The darker the red, the greater the cost to service the area.
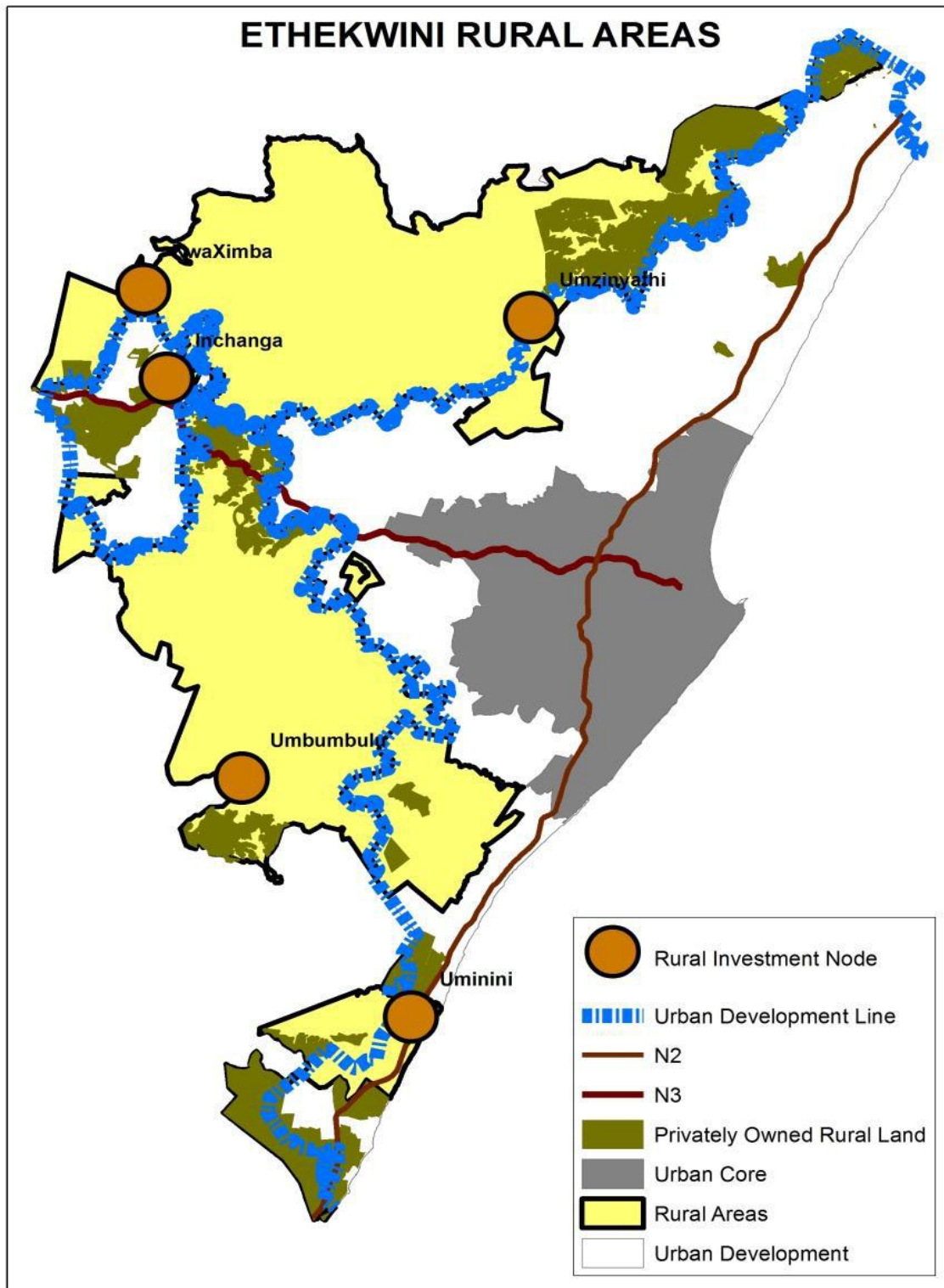
Figure 5.6: Spatial concepts knowledge - categorisation
Source: eThekwini Municipality (2015/2016b: 61)
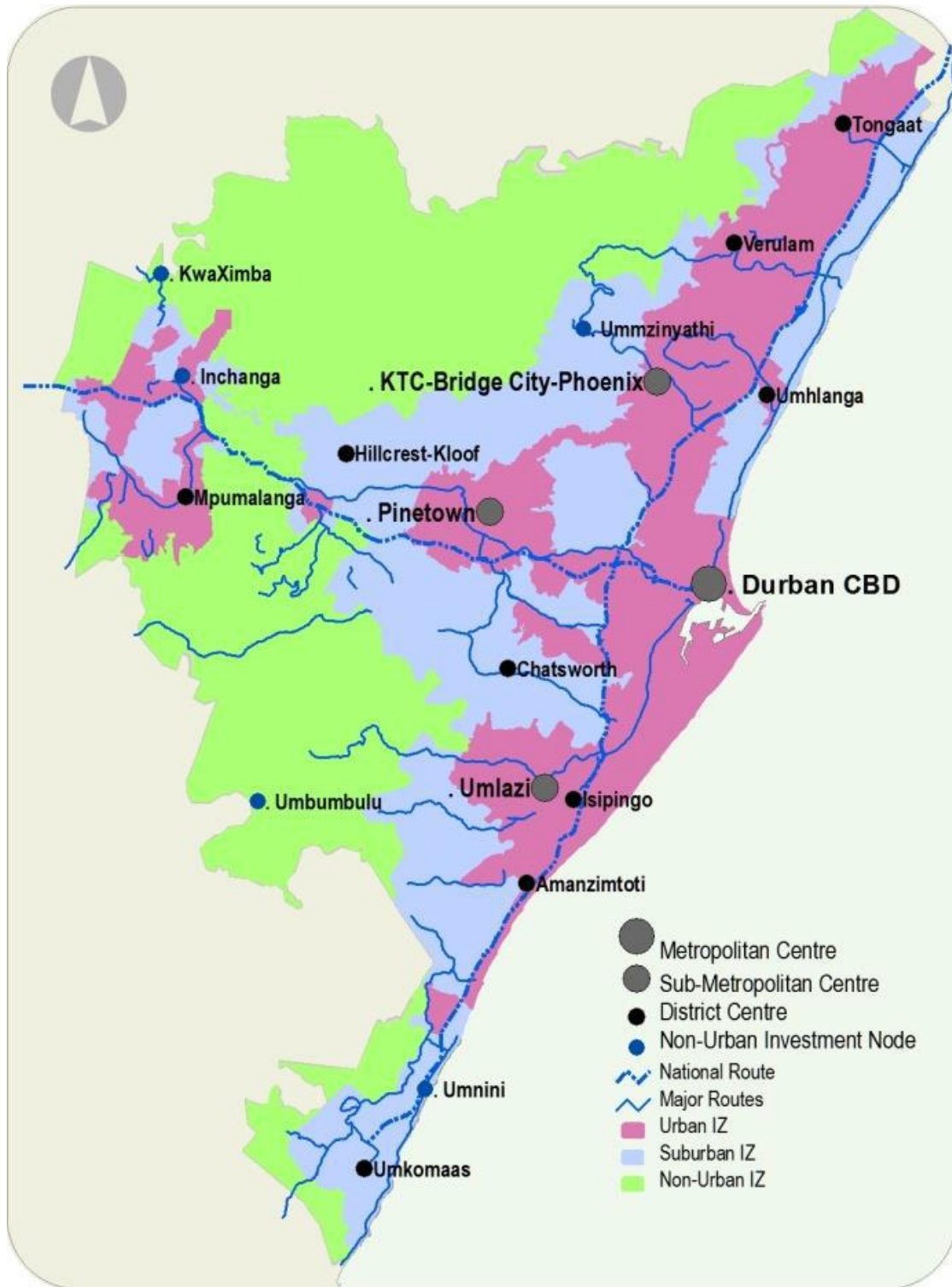
Figure 5.7: Spatial concepts and knowledge – (re)categorisation
Source: eThekwini Municipality (2016/2017a: 180)
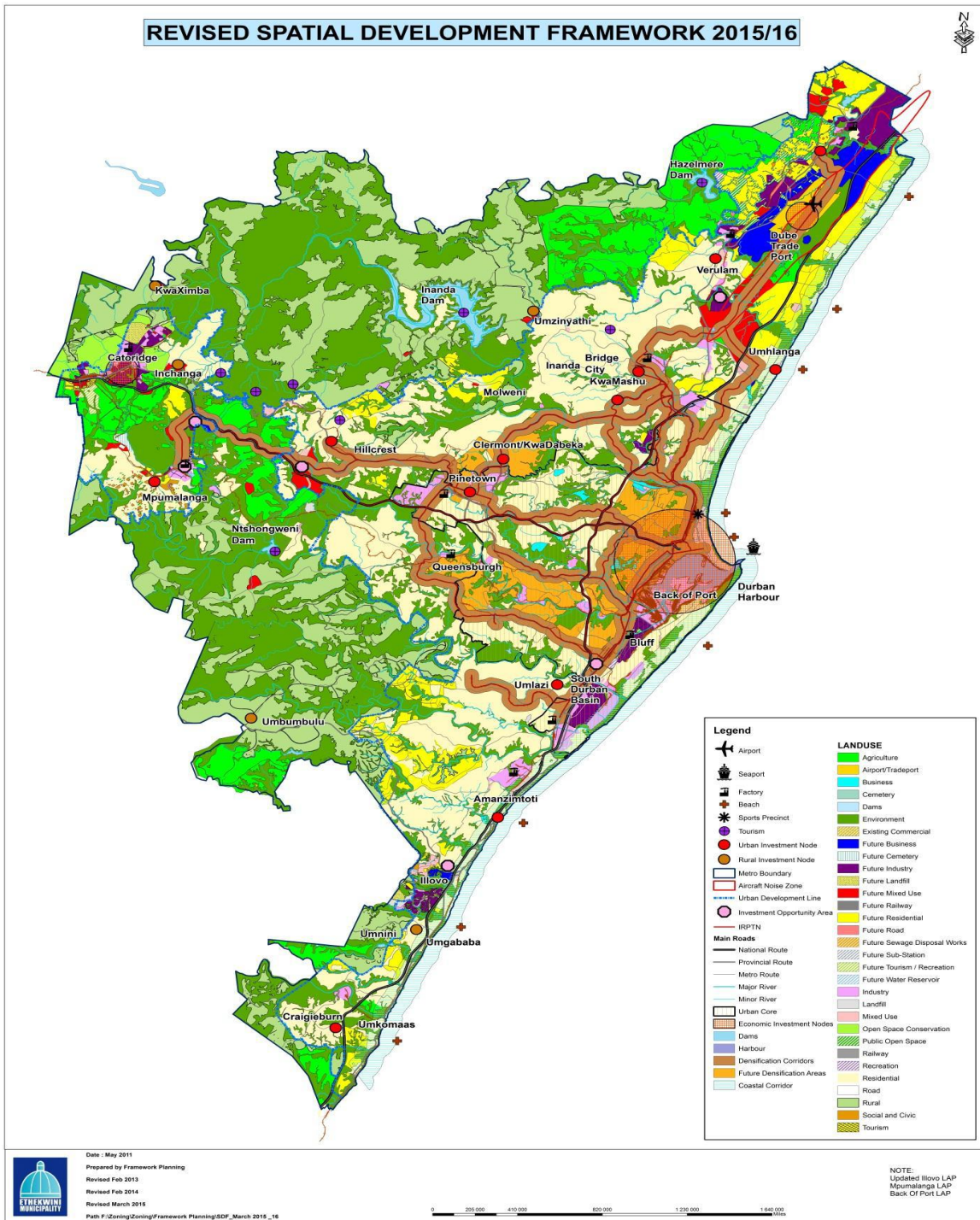
Figure 5 8: Draft Spatial Development Framework and embedded knowledge concepts
Source: eThekwini Municipality (2015/2016b: 178).

Figure 5.9: Coverage of Town Planning Schemes
Source: Author. Prepared by the Information Planning Office, Development Planning, Environment and Management Unit, eThekwini Municipality.
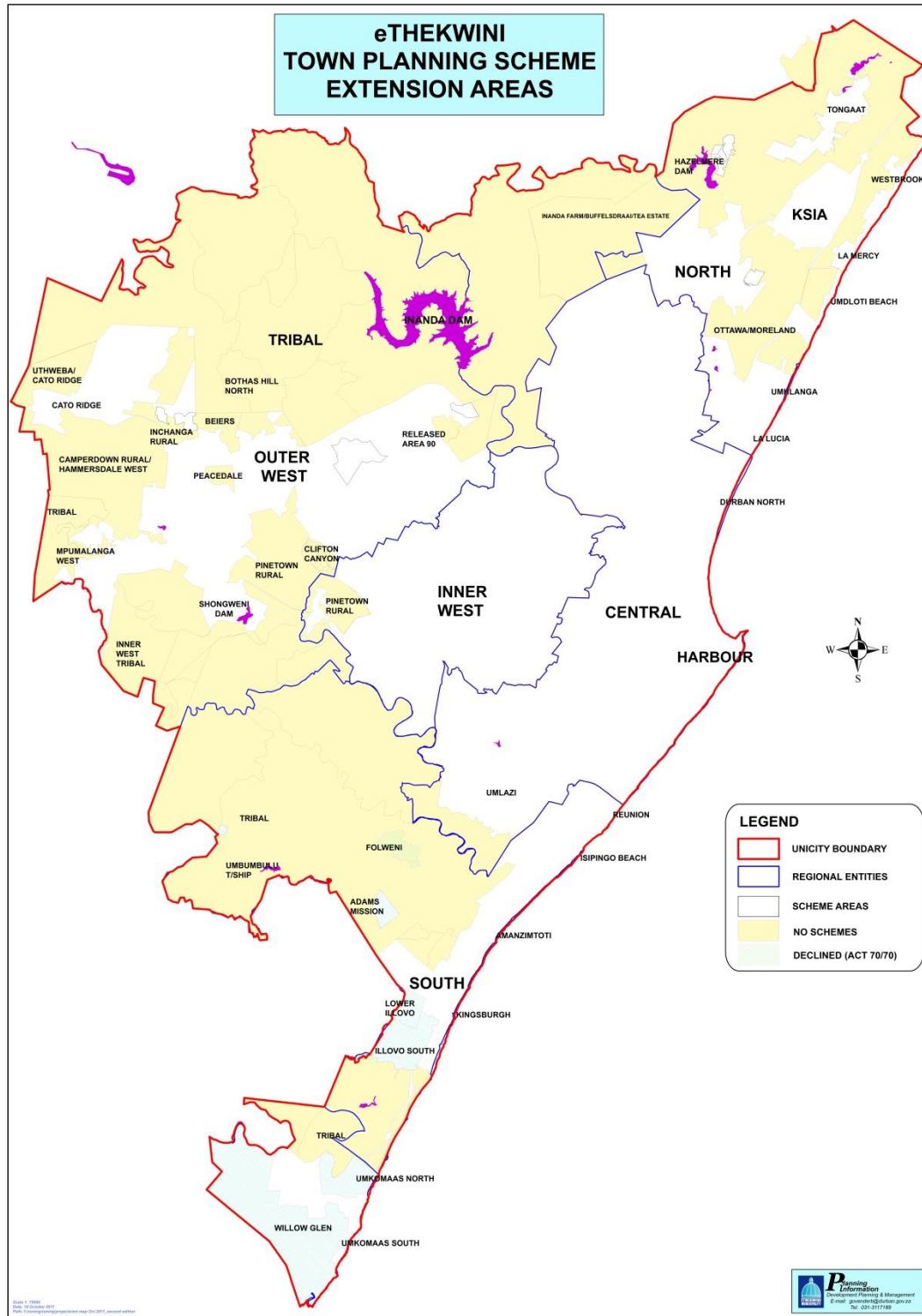
Figure 5.10: Extension of Town Planning Schemes
Source: Prepared by the Information Planning Office, Development Planning, Environment and Management Unit, eThekwini Municipality

5.7   Planning as a municipal function and institutional arrangements over time

The development of planning professionals within the province commenced in 1956 with a four year diploma in Town and Regional Planning through the then University of Natal, now University of KwaZulu–Natal, which helped to address in part the scarcity of planning capacity within the city and province (City of Durban, 1982). In 1978 the Royal Town Planning Institute, London, broke its ties with the South African Institute of Town and Regional Planners due to increasing international pressure concerning South Africa's political and related planning policies. This created difficulties in employing planners from the UK in South Africa (City of Durban, 1982). Given the consequent lack of professional planners, planning posts were also held by senior planning technicians, and to date this remains a legacy for the municipality's Central LUM Region. This was less applicable in the other four Regional Planning Offices (previously smaller municipalities) where planning as a municipal function commenced later and was largely undertaken by the provincial administration at the time. However, in the current context, only practitioners with university planning qualifications are eligible to be appointed as a professional planner in terms of the Professional Planning Act 36 of 2002. The job descriptions and focus of the planning function overlaps between the professional planners and the technical planners, but research, policy development and project management is largely reserved for senior professional planners.

The function of planning involves several disciplines including law, real estate, and economic development and engineering (Van Wyk, 2012). This has resulted in municipalities setting up similar but also varied institutional arrangements to undertake urban planning functions. The options have often oscillated between specialisation versus integration, with smaller municipalities opting for more integration. The early days of municipal planning within the City of Durban consisted of geographers, sociologists, land surveyors, social-science researchers and real estate planners, demonstrating a more multi-disciplinary approach to planning compared to the current context (City of Durban, 1982). Planning as a function within municipalities has become very insular and specialised over time. Specialisation is built on the assumption that sectors will collaborate with each other and supplement the skills required within the context of projects, which unfortunately rarely works in practice.

Planning was always a small component of the city engineering function from the 1950s to the late 1990s, after which it grew and changed with legislative requirements. In the early 1990s a metropolitan institutional arrangement was established that resulted in the restructure of the municipality's Planning Branch. The regulatory functions remained, while

the research and strategic planning capacity was removed and included in a new metropolitan planning function, referred to as Urban Strategy, which fell under the City Manager. This institutional arrangement stayed pretty much the same until the late 1990s. With the formation of the North/South Central Local Council, the political representation was split but the administrative function served both the North and the South Central Local Councils.

In the late 1990s Ms Vedelankar, an activist and planning graduate from the University of KwaZulu-Natal, was appointed as the second Chief Executive Officer (CEO) for the North/South Central Council. The North and South Central Local Councils each had a CEO, a Mayor and a set of councillors, but shared the administration. Since there were two CEOs, Ms Vedelankar focused on the reorganisation of the local councils and the development of a long-term plan, while the other CEO focused on city operations. During Ms Vedelankar's tenure, the first IDP for the North/South Central Local Council was developed. The first metropolitan housing unit, in response to the Reconstruction and Development Programme, was also established, a first for the country. The other major organisational change related to creating a separate service unit for the planning and economic functions for the then North/South Central Local Councils. This resulted in the new Planning and Economic Service Unit being on par, for example, with the Engineering, Social Services and Financial Service Units, the first time that economic development and municipal planning was accorded such a status within the municipality. In fact, the building which housed the planning function since 1957, but was referred to as the City Engineer's Building, was renamed in the late 1990s as the Development Planning and City Engineer's Building. This remains the head office of the Planning Unit and the Central LUM Regional Office, as shown in Plates 6a, 6b and 7 at the end of this chapter.

The Planning and Economic Service Unit was expanded to include three directorates. The first was a Growth and Facilitation Department, with an economic research and projects function. The second department, Development Management, constituted three branches. The first branch dealt with TPS reviews, rezonings, special consents and relaxations and land use enforcement. The second branch specialised in elevation control, advertising and signage and the third dealt with building inspections and building plan assessments in accordance with the national building regulations. The third directorate was Development Planning encompassing strategic spatial planning and environmental planning. The formation of this unit was not without conflict since the built environment professions resisted joining

the newly formed Planning and Economic Service Unit, wanting to remain with the Engineering Service Unit. The management of Architecture and Urban Design and their respective staff refused to be located within the multi-disciplinary Planning and Economic Service Unit. This standoff went on for some time with several lengthy written submissions and meetings, suggesting why architecture and urban design belonged together and motivating for both of these functions and structures to be retained under the Engineering Service Unit. Eventually, the CEO relented and the Planning and Economic Service Unit was implemented in the late 1990s without the architectural and urban design components. These functions still remain under the Engineering Service Unit.

Prior to the formation of the eThekwini Municipality in 2000, a transitional arrangement was in place, consisting of the overarching Durban Metropolitan Council (DMC) and six local councils: the North/South Central, North, South, Inner West and Outer West Local Councils. At the time strategic spatial planning was seen by the DMC as a function of the DMC's Urban Strategy Department, which was focused on planning for the future spatial form of metropolitan area. This was an area of conflict, since the local councils wanted full responsibility for planning and the DMC wanted to do more than the coordination of spatial planning. The DMC was also reluctant to have local councils with economic and project development capacity, as these were regarded as strategic functions, that should reside at a metropolitan level. However, these functions were established for the then newly formed Planning and Economic Service Unit. Given, the legal requirement for municipalities to prepare IDPs which came into operation in 2000, this helped to ease this tension as local councils were expected to be strategic as well as operational and to collaborate with neighbouring local councils and the DMC. While I was not directly involved in the strategic spatial planning processes at the time, on reflection and going back to the municipal reports from 1999 to 2007, each local council fought for its plans to be included within the DMC planning, and with as little change as   possible (Durban Metropolitan Council, 1999; eThekwini Municipality, 2002). These alliances and contestations were short lived as the local councils were merged into the Unicity and then the metropolitan eThekwini Municipality. During this transition period the planning knowledge and concepts in use were transferred from the Local Councils to the DMC planning function and then to the newly formed eThekwini Municipality.

With the next big municipal demarcation in 2000 leading to the amalgamation of the six local councils to form the eThekwini Municipality, the core functions making up the new Planning

and Economic Unit remained largely intact from the late 1990s to form the current Planning Unit with some changes over time. The planning function was also fortunate as the new City Manager, Dr Michael Sutcliffe, a former activist, academic, geographer and the chairperson for the Municipal Demarcation Board favoured planning and its importance within a municipality (Beall et al., 2015). He accepted the status afforded to the planning function by his predecessors and allowed the function to remain largely 'self-defined' in the restructure of the municipality which resulted in the formation of the current eThekwini Municipality. However, at a working level Dr Sutcliffe was very demanding and critical of planning practice in the municipality and its inability to deal with the spatial inequalities in the city.

The restructure under Dr Sutcliffe's leadership, resulted in several changes to the planning and economic function. A separate Economic Unit was established. The municipality elevated the importance and role of information such as geographical information systems (GIS), and it recognised the environmental planning function by elevating the Environmental Planning and Management Branch to become a department with several new environmental functions or branches. It created the Framework Planning Branch (now the Strategic Spatial Planning Branch) and transferred the IDP function, strategy and policy making to the Geographical Information and Policy Unit, which reported directly to the City Manager. A regional approach was also implemented whereby SDPs per region were developed to define regional boundaries and to locate decentralised planning offices within each of the five planning regions. This also ensured that despite the metropolitan status of the municipality, planning remained decentralised in providing services to the former local council areas. A further level of decentralisation, with a limited planning service was implemented through the Sizakala system, for areas such as KwaMashu, Phoenix, Umlazi, Chatsworth etc.

On reflecting on the early municipal function of planning, dedicated institutional arrangements were evident, and were better integrated with the functions of real estate, housing, research and economic development. Mabin and Smit (1997) also remark that even during apartheid the housing and planning functions were more closely related as compared to the post-apartheid context. During the 2000 municipal restructure, the approach was to encourage planning practitioners to work across specialised areas of planning and this was also supported by the practitioners themselves. This reduced internal tensions such as those relating to perceptions that strategic planning was more demanding than regulatory planning. However, the legislation and planning procedures remained quite specific and often practitioners struggled to manage more than one application process. Some preferred to do

only building plans assessments or special consents and others preferred rezonings or strategic spatial planning. Thus to speed up planning services and to ensure a fit with the practitioners, some level of specialisation was re-introduced, both formally and informally. This has resulted in a level of institutional retro-fitting, with the Land Use Management Projects Branch and the Public Sector Housing Branch being examples of planning specialisation. Planning specialisation is also responsive to grant funding and national development programmes. In this regard, the eThekwini Municipality is also considering a Catalytic Projects Unit which will require a mixture of built environment and project management skills. The concept of catalytic projects is supported by the National Treasury Department and the World Bank, together with the eight metropolitan municipalities in South Africa. Catalytic investment, as a new discourse, is aligned with the active drive to promote cities of the south as the new gateway to urban investment markets (Watson, 2014b; McGranahan et al., 2016).

5.8 Overview of the eThekwini Municipality within the national and provincial context

Within the context of growth, employment and addressing inequality, urban areas and cities in South Africa, which house 62% of the country's population, continue to show strong growth, therefore playing an important economic role in the country (UN-Habitat, 2014; CDE, 2016). Cities also play an important national role in redistribution, economic growth, sustainability and resilience and often have to balance agendas between access to basics needs and globalisation (Turok and Parnell, 2009; UN-Habitat, 2014; Parnell, 2016). The growth of cities is taking place in a context where South Africa and Africa as a continent fails to afford dedicated policy support to cities (Turok and Parnell, 2009; UN-Habitat, 2014; Parnell, 2016). However, local governments in South Africa have equal status with national and provincial government and important exclusive powers and functions in terms of the Constitution, such as municipal planning. Therefore it is important for local government to consider more radical and progressive changes to deal with urbanisation and planning.

The eThekwini Municipality falls within the province of KwaZulu-Natal, one of nine provinces that is regarded as the most populated and with the highest level of poverty (eThekwini Municipality, 2015e). The municipal area also compares less favourably to the other metropolitan cities in terms of employment, average household income and levels of skills (eThekwini, 2015e). The high levels of poverty can also be linked to the large amount of rural

traditional land (38%% of the province), and the historical legacy of poverty and the apartheid practice of race and ethnic separation (Mabin, 1992; eThekwini, 2013/2014a; eThekwini 2015e; CDE, 2016).

According to the 2013/14 IDP (eThekwini Municipality, 2013/14a), the municipal population is estimated at 3.44 million people, approximately 33% of the province of KwaZulu-Natal's population and 7% of the national population, with an annual average growth rate of 1.74% (UN-Habitat, 2014; eThekwini Municipality, 2016/2017). The population is regarded as young and the growth rate is attributed largely to migration from within the province and from the Eastern Cape. However, more detailed research and analysis on migration is still required (eThekwini Municipality, 2015e).

It is estimated that out of a total of 945 910 households, 524 592 are formal (houses and flats), 317 613 are informal, and 103 715 are rural, of which 6 449 are regarded as informal (eThekwini Municipality, 2013/2014a). The housing backlog is likely to take between 41 and 82 years to address. There are several reasons given for delays or stalled infrastructure and housing projects, some of these being accessibility of land, planning and environmental approvals and surrounding community objections (eThekwini Municipality, 2013/2014a). An extract from the 2013/14 IDP (eThekwini Municipality, 2013/2014a) see table 5.2 below indicates the infrastructure backlogs.

Table 5.2: Existing service backlogs
Source: eThekwini Municipality (2013/2014a: 46).

Basic Service	Existing Backlog (consumer units) as at 30 June 2012	Delivery ranges per annum	Timeframe to address based on current funding levels *
Water	73460	2000-2500	29-37 years
Sanitation	226557	8000-10000	23-28 years
Electricity	301448	8000-13000	23-37 years
Refuse removal	0	1500-2000	0 -2 years
Roads	1 456kms	10-15kms	97-145 years

The eThekwini Municipality, together with Richards Bay and Msunduzi, are regarded as the principal municipalities that support the economic growth and population of the province (KwaZulu-Natal Province, 2015). The ports of Durban and Richards Bay also play an important provincial, national and sub-continental role in connecting and transporting goods

within and out of the country. The nature of the port of Durban also makes the province an important location for supporting the petro-chemical, freight, and manufacturing hub for the country (eThekwini Municipality, 2015e). However, increased inefficiencies, decline in the global economy and increased competition from other ports on the continent, increased the economic vulnerability of the port and the city (eThekwini Municipality, 2015e). Within the fields of education, engineering and science and technology, the number of graduates in eThekwini and the province lag behind the national output trends, impacting on skills development and the supply of graduates to support economic growth (KwaZulu-Natal Province, 2015; eThekwini, 2015e).

The tertiary sector dominates employment in eThekwini at 73%, the secondary sector accounts for 26% and just 1% of the economy resides in the primary sector. In terms of broad economic sectors, trade-dominated employment sits at 23.5%, manufacturing accounts for 18.6% (an important sector but in decline), and community services make up 20.7% of the employment figure for the city (eThekwini Municipality, 2013/2014a). Tourism also remains an important sector in the municipal economy, contributing approximately 4.8% to the city's GDP in 2011. Formal employment accounts for some 76% and the informal sector contributes to 24% of employment. The gini-coefficeint in the eThekwini Municipality is 0.63, the same as the national average (eThekwini Municipality, 2016/2017). Approximately 31% of the city's population, or 1,093,372 people, are regarded as impoverished (eThekwini Municipality, 2016/2017a). Infectious diseases, such Tuberculosis, HIV and AIDS continue to dominate illness and mortality rates in the municipality (eThekwini Municipality, 2013/2014a).
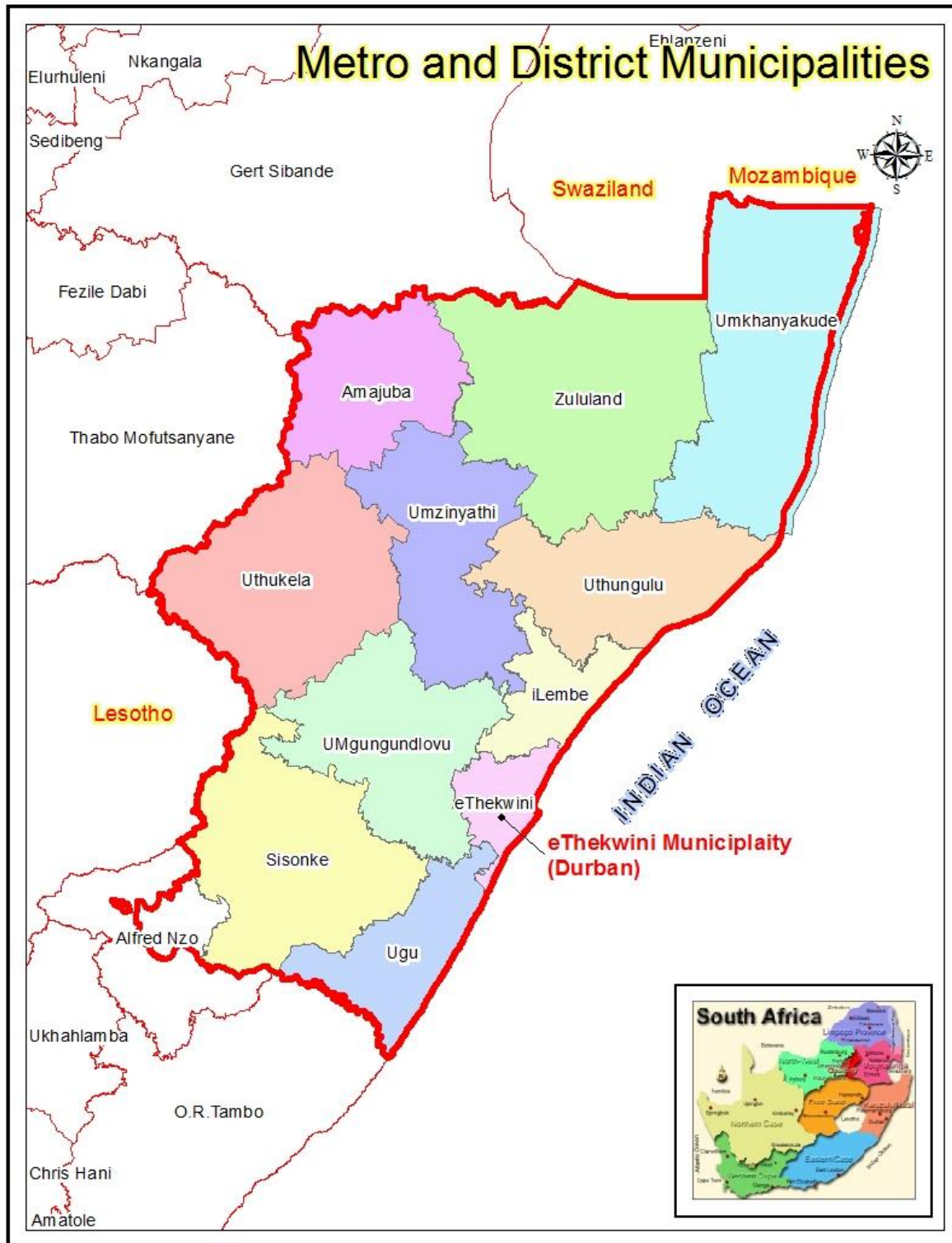
Figure 5.11: eThekwini Municipality within the context of KwaZulu-Natal Province
Source: eThekwini Municiplaity (2015/2016a: 34).

5.9 Conclusions

The beginnings of planning and its association with apartheid supported the political–spatial economy based on racial segregation. In reflecting on planning from the 1940s to the current time, planning knowledge remains caught up in the same thinking of comprehensive control, a belief system of goals and means, and a planning system out of touch with the realities of the current society and context. The technical spatial logic of planning knowledge is not without the influences of personalities, politics and imaginaries of how planning should be done, and it is further compromised by a planning ideology from a colonial and apartheid past, which has continued into the present planning system.

The planning function and related institutional arrangements have undergone several changes since the 1950s to the current situation. In reflecting on this history, it is not possible to conclude that planning has seized the opportunity to bring about real change in the post-apartheid context, simply from an institutional and functional perspective. It appears that during apartheid, planning implemented apartheid, using its 'technical' knowledge, and even when the job was to plan poorly, this was done well (Harrison, 2008). The last time planning activism was witnessed, was in the late 1980s into the 1990s and perhaps the early 2000s. The late 1990s and very early 2000s saw municipalities committing to the first generation of IDPs, spatial plans and developmental local government, with people at centre of this approach. The planning agendas spoke to the unwinding of the spatial planning legacy of apartheid, responding to areas of greatest need. At this stage the categorisation of spatial planning concepts and knowledge was less pronounced, where planning was seen in the context of spatial and economic integration as part of establishing equity. Now municipal restructuring and legislative changes have reached a point of maturity and with this planning has settled in. However, this raises the question of what planning is now capable of in a 'normal' environment. Perhaps this is what planning is like in normality - about growing property investments, creating world class cities, and leaving the development agenda behind? The next chapters attempt to unravel these questions.

Plate 6(a): Everyday work spaces for planning practitioners - Central Planning Region
Plate 6(b): Public Counter
Source: Author
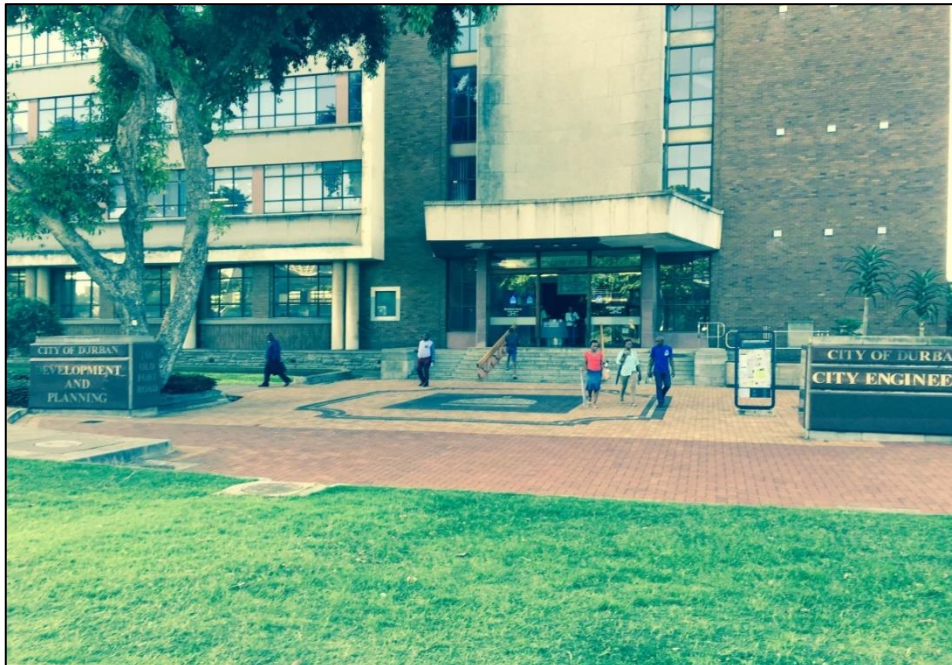
Plate 7: Development Planning and City Engineers Building, Durban (1957-2016)
Source: Author

CHAPTER SIX: HOW IS LAND USE PLANNING KNOWLEDGE USED IN PLANNING PRACTICE WITHIN ETHEKWINI MUNICIPALITY?

6.1 Introduction

The importance and relevance in posing this sub-question for the research was essentially to explore across practitioners, across several sites or regional offices, and across different types of planning (forward and statutory), the roles of planning knowledge within everyday planning practice. This was achieved through using institutional ethnography as a methodology to uncover the use of planning knowledge in practice. The data was obtained through observing the actual work of planning practitioners who agreed to participate as ethnography participants (see Chapter Four). The role/s of planning knowledge was further explored in planning practice, through uncovering how it was used in several decision-making meetings observed. This included the Joint Advisory Committee (JAC), a meeting of officials; the Town Planning Sub-Committee, a meeting of politicians, the KwaZulu-Natal Provincial Appeals Committee, and later on the Municipal Planning Tribunal (MPT). The agendas for such meetings, the reports, proposals, and supporting documentation were also reviewed.

Thus the research findings in many cases are recorded as standpoints appreciating the social positioning of practitioners within the institution (not within society) creators and/or implementers of planning knowledge. It identified and confirmed the role/s they assigned to planning knowledge for action or perhaps the use and role/s the planning knowledge assigned to them as practitioners in planning (Smith, 2005).

The themes that emerged in the everyday practice of practitioners, demonstrated the importance and multiple roles and use of planning knowledge. It revealed the social relations that were present but invisible to those that participated in planning practice (Greed, 1994; Tummons, 2010). Nine themes and several sub-themes emerged as important, as discussed in sections 6.2.to 6.10 and summarised as follows:

- Planning knowledge directs action because it is legal
- The power of planning knowledge - it compels appeal authorities to ensure compliance first before considering reason
- The knowledge in use and re(use) comes from the past – with hidden ideology of domination and segregation
- The roles of land use planning in practice – excludes stakeholders

- When the basics of planning knowledge are not so basic
- The role and (in)credibility of planning consultants within planning practice, silencing or benefiting local knowledge
- Only the consultant could convince the planners that the UDL is incorrect
- A hierarchical approach to sector knowledge - some sectors or personalities are more important than others
- When political knowledge matters more than any other knowledge

6.2 Land use planning knowledge[5] directs action because it's legal

As observed throughout the ethnography component of the study, the application of planning knowledge for action and compliance was instrumental to planning thinking in relation to assessing, approving or refusing a planning application. There were cases where the concerns raised about the proposal and its anticipated benefits and impacts played a lesser role. What mattered most was if the application aligned with the planning knowledge, in terms of the SDF and associated plans such as the SDP and LAPs, D'MOSS, the parking standards, the various definitions, clauses and the development facilitation table found in the TPS. At times there were tensions between the types of knowledge in use and what should take precedence. In the observations made and interviews held, the TPS, SDF, environmental knowledge and parking standards always took precedence over other types or levels of knowledge, including that of 'on the ground' knowledge.

The applications were assessed based on meeting the requirements and not on whether additional criteria, new criteria, 'on the ground' knowledge, practicality, people's knowledge, should play a role or not. Applications for the relaxation of side and/or rear space and front building lines were based on satisfying compliance with Clause 18 (building lines) and 19 (side and rear space) of the DTPS. Special consents were addressed in the same way to meet the requirements of the DTPS. It did not matter whether the proposal would bring additional or reduced impacts; essentially it was measured up or down against the knowledge contained in plans and/or the TPS.

What practitioners also indicated was that they knew from experience exactly what to do and how to deal with most types of applications, and therefore there was no need to consult the TPS. However, in circumstances where they were in doubt and the situation was slightly different, they would go back to the TPS to double-check what was required before

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[5] Referred to as planning knowledge in the empirical data chapters Six to Nine

proceeding in taking or recommending any decision. This demonstrates the importance of the TPS as the daily work knowledge of practitioners - routinised, memorised and deeply embedded, which re-enforced practice and knowledge in practice and where the same knowledge will be applied despite differences in context.

6.2.1   It is easier to stick to planning knowledge even if it is outdated

In one example, a plan was received for building additions and alterations for a property zoned Special Residential 400 (SR 400) situated on the Phoenix highway, a suburb north of central Durban. It is well known that many properties along this road are used for businesses without planning approval. The practitioner assessing the plan in terms of the TPS requirements confirmed that it was in accordance with the limitations provided for in terms of SR 400. However, the practitioner also used a programme referred to as VPIKE (a live street view on the GIS) to further establish what exists on site and the surrounds and found that the building existed, even though the plan was being submitted for consideration as if it was not built. Furthermore, VPIKE showed that the building was already being used for business purposes based on the various business adverts affixed to the building. The practitioner then sought advice from the senior practitioner about what to do with the application - to either refuse it, to submit it for enforcement action or to approve it as though it was not built and in use contrary to the plan being submitted for approval. I asked the practitioner what made him look at VPIKE and he laughed and responded:

> *"Sometimes I don't know the area and sometimes I know the consultant."*
> *(Institutional Ethnography Participant 4)*

It was decided to refuse the plan and request an as-built plan and a special consent application for the business use. It was hoped that refusing the application would make the owner regularise the structure and the use. However, the practitioners were also concerned that if the business component was beyond the 20% allowed for in residential zones, the special consent would be refused. The practitioners also discussed that ideally the planning for the area should have changed some time ago to a transitional zone, which would allow the entire residential property to be used for business.

This is an example of being directed solely by the planning knowledge and not informed by the real time, 'on the ground' knowledge, and the spatial and socio-economic dynamics taking place. Based on the ethnography component of the study, very few practitioners go beyond the formal planning knowledge (the plans and the text) that they are given to

implement. The private planning consultants are well versed in submitting applications, knowing what matters to the municipality and simply sticking to the approved plans, schemes, and policies of the municipality. The practitioner explained that it is more difficult to consider an application that is not in keeping with the planning knowledge in operation (even if such knowledge is well out of date), as giving consideration to what exists remains time consuming. Furthermore, the transport and infrastructure sectors will respond negatively to an application outside of its zoning. This will also create precedents as there are often clusters of illegal land uses in a particular street/area, and this creates a problem if regularised without the necessary infrastructure improvements.

In many cases, giving consideration to a change in land use is contingent on new spatial plans and accessing budgets for infrastructure upgrades, before new or changes to the zoning can be accommodated. The concerns raised were that sector departments need to also consider the realities, the 'on the ground' situation, that the use is not what was intended, but has changed over time. This does call for infrastructure planning and capacity assessments to become more realistic, practical and strategic, to allow for demand management options such as increased tolerance for additional traffic congestion to manage the realities of planning.

In a way the service sectors and planning sector have by default accepted the 'on the ground' usage but still make decisions or recommendations based on the planning knowledge in operation. These sector departments will not venture into any changes without revisiting infrastructure capacity, based on modelling assumptions and standards, some of which are unrealistic in the context of African urbanism. The practitioners also raised the irony that on the one hand planning would like people to apply for what they want, but on the other hand planning knowledge does not allow for many of the changes people want and or need.

In observing another practitioner at work, again for an application in the Phoenix area, it emerged that this application did not look like a typical residential unit. With the assistance of VPIKE, the practitioner established that the house was converted to and operating as a car wash and that properties along the street were also being used for a mixture of residential, business and light industrial uses. This is similar to the above case. The best option that the practitioner mentioned would be to consider this as a pressure area and review the TPS, but this would take time based on the involvement of infrastructure sectors in the review process. In this case the existence of light industry in a residential area would complicate matters

further, as this is totally prohibited in a residentially zoned area, and would require rezoning for light industrial purposes, a more onerous TPS amendment.

This demonstrates the conflict between the current planning knowledge which practitioners are expected to implement and what is happening socially, materially and spatially on the ground. I probed this issue further with practitioners (those drafting and implementing planning knowledge), suggesting a rethinking of planning ideology from comprehensive control to more flexibility to accommodate different uses on properties and within historical mono-zoned areas. The practitioners' response, however, was that the scheme is already flexible, and what is missing is legal clout and enforcement capacity. This became a recurring theme in the research, shared by planners in different regions, that enforcement is what is actually required to make planning work.

6.2.2 The legislation and the institutional environment requires 'less planning'

Notwithstanding some variations in practice, what did emerge as a standpoint from the practitioners was that being more engaged with the planning application, moving beyond the administrative compliance, would only result in more conflicts for the practitioner. It requires more work to convince fellow practitioners, sector departments and decision-making structures to consider the application differently. Practitioners also felt that they run the risk of coming under pressure from the dominant social relations within the institution, the management, the executive management, the political management and fellow practitioners. Several of the regional coordinators also indicated that by being more engaged in planning when applying their minds to applications, they have experienced more conflict with the Town Planning Sub-Committee and certain management levels. If a decision was recommended for a refusal, the politicians would most likely dismiss the recommendation and approve the application.

One of the regional coordinators indicated that in the past when a recommended decision was to refuse a rezoning application (which is seen by the Town Planning Sub-Committee), the committee would overturn the decision and expect the practitioner to re-write the report supporting the application. There were situations when a matter was refused and the applicant took the decision on appeal, the practitioner would be summoned by the Chair of the Town Planning Sub-Committee and 'requested' to support the appellant at the appeal hearing. The ethnography study revealed that for the bulk of applications where there were no real interests (from politicians, executives or practitioners), such as 'ordinary' relaxations,

special consent or business license applications. Given that these decisions are totally within the control of officials, the safest and expected response from practitioners was to stick to the approved planning knowledge in use.

Regarding the not so 'ordinary' applications, those which have interests or need to be reviewed and approved by the political Town Planning Sub-Committee and/or the MPT, the approach taken by the practitioners are to support the approval of such applications. In such an institutional environment, an engaging approach to planning practice is regarded as extra work and pressure for practitioners. This was observed in the way planning reports were constructed, how the contentious issues were played down or replaced with a response from the external planning consultant as to why the issues of concern, were non-issues.

This shift in approach was also mentioned by the councillors interviewed who described how the planning assessment approach changed to become more pro-development. A pro-development approach to planning is trans-ideological, appreciated and supported by both the ruling party and the leading opposition parties, as reflected in the quotation below.

> *"There was a time when councillors questioned coming to committee meetings when so many items on the agenda were for a refusal. It was then that councillors became extremely concerned and had heated discussions with officials that they must assist applicants, so development applications can be approvable. It seems like the conflicts between officials and councillors have calmed down and the temperatures have cooled off." (Respondent 37)*

However one of the councillors interviewed (from the leading opposition party) raised concerns with this approach and more so about the extent to which the planning profession within the municipality is being swayed and co-opted, as reflected in the quote below.

> *"I think the planning officials are simply holding onto their jobs in doing as being told and this is a sad day for planning when professions sacrifice the profession and they feel sacrificed." (Respondent 36)*

However, in another interview with an opposition party councillor, planning's current pro-development and efficient approach was seen as an important positive change in planning practice that grows the rates base.

It was often contended by practitioners engaged in this research that planning has become more administrative, focused on the application of section 12 of the KwaZulu-Natal Planning and Development Act, 2008 (PDA) (see Appendix 6A). Section 12 lists the matters that must be considered to determine the merits of a planning application, in particular a rezoning or amendment to the TPS. Section 12 does not allow for, or appreciate, the 'grey' in planning

and the reality that planning decisions can be about trade-offs, compromises, mitigation and new alternatives. In fact, the consideration of mitigation measures and alternatives are not an option in section 12 and are not provided for elsewhere in the legislation. The assessment of planning applications based on the wording of section 12 makes planning an administrative exercise, a process of 'ticking the boxes' and practitioners become administrators. Despite SPLUMA coming into effect in 2015, the PDA is still in use in KZN together with SPLUMA. The administrative approach to planning has been carried though into SPLUMA which, further entrenches planning as an administrative function.

This lack of flexibility and opportunity for trade-offs in planning legislation helped to explain in part why the public prefer and respect environmental impact assessments (EIAs) in terms of the National Environmental Management Act (NEMA), Act 107 of 1998, notwithstanding its own set of challenges. This is because the EIA process includes a legal and professional obligation and expectation of public participation, access to documentation, working with concerns and looking for opportunities and alternatives. Unfortunately these learnings have not influenced the more recent development and implementation of planning legislative provisions in the PDA and SPLUMA, this is discussed further in Chapter Nine.

6.2.3   Land use knowledge disadvantages the poor – but it's (un)intended

What did emerge from a component of practitioners engaged in the research were concerns that the planning knowledge in use, and its impacts on practice, is not quick enough to respond to changes and to deal with 'people's own responses to planning. In particular, a disconnect between planning knowledge in use and the realities on the ground can be seen in people's own initiatives to earn an income and provide convenience and a service to the community. This led to personal conflicts and ethical contradictions for some of the practitioners, for example where home businesses in excess of $20m^2$ are non-compliant with the TPS. There are also cases where home businesses could fall within the category of light industrial, due to the type of business, and are also prohibited from being approved in residential areas according to the TPS.

This type of non-compliance is also seen with public housing applications where people lived in areas well before a layout plan was prepared. In some cases plans have been developed and ignore that people live in such areas or have been displaced from such areas, in particular, environmental areas or that which is categorised as outside of the UDL. Thus these planning knowledge concepts, approved and legally binding within the SDF and

associated plans and the TPS are commonly used in practice to inform decision-making, while neglecting the realities on the ground. A minority of the practitioners engaged in this research quoted these examples as heart wrenching. The main standpoint emerging from practitioners, inclusive of the environmental and infrastructure sectors, was that it is the important to delimit what is permitted and what is not, in order to protect the wider interests that planning serves. If exceptions are made then this questions the need for planning. A further standpoint emerging from practitioners across sectors was that if professionals engaged with, or allowed for exceptions, then this would create precedents for the political to support more exceptions. This would compromise the municipality's spatial plans, so the ideal situation would be to exclude exceptions.

The implementers also expressed their concerns with the new requirements of the National Building Regulations, Act 103 of 1977 (NBR), to ensure that buildings, both new and existing, are energy efficient and compliant. Some of the basic energy efficient interventions include limitations regarding the siting of buildings and the distance between buildings to allow for natural light and ventilation. This was seen by some practitioners as an unfair burden on smaller properties and apartheid and post-apartheid public housing, creating compliance problems. According to the practitioners, having to apply this standard without exceptions and refuse a number of building plans for extensions and renovations is creating internal conflicts and personal stress. The NBR energy efficiency regulations are seen as universal standards that need to be applied comprehensively without room to waiver or mitigate in another way.

The standpoint from planning practitioners was that legislators, meaning well in trying to advance energy efficiencies in development, have not considered different realities. Like the planning practitioners, the NBR assessment officers indicated that they have to apply the legislation including the TPS as it takes the form of legislation and therefore requires compliance, and that there is no place for exceptions, reasons and emotions. The only way out of this while still being legal, would be to change the planning knowledge, in this case that would be the TPS, to reduce the side and rear spaces on smaller sites.

Non-compliance with the NBR is accepted in terms of the new government housing being provided because of the additional costs associated with compliance. But when an owner of such a property wants to extend his/her dwelling house the TPS and NBR become effective, limiting the building extension. This was seen as another disadvantage to the poor and

where planning and building regulations have not considered the specifics, material conditions and the need to rethink such standards within South African cities.

The TPS in former township areas have less stringent controls compared to the TPS in non-township areas, for smaller sites. The question can be posed that if in the former township areas, where reduced standards satisfy health and safety requirements, then why the same standards cannot be applied in the remainder of the city, and in particular for smaller sites, such as those zoned Special Residential 180? The practitioners' standpoint is that a reduced standard is acceptable in former township areas, but not appropriate for other areas with small site sizes. The practitioners are concerned that reducing control in areas that enjoyed control before is not the best alternative. It is acceptable to have less stringent controls in areas that already have limited control with the expectation that over time these areas will progress to higher levels of control once people see and experience the benefits of planning.

6.2.4   Turning a blind eye, and telling a small lie to satisfy compliance with the TPS

One of the practitioners undertaking the review of the DTPS indicated that it is not uncommon for planning knowledge for action to be restrictive and out of touch with the development needs and trends in certain areas such as Chatsworth, a former Indian area. The practitioner described an open secret, a well-established practice in the area, supported by practitioners within the municipality, where planning consultants submit applications on behalf of their clients for a private gymnasium, knowing full well that it will be used for accommodation, as reflected in the quotation below.

> *"You would think people in Chatsworth are very exercise conscious and fit."*
> *(Respondent 6)*

It is therefore not uncommon for practitioners to turn a blind eye and tell a small lie when recording information on the building plan so it can be passed, knowing full well that the use will be different to what is on the plan. However, this meets the requirements of planning knowledge so it can be approved as a paper exercise, 'professionally lying' to satisfy this unreasonable knowledge. Soon the gymnasium will be built, passed by the building inspector and then changed internally and perhaps externally, with little or no detection or interest from the municipality.

Emerging from the ethnography study is the standpoint that practitioners must defend decision-making, whether they agree or disagree on how decisions are made and whether

planning knowledge was used or not to arrive at such decisions. One of the ethnography participants explained how an application to rezone a special residential site to a worship site was delayed, and in that time new planning knowledge came into operation, revised parking standards. These were more onerous than the previous parking standards, resulting in the application being refused because of insufficient parking provision. An appeal was then submitted and heard by the Municipal Manager's appeal committee, in accordance with section 62 of the Municipal Systems Act (MSA), 32 of 2000.

In this internal appeal system, the Municipal Manager, assisted by an internal legal advisor, reads the report prepared by the Regional Office practitioner and signed off by the various levels of management concerning the appeal. The Municipal Manager can ask clarification questions about the decision and the appeal before deciding if the appeal should be upheld or dismissed. It is highly unusual for the aggrieved parties to be represented at the internal appeals hearing. In the case of the worship site application, the practitioner felt that it was the responsibility of those from the Land Use Management Branch to protect the integrity of the Municipal Manager's appeal process and to be honest. At times this means not contesting an appeal, which should have been the case in this matter. The practitioner was aggrieved that he was dealing with the matter and had to write the appeal report, recommending that the appeal be dismissed.

6.3   The power of planning knowledge – it compels appeal authorities to ensure compliance first before considering reason

In interviews with legal practitioners specialising in planning matters it was confirmed that the way planning knowledge is written leaves little discretion to appeal authorities to establish merit and reason, but limits them to focus simply on compliance. The law only looks at the approved planning knowledge instruments, such as the SDF (and associated plans) and TPS, as the status of the TPS is conferred legal status through the PDA and both the SDF and TPS are legally binding in accordance with SPLUMA, as described here:

> "Status of scheme
> 6. (1) A scheme is binding on the municipality, all other persons and organs of state, except in the event of a conflict with the provisions of an integrated development plan that was adopted prior to the scheme or amendment to the scheme."(PDA, 2008: 22)

> "Status of spatial development frameworks
> 22. (1)A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to

land development, may not make a decision which is inconsistent with a municipal spatial development framework." (SPLUMA, 2013: 18)

"Legal effect of land use scheme
26. (1) An adopted and approved land use scheme -
(a) has the force of law, and all land owners and users of land, including a municipality, a state-owned enterprise and organs of state within the municipal area are bound by the provisions of such a land use scheme." (SPLUMA, 2013: 18)

The job of an appeal authority is to see that the municipality and all other parties comply with this knowledge and that of the prescribed legislative procedures. The national Constitution gives effect to municipal planning and therefore municipal planning knowledge approved by the municipality gains legal status. The MSA sets in place the legal principles that should apply to planning legislation and planning knowledge produced by municipalities. The interviewee also stated that this is what guides the workings of the appeal authority:

"I often refer to the municipal planning knowledge for action as you put it such as spatial development frameworks and in particular the town planning schemes as the nuts and bolts of planning and adjudicating planning decisions within the context of a municipal planning. When adjudicating a matter, compliance with knowledge for action is the first thing we look at before we look at the rationality or irrationality of a decision or context." (Respondent 25)

According to the legal interviews held, the PDA is seen as a very prescriptive piece of planning legislation that directs the procedures and the administrative processes of planning. One of the interviewees indicated that the TPO, the planning legislation prior to the PDA, allowed for more flexibility but this was too open and allowed for abuse from councillors, so these opportunities of flexibility were closed down in drafting the PDA.

What also came through strongly from land use management implementers within the Central LUM Region was the lack of discretion to consider certain buildings based on their uniqueness which was previously allowed in terms of Clause 6.28 of the DTPS. However, because this clause was abused and not used as intended, a moratorium on applying this clause ensued, and now it has been removed from the DTPS permanently. This step was considered appropriate since the clause was open to abuse and also did not exist in any other schemes. Thus, its deletion was viewed as a necessary action to standardise the schemes in the municipal area. It is also surprising that the legal sector accused the councillors as abusing these discretionary powers. As the Unit Head at the time, I should have taken the stance to limit use of this clause, as opposed to instituting a moratorium on its use. However, with the revised DTPS, this clause has now being removed altogether from the proposed TPS.

What stood out from the interviews with the legal planning specialists was that there is a direct relationship between how planning knowledge is constructed or written and the legal interpretation and direction on a matter in terms of that knowledge. The definitiveness, the lack of flexibility or discretion within planning knowledge erodes practitioners' prospects of assessing the merit of a situation as and when required. The (re)development of planning knowledge for action ignores varying contexts, which according to the legal sector would be a relevant and useful change to planning knowledge.

It was also confirmed that most appeals are lodged because the appellants found the municipality deviated from its own knowledge - its own plans, text and rules. Very rarely does an appeal concern conflicts in the knowledge used, such as between the TPS and SDF. Furthermore, planning knowledge that uses words like 'must' and 'shall' takes away any form of discretion, including that which resides at an appeal authority.

The unusual and the deserving, if argued and arrived at within a strong and transparent planning process, should remove any fear of setting precedents, but if the planning knowledge excludes this discretion, then real cases based on merit cannot be assessed or upheld at an appeal level. The legal sector, including a legal advisor for the municipality, took the standpoint that the planning knowledge developed, used and given legal status is problematic as it is conceived through narrow interests only, without understanding different needs and the practical reality that such knowledge should be considering. The use of definitions in town planning schemes or in spatial plans was identified as a form of planning knowledge which lacks practicality. The legal sector was clear that it is not the legal profession that can or should question practicality and context in planning knowledge - rather this is what practitioners should be grappling with all the time.

Planning knowledge dominates reason and gives rise to nonsensical appeals decisions

One of the ethnography participants shared an example of an appeal where, in the opinion of this practitioner, the matter could have been dealt with differently if the planning knowledge used allowed for flexibility, and if the power relations exercised between the Regional Coordinator, the building inspectorate and the applicant was less of the issue. In this example of an appeal, the site is zoned Special Residential 1 in terms of the applicable Westville TPS, meaning that coverage is restricted to 25% of the total site area, in this case $646m^2$ (25% of $2584m^2$). However, a substantial rock outcrop on the eastern boundary of the site and a road servitude limited the available land on which development on this site could

take place. The applicant (later appellant) wanted a levelled garden and an entertainment area, and used a concrete slab rather than an infill method to level the site. This then created a void. This method was preferred as it was aesthetically appealing and cost effective. The applicant then wanted to add a roof to the entertainment deck (see Plate 8) to follow. However, this was seen as non-compliant and the planning application was refused because coverage has been exceeded. The void created by the slab constituted coverage as defined by the TPS.

When taken on appeal, the lawyer argued, on behalf of the applicant, that what is technically calculated as part of coverage is essentially a garden that has been levelled. The chairperson of the appeal board recognised the problem stemming from the definition of coverage and the lack of flexibility in the scheme for the municipality to use its discretion in granting a further relaxation to the applicant. However, the appeal was still dismissed as the TPS 'rules' take priority above being practical and reasonable. The chairperson was also concerned that in this case the appellant had proceeded with construction work, despite not having planning approval, and now was seeking retrospective approval, as noted below in the following two quotes from his judgement:

> "We are in entire agreement with the appellant in this regard, particularly when one has regard to the definition attributed to "coverage" in a planning sense. It has been interpreted to mean the area of an erf which is covered by buildings, measured over the external walls, as seen vertically from above and expressed as a percentage of the area of the erf. It is calculated from a birds-eye-view of the property and based on the footprint (floor-level surface area) of the building, but not on the number of floors (cubic volume). In the present appeal, out of a total coverage of $660m^2$, only $457m^2$ is considered by the appellant to be "true' coverage – the remaining $203m^2$ consists of the "constructed" garden area." (KwaZulu-Natal Development and Planning Appeal Tribunal, 2010: 7)

> "To allow the appeal would undermine the integrity and purpose of a town-planning scheme would be severely undermined. The Scheme is possibly the most significant weapon that the municipality's arsenal to ensure lawful and harmonious development in a defined area."(KwaZulu-Natal Development and Planning Appeal Tribunal, 2010: 15)

Plate 8: 'The Nonsensical appeal decision – is it a garden or a structure?'
Source: KwaZulu-Natal Development and Planning Appeal Tribunal (2010: 5 and 10)

6.4 The knowledge in use and re(use) comes from the past – with its hidden ideology of domination and segregation

The assessment of applications for ancillary units (limited to 80m^2) and outbuildings (limited to 40m^2) was observed. These make up the bulk of applications received and occupy most of practitioners' work time. The reasons for the differences between outbuildings and ancillary units and the relative limitations on size could not be explained by the ethnography participants. The PDA includes the same restrictions. This means that property owners cannot configure ancillary and outbuildings differently, even if they have adequate space on their properties, available coverage and total floor area and where no relaxation was required.

When this was probed further with practitioners, both those involved in drafting and implementing planning knowledge, some indicated that this is linked to the control of densities. However, the municipal policy is to encourage densification in well-located areas with services and along major transport routes, and thus many of these properties and the areas they are located in would qualify in terms of the densification strategy (eThekwini Municipality, 2013b). What emerged was that in the same area, densification was looked at favourably from a policy perspective but was not promoted within the TPS plans, definitions and controls, which continued from the past despite the current discourse and agenda for densification. However, a deep-seated reluctance to promote densification was uncovered, a view that being more proactive would result in a loss of authority and control.

One of the practitioners thought that the difference in location on the property between an ancillary unit and an outbuilding related to health and safety reasons. Ideally it would not be suitable to have an outbuilding that could be used for storage or as a work room so close to the main dwelling unit, and incidentally also to house domestic staff which has historically been in the use definition for an outbuilding, defined as:

> "Outbuildings/domestic staff accommodation detached from the main building may be erected closer to the rear boundary than herein specified." (Draft TPS, 2015: 95)

> "Outbuilding: Means a building ordinarily used in conjunction with a dwelling house/dwelling unit, for the garaging of private motor vehicles, a storeroom, private laundry, workroom and other such similar uses." (DTPS, 2013: 22)

Also of interest is that despite one of the cornerstones of 'new' planning being to support integration and flexibility across the regional areas and types of planning, it is somewhat surprising that the (re)developed DTPS (still to be finalised for approval) and other regional

schemes recently reviewed and approved for the municipal area, still suggest that domestic staff accommodation *may* have a kitchen included.

> "Domestic Staff Accommodation: Means accommodation designed primarily for the housing of domestic staff with a total floor area not exceeding 40m^2 in extent. And may include a kitchen." (eThekwini Municipality, 2015g: 23)

It is also strange that Special Zone 7, Group Housing, excludes domestic accommodation altogether and the (re)developed DTPS carries forward this exclusion, as follows:

> "No domestic workers are to be accommodated on subdivisions less than 400 ^{m2} in extent." (eThekwini Municipality, 2015g: 122)

Using power as an analytical frame of reference, and in examining knowledge as power and practice, it is important to ask what is necessary and what is contingent on a particular past for planning knowledge. This also entails questioning what is allowed to be amended, carried forward or replaced from one historical context to the next.

With respect to the coverage example, an overall coverage control that manages the amount of built area and floor area on a site is presumably linked to storm water management and other services. An alternative could be to allow more flexibility in the configuration of space and the use of property as opposed to prescriptive detailed controls as contained in the fairly recently revised DTPS. In enquiring further, participants' standpoint, across planning functions, was that this could result in chaos and a loss of control, and detract from the amenity of the public environment. Unwarranted densification could apply pressure on services and facilities.

One of the ethnography participants raised the concern that planning is not in touch with public concerns, so there is little notion of what the public wants and would be willing to compromise on. The planning knowledge within forward planning and regulatory planning, does not understand the public's concerns, as new plans and schemes have not transformed in making planning more flexible and responsive to the public. In many ways the prescription and format from current and previous provincial planning legislation, such as the PDA (2008) continues to dominate the (re)construction of planning knowledges. A typical example of a zone within a scheme is included as Appendix (6D) and the following extracts from the PDA show the continuation for a prescribed planning system.

"Contents of scheme
5. A scheme must -
(d) specify -
(i) kinds of land uses and development that are permitted and the conditions under which they are permitted;
(ii) kinds of land uses and development that may be permitted with the municipality's permission, the criteria that will guide the municipality in deciding whether to grant its permission, and the conditions which will apply if the municipality grants its permission;
(iii) kinds of land uses and development that are not permitted" (PDA, 2008: 21).

"1.11.2 The extent and location of the various zones shall be as set out on the adopted Scheme Maps. Within each zone the defined buildings and land use activities contemplated are separated into three categories:
i. Primary: Land may be used or buildings may be erected and used with a written authority of the Municipality;
ii. Special Consent: Land may be used or buildings may be erected and used only with the Special Consent of the Municipality;
iii. Precluded: Those buildings and land uses which are expressly prohibited."
(eThekwini Municipality, 2015g: 8).

The format of the scheme is not just to be simple, clear and easy to use as a document but importantly it also carries with it the ideology of planning to control, to be comprehensive, and to limit flexibility. The scheme in format and content manages the social relations of planning (it has power and control) across the eThekwini area. The practitioners participate in administering this control and in a way that subjugates their own knowledge and feelings in planning (Smith, 2005). It could be argued that such a technical approach allows for certainty and clarity, but at the same time its flexibility is limited. The scheme is constantly under pressure from peoples' own planning processes, how they attempt to maximise the benefits of land, from a mix of uses for social and economic benefits and conveniences, and even from people's own instruments of mitigation, tolerances and agreements with neighbours. One of the interviewees from the legal sector indicated that a good test of planning knowledge is to determine if it has the potential to harm or support interests.

Despite the (re)development of planning knowledge for action, changes remain ideologically unchallenged and incremental. When probed further, the practitioners indicated that what prevents a more radical change is a fear of the negative impacts of change. But the negative impacts of keeping the status quo are not feared. The municipality's thinking from the early 1990s to the current context is represented in the municipal SDFs that demonstrate the embeddedness and sophistication of spatial planning concepts that constantly remain challenged and confronted. The SDFs and spatial plans represents planning knowledge that remains confined to planning professionals and alliances with the environment and

infrastructure sectors, without engagement with the political and the social aspects or impacts of this knowledge (Sim et al., 2016).

6.5 The roles of land use planning in practice – excludes stakeholders

6.5.1 There is no time for public engagement, and no institutional mandate to mediate

The practitioners indicated that there is no need and/or time to meet objectors to planning applications in order to clarify the situation in person, but would rather deal with the matter if it went on appeal. The municipality will only mediate if instructed by the appeals board or if there is certain higher level influence (political /senior management) on behalf of the applicant or objector. The municipality's approach to appeals was explained by one of the ethnography participant's, as quoted below.

> "Often the appellant/s or the applicant and the Council[6] do not engage on how to resolve a particular problem. It is now quite apparent that the problem is then escalated to the appeal stage and it is at the appeal stage that the appeal board will ask the various parties to get together and try and resolve the outcome before the appeal being decided upon. It was felt that in many cases appellants, whether they are objectors or the applicant would prefer a litigation outcome and the city would prefer the appeal board to give this direction or to mediate an outcome. Mediation is not done at the application stage. Part of the reason is that of time constraints and the need to for the city to be an adjudicator and not a mediator and mediation of an application can still go on appeal, it just becomes messier." (Institutional Ethnography Participant 6)

When interviewed, a municipal legal advisor elaborated on the intentions of Section 62 of the MSA, which was intended to allow for an internal appeal process that mediates potential impacts arising out of administrative decisions, such as planning decisions. It was explained that the appeal committee is not doing what it is intended to do, but rather serves as an administrative process to exhaust, before an aggrieved party can consider the next level or another appeal authority.

The practitioners also indicated that often it is the sector departments that have a particular problem with an application. Mediation is not seen as a planning role, and practitioners do not have a mandate to intervene within a particular sector, such as the infrastructure and environmental sector departments, as they have their own plans and legislation. The planning legislation also provides for sector plans and standards to be implemented through the planning process. However, more intervention is now taking place with the transport

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[6] Council is the common name given to the eThekwini Municipality, based on its previous municipal names, the Durban Metropolitan Council and the related local councils.

planning sector, as this knowledge is easier to understand and the transport sector is seen as weaker than the other sectors.

One of the ethnography participants, who assesses applications perceived himself as mediating between the affected parties. I enquired how this was done, to which he replied:

> *"…through communicating each other's information and recording information for the report." (Institutional Ethnography Participant 4)*

The approach to appeals and dealing with conflicts is very different to the expectations of planning theory concerning the role of from practitioners and practice. The reality is that planning is institutionalised. More dialogue, meetings and mediation are seen as risks to the municipality. The management of planning through timeframes as the main indicator (often occurring as a sub-heading in planning reports as critical timeframes) makes mediation and the social project of planning as theorised, quite untenable. It is not by default that planning has become more technical and administrative; it helps to manage the complexity, the conflicts, the legal challenges and perhaps practitioner and institutional risks.

In the case of a rezoning of two notarially tied sites from Special Residential 650 to Place of Worship in the Chatsworth area, 14 written comments and concerns from people residing within close proximity to the application were received. When I enquired whether this should require a meeting with the objectors and the applicant, the practitioner's standpoint was similar to other practitioners' - that it was the role of management, referring to the regional coordinators, managers, Deputy Head and Head, not practitioners, to undertake such meetings. The practitioner indicated that meetings with objectors and applicants or public meetings were not part of planning practice, and that they do not have the time for meetings given the legislative and scorecard times they are expected to meet for various types of applications. The legislation further entrenches achieving planning process timeframes as the most important indicator of good performance. It even legislates a penalty for exceeding the stipulated timeframe, as defined here:

> Failure of municipality to observe periods
>
> 13. (1) A person who has made an application that is subject to the provisions of this part of this Schedule who is aggrieved by a municipality's failure to observe a period provided for in this part of this Schedule may appeal to the Appeal Tribunal for an order to compel the municipality to act within the period specified by it as contemplated in section 121 (5)(d) and impose a penalty against the municipality in accordance with section 121 (5)(e)" (PDA, 2008: 122).

The ethnography participants also reported that holding meetings with aggrieved parties requires skills and mandates, which they do not necessarily have, to take decisions to

resolve a problem. It was reported that the municipality's budgeting and supply chain management process limits advertising meetings in the press and using non-municipal venues. This also limits public meetings as planning practice, as these would definitely cause the application to exceed the legal permissible time for a decision to be taken.

However, there were exceptions to this approach as the acceptable practice within the municipality, as clarified and discussed in interviews and focus groups with practitioners across the Regional Offices. In the Inner West region, for example, practitioners said that they would often clarify issues with the applicant and/or the objector and present options in order to facilitate some level of compromise on behalf of the applicant or to allay the concerns of the objector/s. These efforts may result in no appeal being lodged, which is not always the case.

The standpoint of practitioners within the Development Planning Department (those involved in strategic planning and implementers and (re)developers of the TPS) and practitioners within other sectors such as transport, environment and infrastructure were all of the view that they are responsible for creating and implementing knowledge to manage and protect the public good, for the city and its people. Their standpoint was that mediation within the context of planning knowledge is not something that should be encouraged, that it will be open to political abuse and 'what is the point of having rules when it can be changed?'

6.5.2   Barriers to planning participation - planning information is restricted and technically coded

What emerged from the engagement with the ethnography participants was that access to knowledge regarding planning reports, applications and/or proposals remain constrained. It is not freely available but is subject to an application process to the municipality in order to manage access to information (Promotion of Access to Information Act, 2 of 2000). Whilst the process to access certain types of planning information is considered quick and inexpensive, it still has to be followed, and this often deters the public from further engagement in planning related matters. Often this is one of the first barriers to participate in planning.

So whilst public meetings are not seen as part of planning practice, access to information on a planning application or a municipal project is not a much improved alternative to keep people informed, provide clarification and equip them to decide if it is a matter that affects them or not. It is perhaps this point of restriction of knowledge and access to knowledge that

reinforces the view that planning is for the connected and the rich, and is undertaken in secrecy. More importantly, it is the daily practices of practitioners and what is expected of them that also contributes to and maintains such a practice environment. These were the sentiments expressed by the legal sector and the community activists interviewed. Furthermore, the practitioners themselves are institutionally conditioned to believe that sharing of information on applications is a violation of the institutional rules to protect privacy and patent rights of the applicant and architect, and if they do so they will be breaking important work rules.

The practitioners' standpoint is that there is sufficient information available in accordance with the legislation to inform interested and affected parties. By law a special consent or rezoning application is required to be advertised in a newspaper that the municipality has identified that has wide circulation within the municipal area. In addition, notice boards must be placed on the frontage walls or fence of the property in question. However, in examining the content of the advertisements and notice boards, it is in a technical format, without important detail and orientation for the general public, as expressed in interviews from the development activist and legal sector. It was reported by community activists, business, legal and political stakeholders participating in the research that an electronic summary of the application should be used and made available on the municipal website. It was felt that this is an obvious place to start with making information more accessible, but the municipality will not do this unless it is legislated. This reconfirmed that participation and access to information is compliance driven and not with any intent and commitment. These were the views expressed by the external stakeholders.

6.5.3   How 'selfies' can promote access to information!

I observed one of the practitioners preparing an advertisement notice for a special consent application for a three-storey development and a new parking deck on a previously relaxed building line for a hospital site zoned Institutional 2 on the Berea. The practitioner's concern was to keep the advertisement wording short, but to ensure that the public would understand that the application was for additional parking and for a development that would result in three storeys (an additional two storeys being proposed, one below ground level and one above ground level). I enquired whether this would not create concerns in the area, in particular for the apartments across the road that enjoyed a good view of the Durban harbour. The practitioner's response was it should not be a concern as people should be

aware that the site is zoned Institutional 2 and development intensity can and will change over time, and that a hospital is an important land use. At this point it was apparent that the technical knowledge of the TPS is seen as more important, even though it is often not known about or understood by the public.

The next morning, there was an enquiry from an elderly couple that lived across from the hospital, who had seen the notices displayed on the frontage walls of the hospital. The couple raised issues about the proposed development blocking their views and why the need for additional parking and why the hospital is not using the space they have that will have less impact on the neighbours. Finally the couple asked if they could have a copy of the proposal, to which the planner indicated "No, it's for viewing only". Access to a copy of the proposal requires a submission to another office (information access officer) to petition the municipality in terms of the Promotion of Access to Information Act, 2000 to release the required information. The couple then enquired whether they could take a photograph of the concept plan, using their cell phone, to which the planner said "I don't know", and we both looked away sheepishly as some the photographs were taken.

This also explains the uncomfortable situations practitioners find themselves in, and sometimes literally turning a blind eye to help assist or instil some social responsibility into planning practice, but at the cost of feeling like you are breaking important institutional rules. What was also interesting to note, was that apart from couple saying we will get our lawyer onto this, they said that they will seek the assistance of an activist organisation in the area - Save Our Berea. In tracking this application, it was approved and without objections, as the impacts of the parking structure did not have a direct impact on the apartments across the road (parking was one level below ground and one level above ground) and the properties facing the hospital are all above ground and perhaps they were informed about the zoning and that the hospital is within its planning rights to develop further.

6.5.4   When 'interests' are high, integrity is low

In another example of a rezoning in Chatsworth from Education 1 and Special Residential 400 to Special Shopping, the proposal attracted 291 objections, including objections from a local civic and traders association that took the format of a petition. In observing the practitioner at work, I enquired whether a meeting with interested and affected parties would be useful, to allow people to voice their concerns and to provide clarity on the proposal. The usual standpoint on public meetings was the response, that there was no time for a public

meeting and issues would be better handled within an appeal situation. The application was recommended for approval and supported at the Town Planning Sub-Committee meeting (eThekwini Municipality, 2014d). This decision went on an appeal.

When observing the appeal hearing, there was an overt alliance between the applicant, and his legal and expert team of consultants, and the municipal officials and its professional and legal team. The applicant's entire team sat with the municipality's team who also mingled together during the coffee break. In the hearing each of the legal advisors appointed by the applicant and the municipality would support each other. The level of cooperation and rehearsal was very evident, including the way the municipality's professional team responded to questions posed by applicant's attorney.

In fact both the municipality and the applicant took the stance of objecting to the legality of the appeal, according to how an appeal should have been served in terms of section 113(2) of the PDA). Both parties also questioned whether the civic/action committee and traders association had the necessary mandate to act on behalf of the people it said it represented and sought proof of this in terms of minutes of meetings and resolutions taken.

The PDA requires that within 28 days of lodging an appeal, the appellant must serve six copies of the appeal memorandum to the Provincial Registrar and to every other party who has an interest in the appeal. This would mean serving the appeal memorandum, to the 291 appellants, many of whom the civic/action committee and the traders association represented. Section 113(2) of the PDA specifies that:

> *"An appellant must, within 28 days after the date on which notice of that decision was served on him or her, lodge six copies of the memorandum of appeal with the registrar and have a copy thereof served on*
>
> (a) the municipal manager of the municipality against whose decision the appeal is lodged; and
>
> (b) on every other party who has an interest in the appeal." (PDA, 2008: 84)

However, there were also people who signed the petition without clear contact details, which then laid open the question of the appeal's legitimacy and whether the hearing could proceed when some appellants were not present. This is ironic, as at one level the legal representatives of the traders association, the civic/action committee, its members and several residents were present, but because there was uncertainty about who was informed and not present at the hearing the status of the appeal hearing came into question.

The legal representative for the civic/action committee and traders argued that they complied with the requirements of the PDA and the additional information sought was simply a ruse to

dismiss the appeal and people's concerns, as this is not stipulated within the PDA. The reasonableness of the law would mean that if a party represented many others, it is not expected to serve the memorandum to all the people it represents. This reasoning was then backed up by extracts from the PDA which the appellants and their legal team felt that the municipality, the applicant and the Appeal Tribunal were ignoring in order to increase the barriers for the public to participate in planning.

> "… (2) Notice to anyone who is a signatory to a joint petition or group representation, may be given to the -
>
> (a) authorised representative of the signatories if the petition or representation is lodged by a person claiming to be the authorised representative; or
>
> (b) person whose name appears first on the document, if no person claims to be the authorised representative of the signatories.
>
> (3) Notice to a signatory to a joint petition or group representation contemplated in subsection (2) constitutes notice to each person named in the joint petition or group representation." (S.14(2) and (3), PDA, 2008: 27)

The civic/action committee took offence to its status being questioned, when it has been in operation for over 20 years and had proof of written communication over the years with the municipality, concerning business uses within the residential area. During the coffee break the chairperson for the civic/action committee approached me and said, "How can the Council now question who we are and what we stand for when we have been around and in discussion and engagement with the Council for over 20 years? You know that.''

The Appeal Tribunal concluded that given the contentiousness of the application and the fact that more parties may be affected by the appeal process, the municipality was instructed to hold a public meeting and based on the nature of objections received it was required to consider a fresh planning decision. As noted by the Appeal Tribunal,

> "The Tribunal does not have any power or discretion in the Act, to condone non-compliance with the provisions of Section 113(2). The provisions of Section 113(2) are peremptory. The prospect of success of the appeal in this case are lacking." (KwaZulu-Natal Planning and Development Appeal Tribunal, 2014: 8)

A public hearing was then held in December 2014, which incidentally attracted more positive comments (1267) supporting the proposal and 117 comments or objections against the proposal (eThekwini Municipality, 2015a). Communication and participation can also have its own set of surprises, as in this case, resulting in more people supporting than opposing the project. The planning report was re-written and submitted for approval to the relevant decision-making structures and this matter is likely to go on appeal after the decision is taken by the municipal council.

Three appeal hearings were observed as part of the ethnography component of the study, to further confirm the role of planning knowledge within the context of an appeal. What did emerge as a standpoint was that the public have opportunity to be considered and heard in the appeals process; however, this provision is limited given its technical and administrative burden and the legal nature of the appeal process. The appeal's status is often contested based on the requirements of section 113(2) of the PDA. This was confirmed through interviews with a community activist that assists residents and interested and affected parties to appeal planning and environmental decisions. It is concerning that so much time and effort in an appeal hearing is focused on first contesting the status of the appeal, given that the legislation is fairly recently established. Furthermore a simple amendment to the PDA could have addressed some of the these problems arising out of practice.

The discourse on planning participation and access to appeal is seen in the context of seeking to limit participation while at the same time being constitutionally and legally compliant. This standpoint in planning is not specific to eThekwini but it is also reinforced through the national Department that legislated for planning. The curtailing of objectors' and appellants' rights within SPLUMA further demonstrates this stance. The political stance to objections, in particular from the leading political party, is one that is still couched in terms of race and conservatism. However, the complexity of planning has evolved. Race may still be present but the case demonstrated above is far more complex than race. One of the development activists raised concerns of how frequently and frivolously race is used an excuse to defend municipal decisions and it will be interesting to see what the municipality will use when an application is rejected by a community that is largely African.

6.6   When the basics of planning knowledge are not so basic

Several of the ethnography participants indicated that the basic knowledge for planning, the 'real time' knowledge, the capturing, storing and retrieval of such knowledge is absent in planning practice, to inform planning knowledge in developing plans and decision-making. During the ethnography study, three applications were in for the same area, but the practitioners worked in isolation from each other. In fact concerning one of the applications, I accompanied the practitioner on a site visit and stepped out of my role as the researcher and informed the practitioner that across the road was another application under consideration. What emerged from observing the practitioners at work was the lack of engagement time among practitioners and sharing of knowledge on the applications being worked on, as

collective or smaller teams within the Central LUM Office. This coordination role was expected from the Regional Coordinator. In interviewing and observing the Regional Coordinator at work, this was not possible. The number of staff to manage, varying planning competencies and large volumes of work, compromised by ambitious score card timelines, impacted on the quality of planning practice.

What emerged was that some very basic knowledge that should inform planning practice was either missing, not used or infrequently used in the general practice of planning, such as land use surveys, walkabouts, meetings and discussions on site, schedules and mapping of decisions taken before. Thus the trends, reflection on decisions, discussions, records of decisions, and institutional continuity in dealing with property were increasingly not part of planning practice. What was in use was a card system that recorded a history of properties, the types of applications made and the decisions. Practitioners complained that these cards were not updated by the planning assistants, and often problematic applications could result in the card disappearing from the system. This would cause the history of a property, which also helped to assess a particular application, to be lost.

One interviewee indicated that there is substantial information available and required to inform planning, but seldom called for or used; in fact the information is used mostly by external parties. The interviewee also raised concerns that the information collected is legislative and there appears to be a lack of strategic understanding of information needed to be collected and used for assisting the application process and the (re)development of planning knowledge. Whilst practitioners have access to the GIS and training, part of the unnecessary division of labour in planning practice is that only information officers update such knowledge. There is a lack of culture and appreciation that practitioners should jointly contribute the recording and making sense of land use decisions and in doing so contributing to the (re)development of planning knowledge. The concern was that the division of labour has gone too far and this has artificially fragmented planning and how plans and planning decisions are made and informed.

Several interviewees also expressed concern that practitioners have moved away from some of the basics of planning, such as regular land use surveys and developing a database of decisions taken. The interviewees explained that this was a practice in the municipality that had been lost over time, with increased division of labour, formally and informally, resulting in a loss of synergy and the value that could be achieved for planning practice.

It was observed that the GIS is well utilised based on certain key layers of information being available, such as zoning. Whilst rezoning applications are captured on GIS, special consent applications are not, nor are other property changes, apart from the digitising of approved building plans. In observing the practitioners at work, many of them found the lack of basic information as a problem. Practitioners participating in the ethnography study also indicated that the TPS in operation for the former township areas has not been captured on the GIS layer. This means that when dealing with an application in the former townships, they have to search for a paper version of such plans to adjudicate, and in most cases referred to one of the older planners for advice on how to deal with the application.

It is interesting to note the legal and all important status of planning knowledge for action, which can impact on livelihoods and quality of life. However, behind the scenes one needs to appreciate the messiness in planning, the institutional ethnography approach did this by helping to make the invisible, visible. This study revealed that despite the perceived technical fluency of planning knowledge, there are some fundamentals missing in practice. What was uncovered was a level of messiness, dated plans and a lack of consistency in the knowledge in operation that was assumed to be 'organised, 'scientific', and objective'.

6.7 The role and (in)credibility of planning consultants within planning practice

The practitioners involved as ethnography participants indicated that if a practitioner uses more discretion or chooses to challenge the status quo, including that of the proposals submitted by the planning consultants, they will need evidence to advance this challenge. This was also supported in the interviews and focus groups with practitioners across regional offices where it was found that given the limited time and resources available to practitioners, the planning approach was to rely on the industry, in particular the work of consultants involved in writing application reports for their clients. Often planning consultants will also use traffic, environmental and infrastructure expertise if and when necessary. The practitioners also assumed that the planning consultant will address the social issues pertaining to the application.

This redefines the role of practitioner within the municipality to one that merely administers the spatial plans and TPS to ensure applications meet the requirements of the various scheme clauses and the legislative processes. In discussion with the ethnography participants and through observation of their interactions with planning consultants, a close and trusting working relationship was observed, in particular for special consent and rezoning

applications that require more input and engagement between practitioners within the municipality and the consultants outside the municipality. The introduction of a pre-scrutiny planning process, to enable the municipality more time on an application without contravening the timeframes for processing applications stipulated in legislation, allowed applicants to submit applications informally for advice prior to a formal submission. The practitioners engaged in the research indicated that the pre-scrutiny process created an expectation of planning approval.

It also emerged that if a neighbour or local community objected to an application on the ground of impacts such as traffic congestion, it would be expected that they submit a traffic impact assessment report that qualifies the extent of the anticipated traffic congestion problem. This then illustrates the role of planning within the municipality as one that relies solely on consultants to motivate and make the planning case. This reliance represents a high degree of trust, (in)credibility and authority given to the planning consultants to manage and mitigate planning impacts, with the municipality playing an administrative role. The planning consultants decide what impacts should be acknowledged and if and how they should be addressed. The local knowledge, the lived experience of people, neighbours and communities, did not appear to have as much weight, as they have not been backed up by expert knowledge and cannot rely on assistance from municipal practitioners.

The role of planning consultants could be seen as a way of managing a variety of planning experiences and competencies within the institution, as it is felt that the quality of planning reports are based on the knowledge submitted by the planning consultants on behalf of their clients in the planning applications. This approach to planning is further entrenched by section 12 of the PDA because what matters most to practitioners is that a planning consultant is a registered planner and that registered planners within the municipality have signed off the check boxes associated with section 12. In fact the practitioners find security in this system and when decisions are questioned, they would indicate that the registered planners report was signed off and that the decision was also supported through the various decision-making structures, hence their role in making the decision was minimal.

In reading several of the consultants' application reports, it is evident that the consultants know how to use planning knowledge to motivate proposals on behalf of their clients. It was not unusual to see popular concepts, such as growing the rates base, sustainable development, densification or gap housing, often used out of context but somewhat good enough for practitioners to see the merit in such applications. Practitioners rarely raised

issues with such reports. It was also not unusual to see planning consultants' reports misrepresent approved spatial plans, simply to support the applications they were submitting as registered planners. The development activist, business and opposition party councillors raised this as a concern related to the ethics of planning. However, the roles of planning consultants are trusted because they subscribe to sections (16)2 of the Planning Professions Act, 36 of 2002 and section 12(c)of the PDA, further entrenching the credibility of planning consultants' work. As noted in section 12(c) of the PDA (2008:25),

> "12 For the purposes of determining the merits of a proposal to adopt replace or amend a scheme, a municipality must take the following matters into account -
>
> (c) the registered planner's written evaluation and recommendation on the proposal and certificate of compliance of the proposal with the Act."

The PDA and SPLUMA are silent on any other forms of knowledge or the importance of the local within planning, except for the role of traditional authorities. The earlier example of the rezoning of two residential sites from Special Residential 650 to a Place of Worship, in order to regularise the existing church, is also pertinent here. The external consultant was entrusted by all the decision-making structures within the municipality to respond to the objections raised on the rezoning - the practitioner assessing the application, the Regional Coordinator, the JAC and the Sub-Committee that approved the application. In reading the planner's report, which included the consultant's response to the objections, the concerns about noise, congestion and parking impacts as raised by the objectors were dismissed. The consultant indicated that the objectors' claims were not substantiated and they did not have any expert evidence to prove these anticipated or actual impacts. The most surprising comment of the consultant was that some of the people objecting are doing so based on rivalry between churches and not on the basis of the land issue before them. In this example, both the practitioner assessing the application and the regional coordinator that signs off the application certificate as a registered planner indicated that:

> "The application satisfied Section 12 of the Provincial and Development Act 6 of 2008 in that the application was complete and public participation was successfully carried out with 14 letters of comments (objections) to which the applicant responded." (eThekwini Municipality, 2014g: 115)

6.8 Only the consultant could convince the planners that the UDL is incorrect!

In an interview with the housing sector, a planner for this sector explained his frustration with a lack of social and political knowledge in planning. Whilst the interviewee confirmed that the level of interaction between planning and housing has improved substantially over the years,

an ongoing concern was that the planning sector (statutory and strategic planning) was not proactive about, and socially committed to accommodate housing into planning. It seemed like practitioners have to be pressurised politically to make such a shift. The problem is intensified when the knowledge in use raises inherent conflicts between human settlements and other sectors, such as infrastructure or environmental plans which have influenced the SDF and associated plans. Specifically, the UDL is contested by the Human Settlements Department, whose main concern is not UDL as a concept, but the lack of compromise in applying the UDL, as reflected by the housing planner in the quotation below.

> *"Planners need to work with political knowledge and political pressure and create planning knowledge that allows for flexibility, analysis, exceptions in the context of writing planning knowledge for action." (Respondent 22)*

Often municipal housing projects are not approved from a planning perspective because they fall outside of the UDL. Whilst 80% of the housing projects are within the UDL, there is this smaller percentage that remains outside the line, but this matters politically and socially to those affected. Despite the UDL, it should be possible to approve a housing project when it meets so many aspects of the housing prioritisation model, such as locating beneficiaries within the area they live in, the availability of land and the affordability of the project. The housing planner also stressed that an exception should be made for historical reasons, for example relating to people who were removed off their land because of infrastructure development and land requirements during apartheid or when a housing project for an existing settlement requires additional areas to support the entire settlement in an upgrade process.

The practitioners involved in the construction of the UDL backed it up with environmental and infrastructure arguments, as reflected in the UDL definition in the municipality's SDF report:

> "The SDF uses the term Urban Development Line and not Urban Edge or Development Edge. The UDL is a line demarcating the extent to which urban development will be permitted to be established within an urban development corridor or urban node. It is a line that will promote efficient, equitable and sustainable settlement form. The line indicates the outer limit of urban development within a corridor or node. The UDL implies that there is a rural hinterland different in character and servicing needs, and which supports different lifestyles and densities."
> (eThekwini Municipality, 2013/14b: 15)

This created a technical alliance for supporting the UDL and its contribution to sustainability. However, whilst this line is seen as important to support sustainable planning practices such as managing urban sprawl and reducing development impacts into the upper catchment

areas, what is often forgotten with such a text and plan that mediates how development proceeds in the municipal area, is that this line has historical, political and social ramifications.

However, when the UDL as a planning concept was further probed, it was found that the line was not always in support of infrastructure and environmental arguments, contrary to the long-held beliefs about the UDL. What came through was also a planning assumption about different lifestyle choices, densities and use, which is useful but difficult to implement when it is narrowly defined, especially when it forgets the history of how the traditional areas were designed. Based on the local knowledge of communities and land owners who argued that it is possible to service land outside UDL, the Human Settlements Department invested in an infrastructure planning consultant to investigate this further. This consultant was well respected within the municipality and across sectors. What was established was the possibility of accessing infrastructure from within the UDL to service areas outside the UDL as the water infrastructure catchments were split. When the UDL was mapped, this level of detail was not considered.

The Human Settlements Department raised the issue about how other sectors' knowledge has become part of planning knowledge, and how that has overly reinforced its importance by 'appearing scientific, objective and unchallengeable'. The housing planner indicated that when the local communities raised the same concerns, this was dismissed, thus raising the importance of local, historical knowledge and technical knowledge working together rather than one form of knowledge dominating or dismissing the other. The housing planner also re-iterated the importance of investing in expert knowledge to evidence and convince planning professionals and the technical alliances with other sector departments of the error and/or implications of the planning knowledge being (re)developed and implemented, as reflected in the quote below.

> "There's also an assumption that planning knowledge is always right, it's very narrowly defined, planning knowledge also looks for support in the form of legal requirements, environmental, and infrastructure requirements to support certain planning arguments, which may or may not have a direct bearing on the planning argument or planning knowledge been generated. As an example the much contested urban development line, UDL, was often seen as an infrastructure line." (Respondent 22)

6.9 A hierarchical approach to sector knowledge: some sectors and some personalities are more important than others

Planning practitioners see traffic, environmental and infrastructure inputs as expert, technical and 'scientific' knowledge and important to inform planning knowledge, as observed in the daily work of practitioners and within decision-making meetings regarding planning applications, including appeal hearings. However, this long established institutional practice is changing and now practitioners have started to question or dismiss certain sector inputs. In particular, inputs from the transport sector have come under question.

The standpoint that has emerged from practitioners is that the inputs provided by the transport sector have been inconsistent and varied according to the different officials assessing applications. The practitioners involved in the ethnography component of the study and the practitioners across all five regions raised the same concerns regarding the inputs from the transport sector. The practitioners indicated that often they would need to apply their minds to the inputs they were receiving from the transport sector. Sometimes a decision was made on an application but after discussing the issue further with the transport practitioner, the decision often could be reversed.

Furthermore, practitioners are of the view that often transport practitioners have not considered the realities of the application. In many situations the application is to regularise a use, extend an existing use or substitute a use within a zone that theoretically has less intensity and impact than what its zoning would allow, yet the transport practitioner does not take this into account. The practitioners are also of the view that the use of private motor vehicles varies in accordance with income levels, and thus a more nuanced or flexible approach to transport impacts should be considered for different areas.

Whilst the deviation from transport planning inputs is not a rule but rather an exception, this exception is generally linked to planning applications that may enjoy certain attention or interest (from particular politicians or officials). The circumstances also vary when practitioners deviate from or dismiss the transport sector comments, often when the use already exists and perhaps the municipality has implemented enforcement action due to complaint/s, but well after the use was established. In such situations the municipality's refusal of an application that was running for a long time and where enforcement action only commenced recently, will be difficult to prove to the appeal structures, including courts, as to why the use cannot be approved with or without mitigation, when it has been in existence for such a long time.

There were instances where applications appeared to have no real political influence, but the officials on their own accord exercised discretion to recommend approval of applications despite negative inputs from the transport sector. The use of sector knowledge within planning further brings into play the power and politics practitioners can bring to planning practice. However, not all practitioners have the time or detailed knowledge of the local area to further discuss the transport sector's inputs and often the decision will stand, resulting in appeals. The practitioners also feel aggrieved that they have to defend an appeal based on the transport sector and its requirements. It is interesting to note that the practitioners can identify the importance of realities such as existing uses and regularisation of uses and its conflicts with rigid standards, but do not see the same contradictions in the planning knowledge used, such as the TPS.

What has emerged from the interviews with management is that the transport response and unwillingness to engage with applicants/consultants has been picked up as a problem by the Deputy Mayor and senior councillors within the Town Planning Sub-Committee. The Development Planning Department has been asked to override the transport sector comments where necessary, especially in a situation that constrains development. However, there are other factors that constrain development such as environmental and infrastructure requirements and planning knowledge in the form of the SDF, SDPS, LAPS and TPS, where a similar response has not been made. This could be partly related to the complexity of knowledge from these sectors, the legislative backing they enjoy and the strong personalities that lead these sectors.

The environmental sector was seen as a more consistent sector than transport but still not without errors in the application of environmental sector knowledge to planning applications. One of the practitioners participating in the ethnography aspect of the study indicated that sometimes it is very obvious that the environmental sector comments on applications are incorrect and lack real and site specific knowledge. Sometimes the environmental sector will object to an application for building alterations and extensions, when this development has been in existence over a long time and before the area was identified as environmentally significant. There are also examples where the building and use has been in existence for some time but is now being regularised, but is still refused by the environmental sector because it is now located within an environmental plan. This also reflects on how professionals and experts always think that the knowledge they use is correct. In many cases

other forms of knowledge such as site knowledge and local stakeholder knowledge is not accessed and/or is ignored both from a planning and sector department perspective.

The importance of sector knowledge because it comes from experts, especially when it is not really understood

As part of the ethnography component of the study, an application for special consent for the construction of a cell phone tree mast and equipment container for a particular cell phone company was submitted. The application site was in Yellowwood Park, south of Durban for a site zoned Educational 1, accommodating a school building and sports fields and parking. This site is surrounded by residential sites and an open space area. The practitioner assessing the application explained that this was a re-advertised application, as the first application attracted 21 objections in the form of a petition from the surrounding residents and a conservancy operating in the area.

Given that the erection of a cell mast would also trigger a basic EIA in terms of NEMA, the environmental practitioner met with the affected residents and the conservancy and organised associations in the area. An environmental practitioner is required to engage the public and find alternatives where possible, and to demonstrate that the proposal is the best environmental option available. At this meeting the local stakeholders presented an alternative location on the same school site, but on the side that is adjacent to the open space area and not on the side that has residential homes. The local community requested the environmental practitioner to confirm if the proposed new location of the cell mast would still provide the same or similar cell phone coverage to the site originally selected. This was tested and confirmed by the cell phone radio operators that the new location of the mast on the school site could still work and therefore it was re-advertised based now on this new location. The practitioner indicated there were no objections this time, given the alternative location for the cell mast.

I enquired from the practitioner if he would have requested a meeting between the applicant, the environmental practitioner and the objectors, to which he responded that he would not, for the same reasons that have emerged on public or engagement meetings. When asked if he would request the applicant to look at alternative sites or locations for the cell phone mast, he indicated that often he looks at the application based on an assumption that there is a reason for its specific location. Regarding cell masts, a radio plan is received with the colours on the plan indicating areas with cell phone coverage and therefore the location of the mast

is important to improve coverage. The practitioner also conceded that he does not understand this knowledge or how to interpret it, and so assumes that the experts involved in looking at radio plans know exactly what is required and therefore it is not questioned, as reflected in the quotation below.

> *"There is a certain assumption of expert knowledge, expert knowledge is precisely that and therefore cannot be changed or interrogated further." (Institutional Ethnography Participant 5)*

What transpired from the institutional ethnography aspect of the study and was further probed in the interviews and focus groups with practitioners (strategic and statutory), was the uncovering of a hierarchy of sector knowledge and its importance to planning. Essentially not all sectors have the same importance in the generation and application of planning knowledge. At the top of the status rung sits environmental knowledge, partly related to the clout of the environmental legislation, NEMA. The personality of the Deputy Head leading the environment function also played and continues to play an important role in ensuring that the environmental knowledge from the sector is mainstreamed into planning knowledge and informs planning decisions.

What also emerged was the scientific and computer based modelling of the environmental sector knowledge that makes the knowledge inaccessible to other disciplines including planning, 'a black box' and without the ability to understand or question further its impacts on planning. In the interviews conducted with the environmental sector there were two dominant views. The one view that prevails in practice within the municipality is that environmental resources are depleted, that there are no alternatives or options to mediate but to comply with an environmental legislation and international treaties and the environmental assets must be conserved at all costs. The other view from the environmental sector raised concerns that this scientific and resource depletion approach needs a more social and political approach for further success and implementation within the municipality and with communities.

In the ethnography component of the study, the practitioners were upfront that they do not understand much of the environmental knowledge they apply in making planning decisions. It is easier for them to accept the requirements without further interrogation, unlike the transport sector knowledge, which they understand and also can override. What also emerged from the interviews with the environmental sector is that the knowledge they use is highly scientific and cannot be understood by practitioners. It is therefore expected that the knowledge this sector applies to inform planning be it land use applications, town planning

schemes or spatial plans needs to be included without question as this what is required to protect the environment.

Whilst it is not expected that practitioners should also be environmentalists or infrastructure specialists, nonetheless dialogue and discussion concerning the knowledge being created and implemented is required. However, what is very clear from this research is that practitioners lack the time, capacity, skills, interest and institutional culture to engage with each other and 'other' sectors. Other sectors also see planning knowledge as a coordination function and one that should not question, but simply include sector knowledge and implement sector mandates, despite its impacts. What also emerged was that this is not a planning problem only, but an institutional problem that lacks a platform, culture and leadership to dialogue, negotiate, compromise and to find solutions.

6.10   When political knowledge matters more than any other knowledge

6.10.1 An intervention from the Head of the Unit: asking planners to open their eyes and see what's happening on the ground

At a JAC meeting the Regional Coordinator introduced an application for a rezoning from Special Residential 900 to Office Zone. He expressed his concern that since the site sits outside the Broadway precinct plan area; its approval would be a failing of the municipality as it would change the future planning in the precinct. There was a built dwelling unit on the site in terms of an approved building plan, but the deviations to the plan were still to be complied with. The application was for a rezoning of the site to allow for the conversion of most of the dwelling to office use, whilst still retaining the building as a dwelling for aesthetic purposes only. A special consent could not be considered in this case as this would only allow for 20% of the dwelling to be used as an office, thus for the dominant use of the dwelling to remain residential. This is in accordance with the development facilitation table in the TPS that lists uses that are permissible for free entry use, by special consent or prohibited.

The practitioner assessing the application and the Regional Coordinator recommended the refusal of the application because the site fell outside the precinct boundary and was for the full conversion of a dwelling unit to office use. This would set a precedent encouraging more non-residential uses to occur in an area that has not been planned to accommodate such changes.

The Unit Head was present in the meeting and appeared to be well apprised of this particular application. The following dialogue between the Head and the Regional Coordinator provides an indication of how planning knowledge remains static, outdated and not in keeping with the current 'on the ground' changes. It also demonstrates how practical and political knowledge about a situation or area can overpower, legal expert knowledge.

> Regional Coordinator introduces the application: "This is hectic, scary stuff, listen carefully, in the past, the Council took decisions against the Department and now this has become precedent setting." (Institutional Ethnography Participant 8).
>
> Head: "Have you included this is your report to Committee at least as an alert."
>
> Regional Coordinator: "Can't write this in the report." (Institutional Ethnography Participant 8)

The other regional coordinators also expressed their discomfort in supporting this application as this would mean making a planning decision contrary to approved planning knowledge for the area, the Broadway Precinct Plan, which in 2014 was over 8 years old. The regional coordinators would have preferred the town planning consultant to submit an application that proved that the TPS is wrong or has changed and therefore a scheme amendment is required. This would allow for the application to be considered and approved, supported by an assessment of the infrastructure capacity and other aspects if needed.

In this regard, the Head indicated that the municipality should not expect this from the applicant or his consultant. The municipality should investigate and make necessary changes if deemed necessary, especially when the changes are quite visible to everyone. In terms of Section 9 of the PDA, the initiation of a scheme amendment allows for both the municipality and/or the applicant to submit an application.

The Regional Coordinator for the application in question showed visible concern, observed through his voiced disagreement and body language, that this application has the ability to influence or change the entire area, without the necessary infrastructure being in place. However, he did not reflect on the fact that at the time there were three applications in the system that potentially deviated from the precinct plan, and many developments in the area are in operation without planning approval and or enforcement action.

Given this 'on the ground' situation and perhaps 'other' factors, the Unit Head recommended that the application be considered on its own merits outside of the restrictions of a dated precinct plan. Based on the intervention of the Head, the JAC (committee of officials) recommended that the application be deferred for further investigation. After this the report was re-submitted and this time it was recommended for an approval. The application was

then considered by the Town Planning Sub-Committee and approved. The decision to approve the application was made through a vote. Two councillors from the opposition party objected to the approval on the basis that the precinct plan should have been reviewed before arriving at such a decision, while two councillors from the smaller opposition parties abstained. The decision was thus carried forward on a majority vote, and is now being appealed by objectors.

The following summary of the recommendations regarding the same site before and after the intervention of the Unit Head, gives a clear demonstration of how the political knowledge trumps planning knowledge in use and more importantly how practitioners will respond to political influence.

The first report provides reasons for refusal based on the practitioner and the Regional Coordinator's assessment, drafted before the intervention of the Head on the application. Extracts from the first report read as follows:

> "The site is situated within an exclusively residential area characterised by large residential houses. The proposed Office Zone is a spot zoning, if approved it will set a negative precedence for this residential area. The proposed rezoning is situated outside of the Broadway Precinct Plan. The property has a restrictive condition of title which prohibits conversion of the property to business and other uses, other than for residential purposes as reflected in Deed of Transfer No. 6924/1947. Eight written comments were received objecting to the proposed rezoning. In the light of the comments it is considered that the proposed rezoning should be refused." (eThekwini Municipality, 2014h: 11)

> In contrast, the second report states that:

> "The merits for assessing and consideration of this rezoning application were generally based around the Precinct Plan which was designed by the Municipality in 2006. The aim of the Plan was to guide development. It was not purposely designed to be a preventative measure to development. The status quo of the plan is outdated and it is not a valid legal planning document. In terms of the DTPS, all guiding plans such as Zoning Plans, Land Use plans, Precinct Plans are required by law to be reviewed every 5 years in order for it to be valid. In view of the above case, the proposed rezoning should be supported." (eThekwini Municipality, 2014e)

What emerged as a standpoint is the role that the executive and political management play in informing the outcomes of certain applications, forcing practitioners to reconsider the planning knowledge used, through amending or setting it aside, or establishing site specific concerns that indicate that the plan (text) no longer suits the area. What was observed through this intervention by the Unit Head was that practitioners will ideally stick to the planning knowledge that exists, relevant or not and ignore the mandates they have to

consider relevance and changes in a particular area, as provided for in terms of the PDA and SPLUMA. This then invites political intervention into planning practice.

Whilst the practitioners are of the view that such political intervention is arbitrary and purely on the basis of interest, in observing such interventions, this is not always the case but at times is justified, notwithstanding that interests are always present. In a sense political knowledge is flexible; it can be political and arbitrary or political and constructive. The role of political knowledge in planning as being constructive came through very strongly from the interviews held with councillors serving on the Town Planning Sub-Committee, representing both the dominant opposition and majority political parties.

6.10.2 Political knowledge remains important to planning

In interviewing four of the nine politicians that serve on the Town Planning Sub-Committee (two from the lead political party and two from the lead opposition party), the similarities, the same story lines that emerged, were striking. However, there were some particular nuances in the story. Both parties saw the importance of supporting development, a pro-development agenda, and ensuring that the Development Planning Department and its practitioners responded to such an agenda. The political parties supported each other in ensuring that planning decisions are efficient - responding to timelines all-important when considering applications before the Town Planning Sub-Committee. In fact, one of the councillor's from the opposition party indicated that he often did a quick analysis on each application to see if it met the timelines and if there were delays, he would question where these were and why, so that the Development Planning Department could rectify this going further.

The councillors across both parties also agreed that on certain contentious applications the timeframes set for applications proved to be a serious disadvantage in finding a more balanced outcome on such applications. The opposition party saw this as a particular problem, as the implementation of policies promoting densification and mixed uses in certain established areas such as the Berea would often bear the brunt of rushed planning processes and the pro-development stance, as reflected in the statement below.

> *"Regarding planning in eThekwini whilst important not to delay the decision-making of applications, increasingly the time factor is been used as a way to derail good discussion and robustness in planning." (Respondent 36)*

Whilst only rezoning applications are considered for decision-making at a political level, councillors from both parties felt that more political oversight would be beneficial in ensuring

that the Development Planning Department is proactive and supportive of development, in particular small businesses, and the public. The general view emerging from councillors was that officials often think that they only have a political or self interest in planning, but politicians also have a particular skill and knowledge of the local context, which officials seem to lack or do not consider in planning practice. The councillors cited examples of how certain applications are adjudicated from rules that should not be applied singularly but in context. Councillors from both parties shared the same concerns that planning knowledge is blinded to the needs of people in various areas and works off inappropriate international planning standards and concepts that often are out of context in cities in Africa. The councillors indicated that their knowledge is not just about the political interests in the project, but also informed by knowledge obtained from site visits, knowing the area and working with local people in the area. Often this entailed meeting opposing groups and listening to what the development could bring or take away from the community; this is what they bring to planning knowledge and practice.

The councillors cited the lack of practicality in transport planning, the universal standards used and neglecting to establish what is going on in certain areas before refusing an application. A case in point is their requirement for a certain number of parking bays which makes development impossible to achieve. However, the councillors also admitted that creating a balance is a challenge; this is what planning knowledge should be doing, working to move beyond apartheid with a form of planning that allows for change and protection across the municipal areas.

One of the councillors contended that the planning 'rules' were 'crazy, stating that when he called the regional coordinator or the practitioner within his area, he was 'bombarded' with the rules. The practitioners also say that their hands are tied because 'that's the rules'. This councillor's concern was that double standards applied in the planning. He found it strange that, for example, the Development Planning Department can make a decision on a rezoning application with over 50 objections, but for a special consent application with one objection, a second process is called for. This just increases the burden on 'the small person'.

There were also mixed reactions, from both political parties to the exclusion of councillors from making decisions on applications in term of SPLUMA. From a negative perspective, councillors cited the rich knowledge, passion, commitment and desire to solve problems in their local areas that they bring to the table and that this is what will be lost. They also felt that planning knowledge and practice remains devoid of such knowledge and that the MPT

will not bring this to planning practice. However, they also saw the positive in the exclusion of councillors from applications, as planning could then be seen as less political and less about self-interest.

6.10.3 Political interests are everywhere

Both political parties confirmed that certain applications have a political directive and it is up to the political parties to work with the department to ensure such directives are carried through, which means approving an application. This was explained to me further by a councillor from the leading opposition party - the leading party will receive a 'higher order' for an application to be approved and this is conveyed to the Department to ensure a report that recommends an approval decision. This is caucused at the political party meetings, to ensure a certain stance is taken at the Town Planning Sub-Committee. In the meeting, discussions on such applications are limited and often the chair will put such an application to a vote, given that the lead party has the majority of councillors. The leading political party shares a similar account of how planning decisions are made in the Town Planning Sub-Committee meetings.

A councillor for the lead political party also indicated that some 18–24 months before, the practitioners came under a lot of pressure for refusing applications. They are now instructed to work with the consultants to rectify problems, so that such rezoning reports can be recommended for approval. In the last few months, the councillor indicated that there were no reports recommending a refusal and it seems that the officials are now in alignment with supporting a pro-development political stance, as reflected in the following quote from the councillor:

> *"There is a change of heart that has happened coming from officials and this was based on previous heated disagreements and concerns of conflicts between the officials and politicians in the committee. The officials have a clear mandate to support and approve developments and to work with applicants in addressing the concerns associated with the developments so that it can be approvable. So what is being presented to committee is actually the outcome of a lot more work that the officials are doing with the applicants to ensure that the development that is proposed can be approved. This is actually a good thing and it shows the alignment between the politicians now with the officials… we should appreciate that this takes time and effort on the side of officials." Respondent 37)*

However, another councillor from the leading political party indicated that he was very surprised about the Department's stance in submitting rezoning applications with recommendations for approval only. But his real surprise was that not all rezoning

applications went through the political process; thus there appears to be some 'administrative political' process working in parallel. It is therefore clear that everything done is not simply political and the notion of the political in planning is more sophisticated and invisible than expected. The same views are also shared by a councillor from the opposition party, as reflected in the quote below.

> *"I also think that there is a certain amount of political pressure that's happening directly at an official level and not just simply at committee level." (Respondent 36)*

One of the councillors from the leading opposition party indicated their dismay that politics plays such a divisive role in the making of spatial plans and planning decisions, but that is the role councillors have to assume. She explained that in their individual capacities outside of the meetings, often there is much more alignment and consensus among councillors but once at a political table, everyone including the leading opposition party takes on a political stance.

The opposition party interviewees also commented on the Department's stance in recommending the approval of rezoning applications. One of the councillors indicated that councillors are not professionals and it is thus very difficult for them to argue with a professional as to why an application should be refused as opposed to being approved. Consequently it is simply impossible to have a fair discussion in the Sub-Committee meeting. Firstly there is this notion of 'higher orders' that take place before the meetings. Then there is the majority vote in favour of the lead political party. Lastly, the planning reports from the professional officials simply 'take the easy way out' and recommend everything for approval. The following statement records the councillor's concerns about planning practice within the Sub-Committee.

> *"While SPLUMA has taken away the potential political influence in making planning decisions, if we do not have strong professional planners this will not be of any benefit. This has become very evident in the last 18 – 24 months where you can see planners simply not engaging, taking the easy way out and just hanging on to their jobs. I often think about this and I can't understand why they so anxious to please when they know that they are not acting as professionals. A lot of the backbone of officials has just melted and I remain puzzled about it." (Respondent 36)*

What emerged from the councillor interviews across the political parties is that that they lacked the time, education and capacity to engage with planning knowledge and they trust the officials to do so. However, they remain concerned that the technical approaches to the (re)development and application of planning knowledge for action is just 'more of the same'.

Apart from direct pressure on officials and management coming from the Sub-Committee, there is no further political strategy for political engagement and influence in planning.

6.11 Emerging insights from the empirical data

The empirical data generated to answer sub-question one reinforced that planning knowledge, both strategic and regulatory planning knowledge, is all important to planning practice. Planning knowledge assumes multiple roles in directing, subjugating and giving power to planning practice. The chapter's findings are summarised as follows:

Planning knowledge directs planning and it is legally binding, although often irrational, irrelevant and outdated. For these reasons it is imperative to construct planning knowledge from many settings and knowledge actors and users. Planning knowledge needs to be flexible and simple and should be used and applied in varying contexts, with exceptions as required. Planning knowledge should avoid 'locking in' practice through, for example, using words in text such as 'shall' and 'must' or overly comprehensive lists of what is permissible and what is prohibited. Context, dialogue, discussion, collaborative rationality, practicality and opportunity should be encouraged by planning knowledge.

Decentralisation and varied decision-making is part of a healthy planning system: Consistent processes in arriving at planning decisions are possible but consistencies in decisions are not possible simply because context varies. The pre-occupation with streamlining planning knowledge outside context of place and history is a loss to diversity in planning knowledge. Furthermore, a good planning system is one that is built on transparency, application of thought, decentralisation of decision-making and being able to engage with varying situations.

Broaden the platform of knowledge development for planning knowledge; the greater the diversity the more relevant the knowledge and practice: It is impossible for practitioners and experts alone to own this space yet expect to create knowledge that works in reality and practice. This failing of planning knowledge was evidenced in practice. While it is also improbable to include all knowledge and knowledge actors, it is very possible and important to widen representation as a continuous process of social production of knowledge for practice to encompass varying views and multiple stakeholders, different lived experiences and notions of functionality, efficiencies, tolerance and compromises. Central to the knowledge project of planning is the idea that the knowledge in use should be kept simple,

as principles that relate to what stakeholders need. , in particular so that citizens can readily understand knowledge that they would want upheld.

Find new ways and methods of identifying knowledge actors and knowledge for planning: The current methods of engaging the public on planning knowledge are far from adequate. The result is that the knowledge being (re)developed as plans, as text, remains largely developed by private consultants and entrusted practitioners within the municipality, re-enforcing exclusion from planning knowledge and narrowing its applicability and relevance to practice and society. This requires new commitment and methods to expand how the public can be engaged and involved in the co-generation of planning policy and knowledge for practice.

Do not underestimate the practical and 'on the ground' knowledge – 'people's knowledge' in planning: People are important knowledge agents and they have their own system of comparison, risk analysis, evaluation of options, tolerance and compromise in terms of how planning knowledge works for them as individuals and that which they collectively and socially negotiate. This links back to the practical and common knowledge in planning - phronesis.

The role of political knowledge is instrumental in planning knowledge: Politicians, apart from interests, remain key allies of planning and able to bring in new ideas, relevance, solution-making and various stakeholders into the planning process. Planning knowledge has to consider how to be political, to work with certain ideas that give mobilisation to planning and to work smartly against certain ideas that marginalise, exclude and make planning an elitist activity.

Land use planning knowledge cannot become relevant without critical thinking about the knowledge and concepts in use: Critically thinking about the concepts in use, where they come from, their ideological undertone and relevance in the current social, political and economic context remains important in rethinking the knowledge, and categorisations of knowledge, used in practice. Spatial planning concepts such as UDLs, the categorisation of lifestyles, the urban, the peri-urban, rural, nodes and corridors are contested spaces, socially, politically and economically. What emerged in the research was a lack of awareness about how knowledge is being used and (re)created in text, spatially and certainly in practice. This was partly related to a planning practice and planning knowledge that simply carried over from one context to the next, from a colonial and apartheid past to the current context. In part this also relates to global international agendas, such as pro-development and

sustainability, which are imposed and accepted uncritically without consideration to local context. Essentially planning knowledge is currently being reproduced, technically, socially, and ideologically through planning practice. While at the same time planning knowledge is being (re)developed, streamlined, rationalised and extended throughout the city.

The role of agency, power and personality within the (re)development of planning knowledge for action: The study revealed an asymmetrical practitioner relationship concerning who controls the drafting of knowledge and who implements this knowledge. Active social relations were evident in the construction of planning knowledge, where some practitioners were selected for this task and others marginalised.

Invest in long-term stakeholder engagement, awareness, education and advocacy in planning: The current consultation processes with stakeholders and councillors are inadequate. Planning requires a long-term investment in the sharing of knowledge and power to construct a wider understanding of, accessibility to, and engagement with planning. It is important for practitioners to confront how they contribute to 'the secret world' of planning, as technically coded and only accessible to the rich because they have the resources to engage and challenge planning practice.

6.12   Conclusions

In posing the research sub-question - how is planning knowledge used in planning practice within the eThekwini Municipality? - the use of institutional ethnography as a method of exploration and inquiry provided an invaluable actual account of how planning knowledge is being used and its roles within the municipality. The stories, observations and actions of the practitioners, legal expertise, councillors and management as important stakeholders all provided a rich and an indisputable account of the importance of planning knowledge in practice. The knowledge used in planning proved to be more important than expected. It took on multiple roles in the way it subjugated spatial production, and political and institutional ideologies, and most importantly professional thinking and action.

In answering this research question, planning knowledge leads to actions that practitioners want to change, but are unaware of how to approach this change. Strangely this resides with the planning knowledge being (re)constructed and used on a daily basis in practice. It is subtle, ingrained, accepted for the way it is, linked to a past and an ideology that maintains the planning status quo and gives rise to further social and spatial fragmentation in planning. It was evidenced that the planning knowledge in use continues to be irrelevant, impractical,

and exclusive in responding to a current society that requires something very different. Research sub-question two, to follow, specifically explores how planning knowledge for practice is being developed/re-developed institutionally within the eThekwini Municipality.

CHAPTER SEVEN: HOW IS LAND USE PLANNING KNOWLEDGE FOR ACTION BEING DEVELOPED/ REDEVELOPED INSTITUTIONALLY WITHIN THE ETHEKWINI MUNICIPALITY?

"I can see an integrated society, but we must set the guidelines." (Respondent 2)

7.1 Introduction

The findings from research sub-question one demonstrated and affirmed the importance of planning knowledge, the many roles (intended and unintended) in directing planning practice. Given the (re)development of planning knowledge, this leads into the next research sub-question - how is this knowledge being developed, what drives this, what are the social relations that lead to the social construction of planning knowledge within an institutional and political setting of the eThekwini Municipality?

The use of multiple research methods, made it possible to appreciate the messiness, the politics, personalities, professional egos, and the moral assumptions of planning in the (re)development of planning knowledge. Given the opportunities offered by the MSA, PDA, and recently SPLUMA, the (re)development of planning knowledge is legally required annually and at least every five years. The municipality has been proactive and committed to (re)developing planning knowledge in terms of its spatial plans and TPS as a process of rationalising and extending planning throughout the municipal area.

This aspect of the research considers the (re)construction of schemes and in particular the DTPS[7], the municipality's longest serving scheme which was initiated in the early 1950s by the erstwhile Durban City Council and is now administered by the Central LUM Region (Clarke, 2012). The research represented an opportune time to follow the discussion, social relations, and how policy making communities were engaged in this process.

Currently the DTPS is not going through the usual scheme amendments, but rather a major (re)development of the scheme. In part the DTPS (re)development is related to the legislative calls for a single scheme and a wall-to-wall planning system, consisting of strategic spatial

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[7] The DTPS (re)development was attempted twice but not finalised. The third attempt is being done through consultants (Phase 1 was commissioned but was not finalised and Phase 2 was out on tender but not accepted). This study engaged with the second attempt in (re)developing the DTPS, which resulted in two versions of the DTPS produced, as the two member team could not finalise if a more standard or a more unique approach should be followed.

plans and a TPS. The other four planning regions have undergone a similar (re)development and standardisation process.

The themes that emerged from exploring this research sub-question are summarised and discussed further under sections 7.2 to 7.9.

- Social relations and unintended consequences in the (re)development of planning knowledge for action
- Uncovering the power-knowledge-decision nexus
- The generation of planning knowledge for action within the eThekwini Municipality - views from the inside
- "The TPS it is the ultimate guide for everyone" - flexibility and discretion versus control
- Democracy in practice - participation at its minimum, symptoms of a weak and fragmented institution
- The absence of research, reflection and learning in the (re)development of planning
- The role/s of research, teaching and planning organisations
- We are so tired but we continue to do our best

7.2 Social relations and unintended consequences in the (re)development of planning knowledge for action

7.2.1 Divides, territorial jealousies, personalities and alliances - social production of planning knowledge for practice

When planning knowledge is constructed by selected staff and outside the existing structures, protocols and hierarchy, personalities, turf wars, secrecy and isolation become rife and influences the relevance and inclusivity of the planning knowledge being (re)developed. In this case the divides between different branches and personalities within the Unit, and in particular the Development Planning Department, resulted in territorial conflicts over who writes what types of planning knowledge for practice and what knowledge takes precedence. While statutory planning, strategic planning, environmental planning and building plans assessment all fall within the same Unit, and notwithstanding this connectivity, different legal mandates, conflicting legislation and territorial conflicts are still very evident.

Although SPLUMA recognises both the SDF and regulatory planning as legal, this has not resulted in more collaboration or a reduction in practitioner conflict. The level of importance and power in developing planning knowledge for practice cannot be underestimated; what

lengths practitioners will go to in order to be 'selected' and be part of this process. As an example the practitioners involved in the drafting of the municipal planning by-law were requested to sign a confidentiality agreement. This meant that the selected practitioners could not discuss the by-law with fellow colleagues, until the by-law was released for wider circulation.

In order to enable a more dedicated capacity to advance and expedite the (re)development of planning knowledge, in the first instance to meet legislative requirements for a wall-to-wall scheme, the municipality proactively established a Land Use Management Projects Branch. This Branch was managed by the previous land use manager responsible for the implementation of land use management across the five[8] regional areas and in charge of the regional coordinators.

However, this process to (re)develop planning knowledge now excluded the regional coordinators. Instead staff below the level of regional coordinator were selected or volunteered to undertake the review or (re)development of planning knowledge that will be implemented at regional office level. In big institutions like the municipality it is important for critical work that resets, or is perceived to reset, policy and which affects implementation to involve those with authority and experience at the level of impact, such as the regional coordinators. However, this was not the case and the start of the first set of problems with the process. To some extent this explains why implementers are not engaging with the drafters of planning knowledge. It was also observable that implementers sooner or later took sides and invariably aligned themselves with their respective regional coordinators. This approach not only meant the non-involvement of the regional coordinators but also figuratively and literally curtailed and prevented the involvement and value-add from the regional offices involved in implementation. This resulted in another divide in the planning knowledge being created for practice.

The staff seconded to serve in the LUM Projects Branch were not always the most senior staff, but the work undertaken was seen as that which required seniority, given the status assigned to policy/legislation making. Even though the involvement of staff in the task to (re)develop planning knowledge is partly a selection and/or secondment, it was also difficult to get volunteers for the DTPS process.

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[8] The study refers to five Regional Land Use Management Offices. However, there should be six LUM Regional Offices, as the Central LUMs Office was intended to be split into two offices, North and South Central LUM Regional Office. At the time of writing the thesis, this was not yet finalised.

However, the non-involvement of regional coordinators also came with its own set of historical problems and perceptions, as expressed in the interviews with management and practitioners reporting to regional coordinators. A generalised management perspective of the regional coordinators was that they were viewed as barriers to change and resistant to trying new practices. According to management, the regional offices were always expected to do scheme reviews for their areas, but this never happened and slowly but surely planning was falling behind to a point of crisis. To rectify the situation management took a decision to have dedicated capacity to (re)develop planning knowledge, but this created tensions between this new group of drafters and the implementers, as reflected in the quotation below.

> *"The very reason this was established, at the regions it was not happening, therefore needed to create another area of work, now that it is happening people are responding negatively. This then escalates and grows into inter-branch, inter-department and inter-unit conflicts." (Respondent 11)*

Regional coordinators were also seen as being too busy, not having time to commit to the process of (re)developing planning knowledge for action. The regional coordinators concurred that they do not have the time to be engaged in drafting planning knowledge simply because they are so busy with the day-to-day running of the office and conceded that this is at the expense of missing a bigger opportunity to influence planning. They contended that they lacked time to be engaged in the important matters of planning, as they were being burdened by administrative planning procedures such as the pre-scrutiny of building plans. All five regional offices were of the view that the processing of relaxations and the writing of lengthy planning reports for many types of planning matters considered by the JAC could be more effectively dealt with at a regional level in an accountable manner and without the unnecessary administration.

However, practitioners also found that the regional coordinators are not necessarily the ones showing leadership within the region based on several factors. The politics within the institution, dominant personalities at play and varying strengths displayed by each of the five regional coordinators came to the fore. Through the research it emerged that the management authority of regional coordinators as a collective were constrained institutionally. The levels of delegations for decision-making on applications were seen to be too restrictive and often eroded by the JAC. The manner in which planning knowledge was undertaken further undermined the regional coordinators and entrenched the divides

between those that (re)developed planning knowledge and those that implemented the knowledge.

This level of exclusion in the (re)development of planning knowledge even prompted two practitioners from the Unit to submit individual comments to the formal public participation process as they felt excluded. The comments came from the Environmental Department and the Plans Assessment Branch. These actions demonstrate the internal fight and the response to a lack of consultation within the Unit regarding the (re)development of planning knowledge.

What also emerged from discussions with management regarding how staff were selected to participate in the process is that staff involved in the Land Use Projects Branch were considered to be more technically competent with town planning schemes. The regional coordinators and other senior levels of planning staff were seen as having more managerial and general planning experience and not at a particular technical level, which was regarded as important for the (re) development of TPS. The drafters also indicated that when they opened up the scheme process for internal comments and especially from the regional LUM offices, interest and comments were marginal. It was often used as an example, that not one comment or suggestion of change came from the practitioners in the Central LUM Region

I enquired from one the ethnography participants how certain requirements for planning knowledge and other suggestions about improving practice in planning is taken up within the project team involved in (re)developing the DTPS. The practitioner indicated that as officials at a particular level (meaning planners and technicians) they will not be involved in such matters as often views of practitioners from the Central LUM Regional Office are dismissed as being separate to what the other regional offices want and agree to. The Central Regional Coordinator had informed them that there was no support for what was being suggested from the Central Region. So now, the Central LUM Region practitioners seldom discuss matters beyond the applications they are dealing with and just do as required.

The dominance of certain regions, the South and Inner West Regional Offices in particular, over others regarding the rationalisation and review of planning knowledge was a point of tension for the Central, Outer West and North Regional offices. This was also confirmed when the three regions indicated that the relationship between the regional offices and the drafters was non-existent, despite what was being created or changed having an impact on planning practice. It is the practitioners (implementers) involved in planning practice that must explain to members of the planning industry and public how the knowledge has

changed. One of the regional coordinator's indicated that after complaining to senior management about the non-involvement and lack of engagement of his region in the process, he was required to call a meeting with the project team leader (LUMs project team). When the meeting took place, the regional office staff had to sign a consent form to indicate that they had been consulted in the process of the (re)development of the scheme, as reflected in the quotation to follow.

> *"I had to ask for a discussion, totally unhappy with the changes made. Compliant-participation. Had to sign to say that project person came in to present the TPS changes." (Respondent 5)*

However, there was a variation in how the regional offices reacted to the standardisation and changes in the TPS. The South and Inner West regions seemed more accepting of the process and changes. The reason that these two regions fared better could relate to the fact that the drafters had a long term history with the regional TPS they were working with. They were also physically located in the regional office and engaged at the regional level and not isolated from the implementers. In the case of the other three regions, the drafters were seconded and located in a central office.

The involvement of two practitioners from the Central LUM Region in the DTPS review process were middle level practitioners and regarded as fairly neutral in what changes they would make regarding the DTPS, as compared to older staff that have worked for some time with the DTPS. However, well into the process of (re)developing the DTPS, but only for a few months, two very senior and long-serving practitioners associated with land use implementation within the Central LUM Region were assigned to work with the mid-level practitioners to (re)develop the DTPS. They were often referred to as the 'godfathers' of the DTPS, or 'the wise ones', by the one of younger team members.

This arrangement was soon terminated as these 'godfathers' questioned and disputed certain changes within the context of the overall logic to standardise planning. In a way, the internal fights regarding what changes should be made were also fuelled by the old versus the new staff. The difference of approach and language between the old and the new certainly came through this research as an area of conflict. However, this conflict should not be oversimplified as the old resisting change and the new and young being the radicals and the innovative ones. A planning specialist and academic working throughout the province highlighted that resistance resided more with the young than with the old. The young are not as innovative as one could expect. The existing scheme is all that the young can rely on

because they lack experience, confidence and knowledge to try something new, even slightly new. Even changing the order of the zones in his experience is resisted by the young planners, as noted in the quotation below.

> "*The notion of young people being innovative in thinking out of the box also comes with its limitation as we not finding young planners taking this approach, bringing in this risk, bringing in this change and again much of the knowledge generated is still very much dependent on old concepts of knowledge.*" *(Respondent 39)*

What emerged was a split within the drafting team considering the (re)development of DTPS, between an approach to be more standardised versus an approach to be more unique. Eventually two versions of the DTPS were produced (this was the second attempt at trying to change the DTPS). Management will need to decide on which version will be used and advertised for public comment and finalised by the Town Planning Sub-Committee. At the time of finalising this research, I was informed that consultants will now be engaged to finalise the review of the DTPS (this will presumably be the third attempt to change the DTPS). Despite the messiness revealed to date in this research, it is expected that the social relations will somehow unite and present a convincing picture to the politicians and the public. This was certainly the case when the (first attempt of changing the DTPS) was advertised in 2014 for public comment, as reflected in the following extracts from the report that served before the Town Planning Sub-Committee:

> "The new Scheme will give the Branch a chance to create an environment that will stimulate positive development where facilitation, rather than controlling implementation can take place." (eThekwini Municipality, 2014f: 244)

> "The existing Scheme is old and most parts are outdated and therefore, need to be changed with a fresh, new outlook and a motivation to keep up with the constantly changing trends and demands." (eThekwini Municipality, 2014f: 244)

7.2.2 A complex web of social relations in the (re)development of planning knowledge: the power-knowledge-nexus uncovered

Based on a number of interviews, three focus group sessions, observation of the DTPS drafting team at work and several observations of staff meetings and JAC meetings, the mapping of social relations in the (re)development of planning knowledge was eventually possible. What is important in uncovering social relations within institutions is that they exist but are often not visible. The importance about uncovering social relations is for those involved and not involved to decide if and how they want to react differently to what is uncovered. What emerged from the research is a map of social relations, showing those included and excluded, and who influences the planning knowledge being (re)developed for

practice, reflected diagrammatically in Figure 7.1 to follow. It is also not unusual for a group of practitioners to occupy more than one of the social relation categories as identified below:

- those that are in control - directly or indirectly
- those that are losing control - directly and indirectly
- those that are administratively within a system and simply approve
- those that are unaware and seen as unimportant
- those that are marginalised and not interested
- those that are marginalised but interested
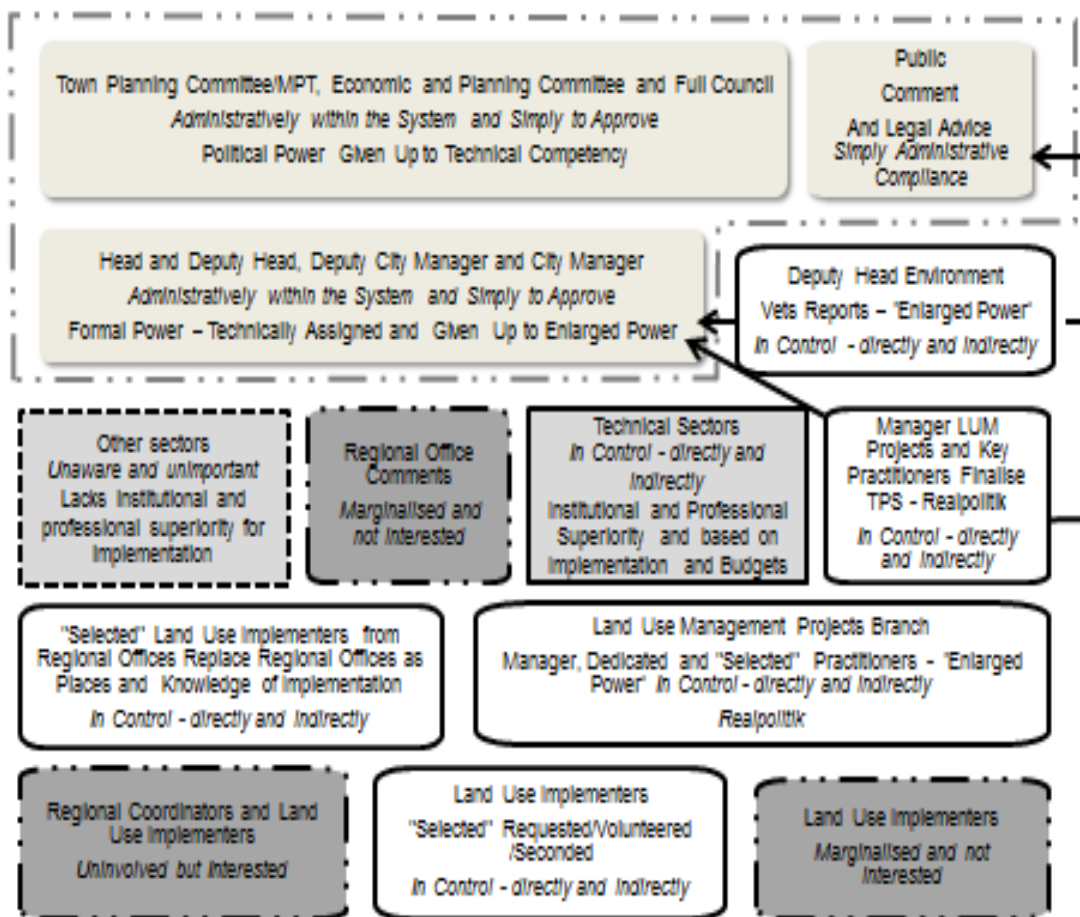
Notes: broken outline: formal, solid outline: semi-formal

Figure 7.1: Diagrammatic representation of social relations uncovered in the construction of land use planning knowledge for practice within the eThekwini Municipality. Source: Author.

In reading deeper into the social relations 'mapped' and as represented diagrammatically in Figure 7.1, what is evident is that the (re)development of planning knowledge remains in the domain of the technical. It is also evident that access and the level of interest to be involved in the process are uneven. According to the drafters, the transport and infrastructure sectors restricted the TPS changes to minor changes only, as more major changes would not be approved by these sectors without a full budget for infrastructure assessments and implementation of such requirements. In addition, the TPS changes were part of a performance plan and had onerous performance targets, thus reinforcing minor changes only. Hence by default these sectors represent *those that are in control, directly and indirectly*. The (in)visible power to change or resist change in planning knowledge resides with the technical, within the planning sector but also well outside the planning sector in the infrastructure and environmental sectors.

However, it was evident in the interviews that the environmental sector is aware that planning knowledge used daily in practice is all important to its environmental mandates and made serious efforts to engage and dominate within this space. The environmental mandates are well entrenched and mainstreamed into planning knowledge for daily practice. This was achieved through an alliance between planning and the environment, through being located in the same Unit, through special capacity development and legal support, and through fight and personality. The environmental sector also invested in employing planners with environmental skills and training to directly engage with planning knowledge. In this regard, environmental scheme clauses are being drafted and included in the TPS, such as the split and conservation zone. D'MOSS is factored into strategic spatial planning as an important control layer that governs the nature and intensity of development within and adjacent to environmentally sensitive areas. The Deputy Head: Environmental Management has also come to an agreement with the Deputy Head: Development Planning and the Unit Head that all planning knowledge texts such as town planning schemes, the SDF and other spatial plans that have an impact on environmentally sensitive areas will only serve before Council if they have a signature of approval from the Deputy Head: Environmental Management. This reflects as *those that are in control, directly and indirectly*.

One of the interviewees explained that the environmental zone will now be included in the TPS. The environmental planners will provide the precise text and format to the practitioners involved in the (re)development of schemes for inclusion into TPS without making any changes, as reflected in the quote to follow.

"That's how it will go in…they won't touch it, too scared to touch it." (Respondent 13)

Often planning is simply lumped together with urban design, architecture and administration of the national building regulations. However, what emerged is a strong linkage between these areas but also a visible separation given the different legislation, development principles and skills sets involved. In the interviews with practitioners engaged in the (re)development of the DTPS, resistance to change was also picked up from the architectural and the plans assessment (NBR) functions regarding height and space around buildings in particular. These professions are also seen as *those that are in control, directly and indirectly*.

At the same time a slow erosion of influence is taking place away from the transport sector, as issues of densification, compaction and public transport starts to play a role in shaping the knowledge, principles and standards of the transport sector. *Thus this sector can be defined as those that are losing control, directly and indirectly.*

There were sectors that were viewed by practitioners as unimportant and that also saw themselves as unimportant to planning knowledge. This related in particular to the social and economic sectors, and to some extent the housing sector, defining them as *those that are unaware and seen as unimportant.*

What also comes through is that, apart from the environmental sector, the senior executives within the Unit at a city wide and political level entrusted with the (re)thinking, the (re)construction of planning knowledge, handed this responsibility over to the technical. Thus management can be considered as *those that are administratively within a system and simply approve*. The same applies to the councillors. From the councillors' standpoint, they are acutely aware that policy is left with the technical, as stated below.

> *"To date a lot of the planning knowledge created and in eThekwini, it is been done by the officials and we as politicians we have not yet taken charge of this aspect. In other cities within South Africa such as Johannesburg and Pretoria you can see politicians playing a more important role in transforming planning so that officials can implement such transformation." (Respondent 37)*

> *"Invariably much of the planning knowledge comes as a fait accompli with very little input from the politicians." (Respondent 36)*

The drafters also indicated that the technical and middle management have been mostly involved, as noted below.

> *"To date a lot of the space is for middle management, would not say so much influence in direction from the top." (Respondent 3)*

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This is also important for me as the researcher and previous Unit Head to understand the lack of awareness I had about the importance of planning knowledge. I left it exclusively in the hands of the technical, with its own set of agendas and politics. I was one of *those that are administratively within a system and simply approve.* This is a difficult but true reflection, to accept the role I played (did not play) in the (re)development of planning knowledge for action. In many ways, I was unaware of its importance and the passive approval role I played, contributed to the uncritical thinking of the planning knowledge being generated and implemented.

A group of older practitioners from the Central LUM Region and the regional coordinators as a collective were vested in the DTPS. They were knowledgeable and interested, but excluded from participating, and therefore seen as *those that are marginalised but interested* and *those that are losing control, directly and indirectly*. This group was most informed about the history of and the reasoning behind certain concepts and clauses within the DTPS, which had evolved in complexity and innovation over the last 60 plus years. However, the older practitioners interviewed admitted that they were at a loss in offering what planning knowledge could be, but emphasised the need for a robust process to drive this change, internally and externally to the municipality. Finally there were practitioners that were uninterested and simply wanted to implement the planning knowledge that there were given, who I define as *those that are marginalised and not interested.*

Whilst position within structures matters at a municipal level, in term of the work and responsibilities assigned to this position, it is also easily transgressed. Often the power to be involved or not is less about position and structure and more about alliances, the power and politics, the informal - Realpolitik. At a wider Unit and city level, the technical is organised differently around personalities that can work together, personalities that limit resistance or perceived resistance to what is required and how it should be undertaken. The role and efficiency of the manager emerged as dominant, straddling both formal and informal power, and reporting to higher levels of management indirectly - Realpolitik.

In summary, the social mapping of who is involved and not in the (re)development of planning knowledge, and who is present or absent confirmed a selective technical approach, that maintains the technical in planning knowledge. This represents a sub-culture and 'club' approach which unfortunately narrows who and what is included or changed in the (re)construction of planning knowledge for action, as reflected in the quotation from a land use implementer.

"I don't think it's useful to sit around a table and by average to come to a conclusion and don't look specifically at an area and context." (Respondent 8)

Several of the practitioners involved in the (re)development of planning knowledge also indicated that they would use their own networks of architects, planners and land surveyors whom they were friendly with to make sense of the knowledge being re-written. This is noteworthy action given the limitations of stakeholder engagement in the (re)development of knowledge. However, it still keeps the involvement closed or through invitation only, based on alliances and very much within the frame of a 'club' approach. Unfortunately this approach makes practitioners feel like they are doing something wrong, as reflected in the quotation below.

"I rely a lot on people out there, on architects, and they see things with a different lens". I try and get some outside practitioner involvement, confidentially, 'friendly' input on changes we are making such as sub-divisions, I do this unofficially and on the side." (Respondent 2)

7.2.3   Strategic spatial planning and consultants ignore land use implementers and the interested public

The LUM regional office practitioners were also critical about how strategic spatial planning is being undertaken within the Unit. Again the divides between those that implement and those that write planning knowledge was identified. Practitioners felt that the specialisation and centralisation of strategic spatial planning knowledge, similar to the TPS process, was undertaken without engagement, discussion and evidence of what is happening 'on the ground' required for planning knowledge production. This meant that what is being (re)developed, such as the SDF and nested spatial plans such as the SDPs and LAPs, was happening without appreciating the spatial, the social, the property market and local community dynamics taking place within the regions.

The practitioners indicated that the consultants involved in strategic spatial planning were out of touch and could not replicate the local intelligence and knowledge the practitioners within regions have developed over a number of years. They also expressed concerns that planning within the city is only trusted and respected when consultants prepare such work. Rarely are internal staff involved, but if they undertook certain studies it would not receive the same levels of acceptance.

In interviews with consultants that engaged in the (re)development of planning knowledge such as LAPs, the consultants conceded that there were concerns in the municipality regarding the lack of internal engagement in undertaking the work they are commissioned to

do. The main reasons cited for this lack of engagement related to one planning branch or sector of planning refusing to share knowledge with a project commissioned by another planning branch. The consultants also indicated that the limited budget and time afforded to such projects was a challenge, as reflected in the following quotations.

> *"The budget and timeframes do not allow for the better generation of land use planning knowledge." (Respondent 29)*

> *"Because of budget, linkages to other stakeholders and the co-generation of knowledge becomes a problem." (Respondent 29)*

The consultants interviewed for this research also raised concerns about the tendering process and the awarding of projects to the lowest cost bidder (assuming functionality was met), resulting in consultants undercutting the price in order to have a chance in winning a tender, as reflected in the following quotation.

> *"Planning knowledge and planning also has to reconsider the resources and the budgets assigned to the partnerships for the creation and generation of plans and planning knowledge. The tender process is a particular problem, it is currently pushing the experts and the consultants to get into a tender because it's based on price however this is not the right skills or the right amount of work that is required to deliver on planning knowledge. This is creating a vicious cycle for the kind of planning experts one is attracting and even the good experts are increasingly limiting time and the innovation or the intimacy they can spend in the generation of plans and planning knowledge." (Respondent 39)*

These projects thus started with a budget and timeframes that were unrealistic. Often the consultation and engagement, within and outside the municipality was sacrificed in order to complete the project. Despite these challenges, the consultants interviewed indicated that much depended on the relationships between the practitioner overseeing the appointment with other planning branches and sectors. A project manager with good institutional relationships within the municipality often brought the necessary expertise and information together more so than a project manager that is new or one that simply tries to get the job done.

Stakeholders such as development activists and business also indicated that consultants brought on board their own subjectivities, egos and professional boundaries or barriers to engaging with stakeholders in the creation of planning knowledge. Some stakeholders even stated that many of the consultants they experienced simply lacked professionalism and ignored community views and community engagement. This leads one to question the community ethics in the planning profession, public and private, as reflected in the following quotation.

"As community activists we fight for very basic things that should be regarded as principles of community engagement such as requests for more meetings, request meetings in different areas to engage different stakeholders, requests to have information so we may work with it. The result of this local area plan was so frustrating. It is important that consultants see themselves as part of the process in generating planning knowledge. The role of the municipality is equally important and they should also help to facilitate the engagement between consultants and communities and be involved." (Respondent 30)

Practitioners engaged in the implementation of planning knowledge reported that knowledge being generated was rarely shared with them. Often they did not have such information. The knowledge was also seen as inaccessible in content and format to land use implementers, such as an electronic layer that can be used within daily practice. In observing an ethnography participant at work, the practitioner was aware of a densification strategy for the city and a public transport corridor densification plan for the southern area but was not sure what it said, which properties were included or excluded or even if it went into such detail. More importantly this practitioner was unable to locate the relevant reports and maps. At the time of finalising this research, I scanned the municipality website and found that many of the policy related plans were available. However, they may have been uploaded to the website after the interview with the ethnography participant. This frustration was shared by practitioners across all five regions. In one of the focus group sessions, practitioners indicated that they heard more about what plans are approved from consultants that submit applications than from their colleagues within the same department and unit in the municipality. Some of the practitioners described the relationship between the branches as top down and fragmented, as reflected in the following quotation.

"Also the compartmentalisation between Framework Planning, Land Use Management like two separate entities." (Respondent 5)

Practitioners engaged in strategic spatial planning also had their reservations of the planning knowledge they were producing and implementing. For example, some of them were concerned about the covert alliances between this Branch and the sanitation sector, which used each other to limit where, when and the type of development that could take place. Conflict between practitioners within the Strategic Spatial Planning function and other sectors is very visible when certain applications and projects challenge the SDF and particular lower level spatial plans. Often some practitioners will invoke the alliance with the environmental and infrastructure sectors to resist a project, while other practitioners would want to consider the project or application based on its merits and its context. This frequently applies with

respect to compliance with the UDL in the SDF. Quite often these projects come with particular political and business interests. However, some social projects such as certain housing projects or those that fall in the traditional or so-called rural areas are also resisted by strategic spatial planning practitioners in this way.

There were mixed reactions to the standpoint of the spatial plans that strategic practitioners undertook and upheld. Some were of the view that within the municipal administration and politically there is a disregard for strategic planning and the plans they produce. Other practitioners were of this view but felt that they are often forced from an immediate managerial level to rigidly apply the knowledge within such plans, when the context warrants some flexibility. This then raises the concern about the social in spatial planning and how is this understood and factored into such plans.

What soon emerged as a standpoint across the regional LUM offices and in interviews with regional coordinators is an approach where the region must be given the authority to process small and regular changes to planning knowledge, in particular when it is regionally specific. The regions felt that staff responsible for the (re)development of strategic planning knowledge should be based within the region, so that engagement, interactions and mutual cooperation can be developed.

What was striking though was that given the importance of planning knowledge in practice; it not only shapes but directs practice as discovered under research sub-question one. Somehow an opportunity has been missed for the (re)development of planning knowledge to be a place to converge implementation experiences with those that write planning knowledge. The lack of passion and/or fight from practitioners that are expected to implement planning knowledge for inclusion in the (re)development process is of concern. Do these practitioners see the opportunity to change what they do in planning practice, to transcend planning practice in such a way that considers the realities of the environments they work in? Do they not see the need to request/argue for more flexibility and to think and (re)think the social changes needed in planning knowledge? There are many possible answers to all of these questions and perhaps many more questions. It could be that practitioners remain unaware about what role they can play, beyond the institutional constraints they face. Perhaps an answer is that for many practitioners fighting for the social and also fighting for a voice in the institution is not what they signed up for. However, this unconsciousness about the value of planning knowledge for the social and in everyday

practice was also experienced by me as the former Unit Head. This is an important area to explore in terms of what this means for the transformation of planning practices.

7.3   Uncovering the power–knowledge–decision nexus

7.3.1   Centralisation versus decentralisation and more - a loss for local planning, capacity and accountability

The ethnography participants involved in this study (the practitioners implementing planning knowledge within the Central LUM Region) also indicated difficulties in their ideas coming through, due to certain personalities and alliances within the JAC. In particular one of the regions was viewed as very capable, organised and well capacitated. This can be partially attributed to the legacy of the practitioners being part of a local council that existed prior to the formation the eThekwini Municipality. However, it was felt that this region was far more restrictive in planning matters than other regions, and this level of restriction and rigidity influenced decision-making within the JAC meetings, given the strong personality and leadership role of the regional coordinator, which was respected by the manager of the LUM Branch.

During the observation of the JAC meetings, it was clear the influence and standing that this regional coordinator had within these meetings. It was also evident that in some cases, regional coordinators played less of leadership role than expected. Often a practitioner from a region seemed to play a more dominant role with respect to their response to applications within their regions than the respective regional coordinator.

In interviews with regional coordinators, what emerged as a standpoint was that the regional coordinators are overwhelmed with the amount of administration work to be done. The regions also have different volumes of work and are capacitated unevenly. Often the bigger regions that handle more work and complexity have less qualified, experienced and motivated staff. The alliances, personalities and politics within the Department have also created an environment of fear. An emerging standpoint was that the regional coordinators have taken a decision to toe the line given the current political climate within the Unit.

A particular region found that being thorough, using local knowledge and context and being very clear about the decisions being made proved to be unappreciated. Practitioners from this regional LUM office reported feeling disempowered professionally by the lack of

consideration and engagement within JAC and the Town Planning Sub-Committee regarding planning reports, as stated below.

> *"There is a political discourse to approve all applications at JAC, now staff are asking what is the point of having planners there." (Respondent Focus Group Participant: Inner West Regional Office)*

In the Central LUM Region, the tensions experienced also represented a shifting of the decision-making power from the regional office and older practitioners. This was especially the case given that decisions on many types of planning applications were centralised within the JAC. The following statement reflects the loss of authority to manage planning within the region by the Regional Coordinator and his team.

> *"…how does someone have so much to say when areas are different?" (Respondent 8)*

A new LUM manager was appointed towards the end of 2014, who was also a senior planner within one of the regional offices (not the central region). The working relationship between this manager and the former manager, who now has moved into managing the LUM Projects Branch, and the manager for the Strategic Spatial Planning Branch, as observed in the JAC meetings appeared to be tense. This new appointment will also represent a change in who has control on land use applications.

Different types of planning applications coming through JAC are looked at carefully for certain criteria as these will be adjudicated through external structures and the Unit Head, given the implementation of SPLUMA within the municipality (see Chapter Nine for more details). In particular the timelines, compliance with development principles, and ensuring that a pro-development stance is pursued. A revised report was prepared that highlighted areas that were specific for SPLUMA. This report with superficial changes, evidences how a legislation change such as SPLUMA can be treated as an administrative requirement (see Appendix 6G for more detail).

The Central LUM Region found the impacts of the centralised JAC process to affect this region the most, given that it dealt with the highest volume of applications. This region also has practitioners with varied qualifications, skills and experiences, which were inherited from the old City of Durban, a time when professional planning skills were limited and technical planners were accepted in the role of planners. However, recently the focus has shifted to registered planners in terms of the PDA requirements to have a registered planner's report

for every rezoning application. This is proving to be a burden on the Central LUM Region, given the high volume of work and the limited number of registered planners.

The general view of the ethnography participants was that the bulk of their work and time was located in assessing building plans and associated relaxations. The need for doing this was not contested but the manner and the administrative burden of assessing relaxations (RELs) and building plans (PAs) was of concern. The senior planners, who currently assist the Regional Coordinator to supervise staff, also found that they do not have the time to be rigorous. Invariably they rely on the assessments done by the practitioners and in some ways are just fulfilling an administrative role. This then also creates problems around who is accountable for the decisions being made. The practitioners, both senior and junior, were unanimous that the responsibility and accountability for the common and regular applications should be at a practitioner level. Whilst this was not the most frustrating aspect of planning practice experienced in the other four regions, the administrative burden of planning and the way it is undertaken in the municipality, was raised as a common challenge across all regions.

A common standpoint across planning implementation practitioners was that the regions should have more responsibility and control in assessing planning applications such as relaxations, home businesses and sub-divisions. This would allow the regions to engage in the smaller, more regular and unique changes to planning knowledge at a regional level. Currently decisions are essentially taken or recommended at JAC and often without understanding local conditions that are so important in planning practice. The regional offices also indicated that in some regions they had a mini-JAC arrangement that involved all the staff and allowed for more discussion, debate and learning than that provided for in JAC and the Town Planning Sub-Committee. Another point raised in favour of decentralisation was that the preparation of reports to meet the requirements of JAC's administration system took away valuable time and was not adding any benefits to the planning decisions being made.

In a way what practitioners want is similar to that identified by a variety of stakeholders, namely for planning to become more intimate, local and supportive of local solution-making. This approach would enable planning knowledge to be a knowledge that crosses divides based on context, engagement, compromise and solution-making within the local context, as expressed in the following quotations:

> *"Planning knowledge for practice also lacks a much-needed response to be responsive to working with a variety of local areas with different needs and building such local capacity and local based territorial areas." (Respondent 38)*

"As a councillor I would also appreciate that some of the local area plans and where there are other levels of plans as well as a town planning schemes there should be more engagement about how useful and informative these are for the area, based on what is actually happening in the area." (Respondent 36)

Since conducting the focus group sessions and interviews in 2014, SPLUMA was implemented in July 2015. This has changed how the municipality assigns delegated authority to the MPT and delegated official/s. In follow-up discussions with regional coordinators they are of the view that adjudication authority within regions has been further constrained. One of the regional coordinators expressed this as "Now our job is mostly administration and seeing to building plans and business licenses" (Respondent 5). What was also explained by this regional coordinator was that the bulk of decisions still resided at a technical level, but were controlled and centralised more now than before at the Unit Head level and whoever assists the Head in arriving at such a decision, via the JAC meetings thus furthering the power alliances and control on planning applications. The remainder of the decisions are then made at the Town Planning Sub-Committee and MPT level.

7.3.2   Wall-to-wall schemes - more power and control for the technical

What was clear in all of this activity regarding the (re)development of planning knowledge were the mandates of legislation, and specifically the call for a wall-to-wall planning and a single TPS. This meant that planning knowledge was expected to be extended across the municipal area to meet the PDA and SPLUMA requirements. As a standpoint, all practitioners interviewed (strategic spatial and regulatory planners) did not raise any issues with the legislation, such as it being too ambitious, prescriptive, compressive or simply unpractical.

In fact a wall-to-wall TPS was seen as giving legal clout to planning, to manage land use in a way that is deemed important for the city, in particular for rural[9] areas. These rural areas were seen as needing more urgent control and in greater need of planning intervention because the scale of development happening there. The fact that these areas are largely under a traditional tenure system, that operates outside of the formal planning and legal system, was seen as a huge problem. The welcoming of legal and formal systems into these so-called rural areas, through SPLUMA was shared across the other technical sectors as a planning priority. This was based on several factors including protecting environmental

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[9] The term rural is used to define areas mainly under traditional authority, which are becoming more peri-urban than rural.

assets and spatial plans indicating a need to secure the UDL, to promote the development of nodes and corridors, adhere to infrastructure limitations and support 'rural' lifestyle options.

In a focus group session with one of the regional offices that has rural and traditional areas within its jurisdiction, the practitioners were clear that a TPS in rural areas should be the same as the urban TPS. They argued that there should be no differentiation between the urban and the rural given that those traditional areas are part of the city and experience high development densities. This does raise the question of whether it is easier to prepare spatial plans and a TPS for the 'underdeveloped' rural area as opposed to the former township areas. Maybe there are other bigger and more difficult questions that are present here, such as, is it too late for planning in township areas, does planning matter in such areas if issues of infrastructure, environmental assets, urban sprawl and densification are not on the agenda, in the way that they are in the rural areas? To put it differently, if it is not of technical importance, does it matter what happens in such areas?

The development of a wall-to-wall planning system and TPS in particular will take place through a process of assimilation. The five regional schemes (referred to as the core scheme for each of the formal entities) and the primary scheme for all townships within each of the entities will become five (5) core schemes once the primary schemes are assimilated into the core schemes. Eventually the five core schemes will then be streamlined and further standardised to form one core scheme for the municipal area. There is an acceptance that a rural scheme will remain separate from the core scheme. The process of arriving at a single scheme, consisting of a core and rural scheme is reflected conceptually – see Figure 7.2 to follow.

However, concerns were expressed about whether the primary scheme could be appropriately assimilated into a core scheme. Whilst the primary and the core schemes share the same zones, the controls are more relaxed in the townships as compared to the core areas. It would not be possible to make the core areas less flexible and it would be highly unlikely that making the TPS more stringent in township areas will work, given the lack of control that already exists in such areas. The other option for a wall-to-wall, or single, scheme would be to have it in three parts all included in one scheme document. Part one would relate to the core scheme, part two would contain the primary scheme and part three would deal with the rural areas. Interestingly this represents yet again a technical solution for an ideological and political problem and avoids the wider challenges that planning should be considering, such as issues of control, flexibility, practicality and equity in planning

knowledge for practice. This also illustrates how the practitioners struggle to conceive of less control in the municipal area. This is discussed further in section 7.5.
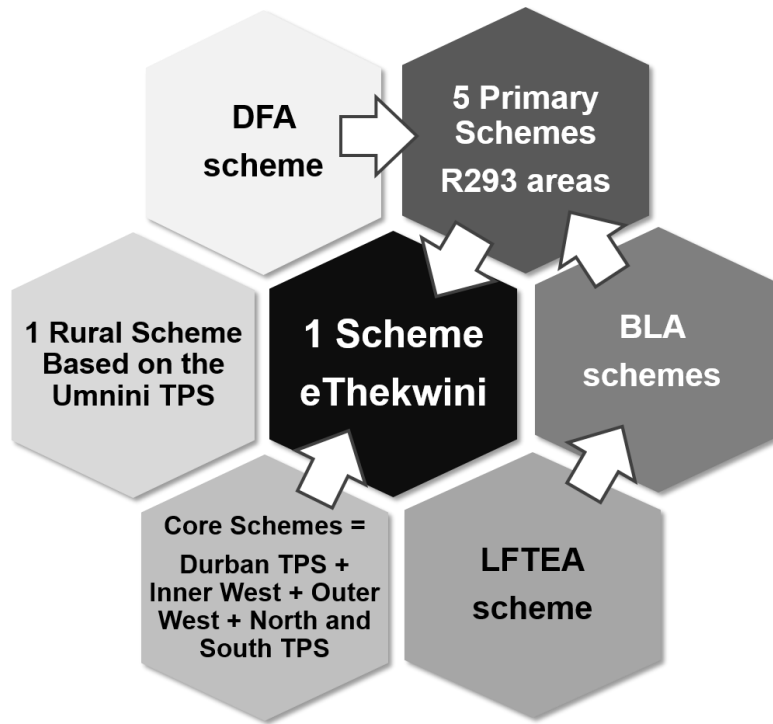
Figure 7.2: Diagrammatic representation of assimilation, standardisation and extension of Town Planning Scheme. Source: Author.

7.4 The generation of planning knowledge for action within the eThekwini Municipality - views from the inside

7.4.1 Standardisation and extension of planning systems are a response to equity

In the many interviews conducted and the focus groups held with practitioners, the discourse commonly shared across regions and types of planning was that current and future legislation demands the (re)development of planning knowledge. SPLUMA has reinforced the need to prepare a wall-to-wall scheme. In addition, section 7 of SPLUMA requires that the preparation of planning knowledge and planning practice must support its five development principles, summarised as spatial justice, spatial sustainability, efficiency, spatial resilience and good administration. In an interview with a municipal legal advisor, these principles should now underpin the main pieces of planning knowledge being (re)developed for the municipality, as reflected in the quotations as follows.

"The IDP, SDF and TPS cannot be inconsistent with the five development principles of SLPUMA." (Respondent 27)

"A single land use scheme forces us to be inclusionary." (Respondent 27)

SPLUMA has now been implemented and for now it seems that the biggest changes have been the introduction of the MPT and some administrative changes to the format of the adjudication reports that serve before the MPT (see Appendix 6G for more detail). Embedded in the legislation is that planning practice needs to be applied evenly across the municipal area in a post-apartheid context, in particular because spatial planning was unevenly applied and fragmented because of apartheid. In this regard, the practitioners have interpreted equity as coverage and standardisation across and within schemes for the municipal area, and referred to as TPS standardisation and extension programme.

The South African Planning Institute (SAPI) respondent participating in this research also raised concerns about how legislation has been interpreted. Equity has been taken to simply mean the extension of rules and controls, without understanding the impacts - this interpretation of the notion of equity can cause further hardships to those that cannot afford to be planning compliant. While it may help the planning industry to have a standardised practice, the costs and benefits remain questionable. A similar concern was raised by business representatives on the legislative impacts on development, as reflected in the following quotations from SAPOA and SAPI respectively:

"In some countries they have what you call a legislative impact assessment maybe we should have a planning knowledge impact assessment, to what extent it responds to the needs on the ground, responds to developers, possibilities and concerns of sectors. These are the things we need to look at, the city often looks at protection and not an upliftment and maybe this should be changed in and how it creates knowledge." (Respondent 43)

"The thought processes and ideology about extending planning is also questionable and you can't simply think that getting equity is about extending planning. There are no thought processes involved in the extension of planning or the rethinking of planning even in areas that have planning." (Respondent 50)

Implementers of the DTPS were concerned that the (re)development of the DTPS remains fixated on standardisation and thus have dismissed the peculiarities of Durban in this process. They argued that the age of the greater Durban area compared to the other regions, its development history, the influence of topography, climate, the harbour and the economy, and not forgetting the complexities associated with supporting apartheid, make it a very different city and TPS to other regional areas. Whilst there was agreement that certain common zones could mean the same across the municipality, the regions should also have specific zones that work with the local needs, trends and character of an area.

For example, maisonettes have been removed from the DTPS and replaced with a multiple unit development, as this is what all regions use and now should be standardised. In this particular example the argument was that what is being done is not questioned enough, it lacks wider engagement and research. Furthermore, the new land use such as multiple unit development does not substitute appropriately for what is being lost. This is illustrated in these extracts from the draft DTPS (eThekwini Municipality, 2015g):

> "maisonettes" or "pair of maisonettes" means a building designed or constructed or adapted to contain two self-contained dwelling units, together with such outbuildings as are ordinarily used therewith;
>
> "duplex flat" means a flat with living accommodation on not more than two floors." (eThekwini Municipality, 2015g: 4)
>
> "Multiple Unit Development: Means a group of two (2) or more attached or detached dwelling units, together with such outbuildings as are ordinarily associated thereto, each dwelling unit having direct access to a private open area and access to common land, the whole development having been designed as a harmonious entity. No ancillary unit shall be permitted in a multiple unit development." (eThekwini Municipality, 2015g: 29)

7.4.2   We still cannot do what we should in planning knowledge because of the legislation

Whilst there were mixed reactions from practitioners on what changes SPLUMA has introduced into planning knowledge, some practitioners were upbeat that planning knowledge will be more relevant given the implementation of SLPUMA and its five development principles as reflected in the quotation below.

> *"SPLUMA will create better opportunities for new planning knowledge that can change planning. SPLUMA forces us to think differently and to do planning differently, it galvanises people around the principles." (Respondent 2)*

This then raises the question of what limitations previous legislation like the PDA had on the planning knowledge being (re)developed within the municipality that prevented it from being more critical and responsive to the planning required for the city. It also stimulates reflection on what has and continues to influence the recent reviews of the TPS and SDF, which has taken place regularly over the recent past.

The relationship between legislation and planning is one that instructs planning. But what happens when practitioners forget that they also have the opportunities to influence planning and still be within legislation? In many ways what was discovered in the (re)development of planning knowledge is an ongoing, felt and also perceived limitation that legislation prevents planning from breaking away from the past.

In many ways practitioners remain unaware of the flexibility and opportunities they have in the (re)development of planning knowledge. This opportunity for municipal planning remains well recognised by the legal specialists. They are unanimous that the legislation cannot write planning knowledge for practice. The legislation is a framework for planning and it is the responsibility of planners to grapple with the knowledge in use and how to (re)develop this knowledge. In this research stakeholders such as business, SAPI and development activists were also clear that municipal planning can and should take up the opportunities it has, as reflected in these statements:

> *"As a legal specialist in planning, I would prefer that the knowledge generated for planning action in land use planning is more flexible and forces planning and planners inside and outside the municipality to apply their minds. A caveat for discretion is always important in land use planning knowledge for action."(Respondent 25)*

> *"However a lot of this will depend to what extent cities will see planning and land use planning differently from what they've been doing in the past." (Respondent 49)*

> *"SPLUMA has given municipal planning a voice." (Respondent 27)*

Practitioners interviewed, that were engaged in the (re)redevelopment of planning knowledge were ambivalent about whether they had an opportunity to change planning knowledge for practice or were constrained by the legislation. Some felt that planning does not give much room to practitioners to effect change, while other practitioners were of the view that they have the power and sufficient freedom to change planning knowledge as required, as argued below.

> *"If we feel certain things should change, we will make the changes." (Respondent 4)*

> *"The room to be involved in planning is limited, it's very much a top-down approach." (Respondent 2)*

This then also raises questions about how planning knowledge is (re)developed and the driving force/s behind it. Does this mean that planning and practitioners can only respond to the social, economic and the environment if legislation compels them to do so and not if the legislation is silent or less prescriptive on such matters? The notions of integration of class and race in both SPLUMA and the PDA take on a subliminal role in the legislation. It is neither silent nor direct, but could still be important in how planning knowledge is being (re)developed.

The real issue though is whether planning and the practitioners can be inspired and supported by an institutional environment such as the municipality to take on the challenge of creating planning knowledge that allows for this integration. As an example, a housing

reserve zone, to zone land for future public housing development, has been introduced into the eThekwini TPS, but the municipality has not taken a proactive stance by identifying and locating such zones across the municipality, be it on or private or public land.

7.4.3 There is no real discussion about a philosophy in what we trying to do with the (re)development of planning knowledge

In the interviews a deliberate effort was made to appreciate what ideology drives the knowledge being (re)developed. In the many interviews with practitioners, some would say that they did not understand what lies behind their approach, and that they have not looked at planning from such a perspective. Some practitioners said they often start projects without understanding the need and the outcome, which diminished the knowledge being generated and used, as stated here:

> *"…often we initiate projects but we don't understand the need and projects become less valuable to how they should be responding to people and planning in creating more appropriate knowledge for planning." (Respondent 3)*

Practitioners often described their work as haphazard, without a philosophy or ideology. One could sense the lack of credibility and practicality in the (re)development of planning knowledge, as reflected in these statements from practitioners drafting planning knowledge:

> *"There are no specific priorities, doing it very haphazardly, to meet deadlines. Trying to change what was done between 1950's-2014, trying to make it liveable, trying to reduce triggers for applications." (Respondent 7)*

> *"There is no real discussion about a philosophy, I would like to see a more grass roots approach, let's work with people and not guess what is required." (Respondent 7)*

What did emerge was an ideology of planning that tried to standardise zones, to introduce more uses with or without required planning procedures and to limit the number of triggers that require a planning application. In essence a more development-friendly approach within the existing ideology of planning emerged. For example, a second dwelling unit could be allowed on a large site without having to subdivide the site. Coverage across zones was increased provided this was for the use of garaging vehicles, not for any other use (such as accommodation, business or cultural uses). Special consent for home business within residential zones was extended to allow for this use within all residential zones, not just special residential zones as was the case previously. Home businesses like a bed and breakfast or medical suites are seen as providing a service to the immediate community. The approach that emerged was therefore one of incrementalism within an existing planning

ideology of comprehensiveness and control. This is evidenced by the small and numerous changes made to the TPS, but still keeping the status quo.

In hearing the many stories on how knowledge is constructed, I was told a story of how a statutory planning manager within the erstwhile Durban City Council would visit a particular dentist operating from a house in a residential area. It struck him that the dentist was operating without planning permission, so it concerned him that he was supporting an illegal planning activity. This manager then considered the idea of allowing medical offices or uses within residential areas as these can be regarded as providing a community service and one that does not interfere with the amenities of a residential area.

Practitioners were also adamant that theory does not relate to the difficulties of practice, that as practitioners they needed to act decisively and solve problems as they occurred. However, when delving deeper into what informs practice and what keeps practice the way it is, the ideology, the belief in something, the concepts, tools and assumptions made about the end outcomes could be identified - this was theory and it was present. As Friedmann (2003) would argue, theory can be unconscious and nameless but it is present.

I questioned why a greater mix of uses based on an assessment could not be allowed and accepted, as opposed to preconceived development control tables indicating what is allowed and what is prohibited. I probed why planning cannot evolve, be organic, allowing for development proposals to be tested for suitability, impacts and mitigation if so required, instead of having a list of preclusions and special consent uses. This approach would require the professionals to have a knowledgeable and comprehensive view of what a society needs and wants (which is not possible). In a similar context I asked why a different configuration of buildings based on what people want and need could not be allowed. This could focus largely on safety and health, such as ventilation and minimising fire risk as the minimum, within the overall control of coverage, since this is what seems to be linked to services. Such ideas were considered radical to the practitioners, as losing control of planning and creating chaos. Furthermore, their standpoint was that planning is about maintaining a harmonious environment for people to live in, and in doing so, rules and regulations are important, otherwise harmony will not be achieved. Some practitioners did indicate that they are concerned about being too radical as other technical sectors will not support them, as stated as follows.

> *"Generally smaller things pass through quite easily. When more radical, danger is we have not tested with other departments, also seen as radical."* (Respondent 6)

What emerged from a variety of stakeholders was that more flexibility, a contextual assessment and less abstract notions of what should co-exist was required from planning. This was a dominant theme that linked outside stakeholders, in particular business, community activists, residents, political and legal representatives. This is further explored under research sub-question three.

The lack of risk-taking in the municipality was also confirmed by the academic representatives, the councillors and a respondent from SAPI. What emerged was that this is the legacy and the imprint of the provincial planning system that was carried forward into the PDA. Essentially, planners working over a number of decades in the provincial administration have limited experience, exposure and conceptual ability as to what an alternative planning system could look like, as reflected in the following quotation from a SAPI representative:

> *"We also don't ask questions how to change this and we use what is handed down from one Planning Commission and one planning era to the next and in eThekwini and perhaps in other cities the role of the Provincial government played a particular role in indoctrinating a particular view on land-use planning and forward planning and procedure and processing practice." (Respondent 50)*

7.4.4 There is nothing wrong with planning knowledge - it's a matter of time, awareness, education and enforcement

What also emerged from the research was that certain planning approaches in former township areas, like managing development in a residential zone based on height and floor area ratios, were seen as too radical for a core scheme area, and one that creates chaos. This is one of many examples reflecting on spatial segregation and how planning knowledge is caught up in the conflict about the formal versus the informal, the townships versus the suburbs. Despite the legislation providing a space for (re)thinking planning, context and realities on the ground, an ideological shift in planning is required. The standpoint emerging from practitioners was that the time is not right to be more radical. They were also of the view that education, awareness and enforcement will get everybody to appreciate the planning knowledge being developed and implemented.

It is also clear that the past knowledge is linked to apartheid. Sometimes this is hidden and sometimes overt but still hidden to the practitioners that retain the planning knowledge despite the opportunities allowed for in the (re)development of planning knowledge. The (re)development of planning knowledge is seen as a technical response to a political and social problem. The discourse was that with time all the areas will come to realise the

importance of planning knowledge. The primary schemes will be assimilated into a core scheme and a rural scheme will be rolled out to all rural areas. The underlying argument is that in time areas with little or no control will experience the benefits of schemes and will be able to migrate and be included into the core schemes, where rights and responsibilities are greater and the schemes allow for more choice and complexity. This will then improve the environment in which people live and the quality of life. It will help to create market certainty and investment in the various areas.

However, embedded in this discourse of assimilation, practitioners were aware that the core planning knowledge is likely not to work within such areas. They often conceded that the TPS was also failing in many parts of the municipality, including areas established with a town planning scheme, as reflected in the following quotation from an ethnography participant:

> *"As planners we don't seem to understand communities. What are we planning for we don't ask ourselves about the challenges and link our planning for the challenge. We have schemes that have ignored the challenges." (Ethnography Participant 6)*

However, practitioners demonstrated their commitment to planning knowledge used over many decades, arguing that the TPS and spatial planning concepts has to be right, since even new planning legislation calls for it. An emerging standpoint from practitioners engaged in this research was that it is legal and therefore it would be ridiculous to even question it. In essence this has become a dilemma of survival, 'the technical' doing more of the same, being incremental but at the same time hoping that the outcomes and the successes will improve. All that is required is more awareness, education, legal clout and enforcement, then planning knowledge will be successful, as argued here:

> *"I don't think there is sufficient education both in core and primary scheme areas, we don't get out there to say how it changes their life. We tried some education and awareness, people have different reasons why they do things, economic, personal. We do not know how to improve quality of life. You can only try to intervene and enhance quality of life." (Respondent 10)*

The standpoint emerging across practitioners was that planning is not wrong; it intends to do good and it will do no harm to extend planning into areas previously excluded as it will have a positive effect on health and safety. There was the view that applying planning knowledge in the former township areas will create order, and order creates aesthetics that improves the quality of life, as reflected in the following quotations:.

> *"Lower income areas need to protect return on investment. I don't know how to educate people, nothing from Council that informs people, how it works and the*

consequences. Assumption that everybody understands this rule but there are a lot of people that don't see it this way." (Respondent 5)

"The scheme if implemented in these areas well will improve the aesthetics and the built environment and enhance the quality of life." (Respondent 9)

There is an assumption that rich and poor areas have the same resources to engage in planning and will reap the same benefits. Ironically the hardships, the cost, the burden of being compliant are overlooked. These issues are captured in the following quotations from practitioners:

"The normal schemes have operated for a longer time and have more order and less chaos." (Respondent 2)

"We need to transition from lower to higher. We also need to make the primary schemes compatible with the formal schemes. We should strive to bring everyone to the same level. For now it's a temporary difference and at some point this difference will change. If we have proper scheme controls they will start liking where they live, schemes can help to promote pride, and getting rid of grime and crime. Compliance with schemes will happen over time." (Respondent 2)

"The problem is enforcement capacity, it erodes the intensions of the scheme." (Respondent 4)

"Incorporating the primary schemes into the core scheme there will be resistance especially from councillors. As councillors look at the core schemes and the experience of planning is strict control. Yet these councillors do not live in the townships, they live and enjoy areas with controls. The same rights and controls should be the same throughout the city in existing and areas that were not included before." (Respondent 9)

The community development activist interviews revealed a very different context and expectation of what planning should be and could be based on current contexts and realities. Whilst awareness and education is seen as important, people want to engage in the planning knowledge to be used. They want more engagement, discussion and mediation around planning applications. They want planning to shift its focus onto the public realm, with less focus on private property and more flexibility in development, to allow for tolerance, efficiencies, community conveniences, livelihoods and cultural practices that land use planners cannot predict beforehand. This desire is one of practicality, to manage health and safety and for owners and for neighbours to be reasonably involved in how property is used. The notion of people not knowing right from wrong is contested as the community interviews were clear that they respect the law, but also expect the law to be reasonable and practical. The community activists' stories (see Appendix 6B) and the results from the 168 community interviews are discussed further under Chapter Eight.

7.4.5 There was no legal system of planning; they were not aware of what is right and wrong

The final discourse of importance to this research was that more planning, which has legal status, will allow for enforcement. It was enforcement that practitioners identified as the biggest weakness of planning knowledge for practice. The wall-to-wall scheme is therefore an important extension of enforcement. The commonly held view was that in areas that were not managed by schemes, there was no legality about what was right and what was wrong. Given that the SDF, spatial plans and schemes have legal implications in terms of SPLUMA, planning will be extended and have the force of law. People will then be held responsible for respecting the law, as reflected in the quotations below from two practitioners.

> *"It's an enforcement thing. I don't think people out there have a sense of planning. People think they own a property, they can do what they want." (Focus Group Participant: South LUM Region).*

> *"People living in the primary schemes areas had no rules they knew nothing and we don't want this as a cultural shock and to resist planning therefore we starting slowly and incrementally." (Respondent 9)*

Regulatory planning and planning generally overlooks the importance of public investment in areas previously under apartheid, including the public spaces, the pavements, public transport, roads and road safety, recreational areas, and the urban management of such public facilities and places. These were the concerns and priorities that came from the community interviews. It also assumes that controlling property owners through a scheme will suddenly make a big difference to the living experience in former township areas (see Chapter Eight for more discussion).

A specialist in planning knowledge emphasised that planning knowledge for action and implementation must allow for the improvement and management of the public realm. Two development activists from former townships areas were of the view that people did not want the same rules and promise of benefits if these could not address livelihoods, public spaces and public infrastructure. Essentially they were calling for planning to be developmental, to promote the public environment and not to focus only on the rules and controls for private property, as reflected in the following quotation from a development activist:

> *"I also think that the Council must invest in the landscaping, the drainage systems and outside of properties, so that the property's and the streets are well kept. It is also important that sufficient services like the roads must be tarred, speed humps provided, drainage and streams must be cleared so that this also contributes to the standard of living and not just the rules for property owners." (Respondent 31)*

A business respondent indicated that there is this notion within government that every area can be developed, but that is not true and in fact the city focus should be on the areas of potential, that will grow the rates base and re-invest part of this into improving the poorer areas through investing in the public areas, facilities and urban management.

What lies behind the current practitioner ideology towards planning is a belief in the technical, much of the same and maintaining the status quo. This philosophy remains invisible to, and unchallenged by, those who are engaging with planning knowledge. In an interview with a senior manager from the Planning Department, and the politicians interviewed for this research, these were the respondents most aware of the tensions of what is being created and its failings.

However, like the practitioners engaged in this research, the councillors are hopeful that the technical will resolve the problem of planning. However, leaving planning knowledge to be (re)developed as technical exercise continues to miss the opportunity in shifting planning practice. This points to the political trusting the technical to solve the problem, as reflected in the following quotation from a councillor:

> *"Therefore we just trust officials and we do not have the interests or the intellect to engage more deeply. There is also a certain amount of respect for the experts and the officials and we do not have a desire to alienate officials with more engagement in policy even though we understand that the political role is to set policy and I suppose in this case planning knowledge." (Respondent 36)*

This further demonstrates the importance of the political and leadership, as a gap in the (re)development of planning knowledge. In fact in the interviews with executive management, peripheral sectors and councillors, an appreciation of them being able to influence planning beyond applications seem to emerge only through engaging in this research, further confirming the unclaimed space of planning knowledge within an institutional-political set up. The councillors referred to this as being community-oriented, using practical and common knowledge. The senior executive as argued that planning lacks innovation, and should be proactive and support advocacy in planning, as reflected in the quotation below.

> *"There is an unwillingness to explore and move into the unknown, can't look at anything different. There is no willingness from us as practitioners. We will complain about tools we inherited, yet not willing to change." (Respondent 11)*

7.5   "The TPS is the ultimate guide for everyone" - flexibility and discretion versus control

The most important change in the (re)development of the TPS was a change in the format. All the requirements relating to a zone appear as one table in one place as opposed to different sections, which was the case with previous TPS. The intention behind this was to make it easier to read for the users and practitioners applying planning knowledge for practice. Whilst this seems somewhat insignificant, it is extremely important given the codification and voluminous text that served to alienate many in planning practice. This has and will make a big difference in reducing the barriers to understanding planning knowledge across a wider spectrum as compared to before the restructuring of the schemes. Prior to this the schemes were regarded as documents that were layered with changes over several decades and which made them complex documents that only seasoned practitioners and lawyers could understand.

The new format, whilst comprehensive, pre-empts what people want to apply for and this is seen as creating certainty for planning and property owners. The practitioners were also clear that the city should learn from appeals cases and where possible clarify and give certainty to the planning knowledge in use. What emerged as an undisputed point of consensus across the spectrum of practitioners was an appreciation and acceptance of the new format, making it extremely useful to practitioners and those interested in planning. There was sense of pride in this being an important step in transforming planning, unique to the city and a learning case for other cities in the country and internationally, as reflected in the quotation below.

> *"No other scheme in the world has this format" (Respondent 10).*

However, despite the easy format, practitioners recognise that the TPS is still complicated and in some strange way this is intended and justified so that not everyone can understand and work with planning knowledge, and thereby find the loopholes to do what they want. Some practitioners indicated that the format is easier to read, simple but the content still remains coded and protected. This came through as a practitioner standpoint, from those that write and implement planning knowledge, almost a fear that power will be lost and a fear of what planning will become if it is open and accessible to many more people, as reflected in the following quotations:

> *"Can't make the schemes simple, people find loopholes, got to make it complicated."*
> *(Focus Group Participant: South Regional Office)*

"The reason for doing this was to tighten loopholes and close what can happen. There needs to be a certain control and confidence of what can happen. However people are still finding ways to work around the scheme to get what they need. It is also important to limit this and to support the enforcement process." (Focus Group Participant: South Regional Office)

"Unfortunately the way schemes are written up, does not explain it to the public." (Respondent 5)

A deliberate attempt was made in this research to examine the concerns and impacts related to flexibility and discretion as important principles within planning knowledge for action. Across the spectrum of practitioners engaged, those that write and those that implement planning knowledge, there was confidence that there is nothing wrong or lacking in what in is being used. The standpoint was that more flexibility has been provided for, given the recent (re)development of schemes, the SDF and associated spatial plans. What was argued was that in achieving a quality of life and maintaining a property market, certainty is what matters. The planning knowledge secures this certainty, whilst still providing for reasonable flexibility. Practitioners would often say one must be clear about flexibility versus a lack of control.

Another standpoint of the practitioners was that they have studied planning and have a professional knowledge and experience of what belongs together and that which does not. Planning is not an open process for everyone and anyone to make claims or to change how space should be used. There are reasons why specialised professions and certain jobs are left best to the professionals, the qualified, as reflected in the quotations below.

"We should respect job reservation for specialists, we just doing what we told, the training and legislation." (Focus Group Participant: South Regional Office)

The view was that if something needs to change in the scheme, there is a process and qualified professionals know what evidence is required to demonstrate this change. In one of the focus group sessions, the exploration of this topic took a very passionate, heated turn, where practitioners argued that the untrained including councillors should have limited involvement in knowledge production for planning. In fact one of the practitioners wanted to know if I respected the notion of job reservation. This practitioner took offence to me as a professional and with my previous role as Unit Head exploring stakeholder involvement in planning knowledge, as reflected in the following quotations:.

"To create new knowledge, prepare, amend/review and approve should be left with the relevant profession, knowledge that belongs to the profession." (Focus Group Participant: South Regional Office)

"Councillors overrule the decisions by planners who have applied their minds, and then the integrity of planning is lost in the system." (Respondent 2)

There was an acceptance that more participation would be useful, but with a clear distinction that professionals should be responsible for the creation of planning knowledge for action. This came through as a dominant practitioner standpoint. However, practitioners also appreciated that the knowledge being (re)developed remained insufficient to deal with the many needs, interests and wants of society. The response to this problem was that practitioners should embark on new approaches to assess such needs and create more zones and new uses for the TPS. Whilst regulatory planning knowledge being (re)developed was seen as effective and efficient, practitioners also conceded that practitioners need to be more collaborative with other sectors, in particular the infrastructure, environment and transport sectors.

The social and economic sectors were seen to be too subjective, with too much discretion that erodes the objectivity and rationality of planning knowledge for action. In fact in interviews with the economic sector, these practitioners themselves felt that they are not as precise as needs be and therefore unlikely to meet the requirements of being included into the specifics and the details of planning knowledge, as reflected in the quotation below from an economic planner.

> *"I really don't know what further knowledge can be provided from the economic sector so that planning knowledge in planning practice can be more responsive to economic issues and the social issues. Economic knowledge is not prescriptive and it has varying timeframes, successes are dependent on a number of factors coming together. Economic knowledge can add more detail but currently it lacks the nature of detail that is required to inform spatial planning and land use planning and planning knowledge. Economic knowledge also relies on the market which is less prescriptive so in essence economic knowledge is caught up with a conflict of how much more market should be directed versus, how much intervention is required."* (Respondent 47)

> *"Regarding whether economic planners can convey economic knowledge to planning knowledge in a way that economic imperatives are considered in planning knowledge this is a challenge because often the economic sector is very subjective there is no real right or wrong answer or no definitive and this becomes an issue if it needs to be embedded in planning knowledge."* (Respondent 47)

In an interview with a City Planning Commissioner, flexibility was seen as important for public and private investment. Keeping planning flexible and based on assessment and merit was one way of ensuring the economic and social remains included in planning knowledge, while the detail in the TPS was seen as far too much control. The respondent indicated that the public sector requires more flexibility in planning to spend public and grant funding within an environment that is defined by tight timelines and conditions of grant and public finances, as reflected as follows.

> *"This is particularly true for housing projects, urban renewal, and bus rapid transit infrastructure requires high degrees of flexibility in planning tools like schemes, it should either be delayed or be made very flexible to respond to the transition in these areas. It is my view that public sector investment which needs to deal with a number of complex factors requires more flexibility than even the private sector."*
> *(Respondent 38)*

Notwithstanding the particular education and skills of practitioners, the standpoint from practitioners across the spectrum of planning was that planning knowledge should stay away from allowing practitioners to have more discretion, as this will affect the certainty and the purpose of schemes. In addition, discretion allows for manipulation and own interests to be served in planning. So despite planning professionals being trained with a special knowledge, such knowledge must be curtailed, as argued by a practitioner as follows:

> *"Providing more space for discretion is dangerous this also creates more opportunity for corruption and bribes." (Respondent 6)*

However, a limited number of practitioners also reported that that even a scheme that is fluid and amended regularly cannot cope with the regular changes taking place on the ground. As soon as it is implemented is likely to be outdated. This was a similar view shared by the investors, business sectors and the Ingonyama Trust Board (ITB) representative. The unanimous call from this grouping was that flexibility must be written into planning knowledge. This was seen as a bigger ideological issue that could not be resolved by increasing the list of uses allowed and reducing those not allowed.

7.5.1   Is there a bigger and different ideology for planning emerging?

The resident and activists' interviews revealed a substantive departure from what practitioners considered as important for planning knowledge and practice. It cannot be disputed that the schemes have included many more uses and in a way enhanced flexibility. Despite this, the ideology of planning remains within the purview of professionals to decide, to micro-control, to be in charge, and to coordinate society's use of space – thus a form of social control. How planners or anyone else, for that matter, can predict and restrict what land uses should coexist or be excluded remains a contentious issue. The search is not about the truth of knowledge but about giving recognition to many truths and knowledges that has relevance and to keep this search alive and ongoing.

The practitioners across all types of planning and within the five regions did not seem to think that a comprehensive approach was an issue. In many ways it was seen as the professional knowledge, the training, the experience and the purpose of planning and practitioners. Some

of the practitioners felt that if a land use was proposed by an applicant and if the use was not listed under a special consent use or a precluded use, and if such a matter went on appeal, it would be more difficult for the appeal authority to adjudicate such a matter as the situation lacks clarity. The current comprehensive approach creates clear boundaries of what is permissible and what is not, and this also helps to delimit what appeal authorities can or cannot rule on. The approach also limits an appeal authority from applying reason as it can simply look for compliance. The thinking behind writing the TPS or a SDF is that if you allow for the possibility, everybody will want it and this may not be the development and impact desired by the municipal planners, as reflected in the quotation below from a practitioner.

"People's mindset if you allow a possibility, people will use it." (Respondent 4)

It is interesting to note that in the community/resident interviews not all people wanted to maximise development on their properties, assuming they were given such an opportunity. This refutes the practitioner's fear that people will take as much as they can and therefore it is up to planning to limit this. The community interviewees were also cautious and considerate about the theoretical choices they would make concerning the use of their properties. They considered impact, what was fitting and what would be needed for their own circumstances. This is discussed further in Chapter Eight.

Practitioners across all types of planning were also in unison in their views that there is only so much flexibility a TPS or plan can allow for, otherwise this brings into question the need for planning in the first place. Embedded in such discussions were frustrations from practitioners - that one cannot succumb to new needs all the time. Where would this end? The real problem was the lack of enforcement that constantly eroded the intentions of a scheme, as reflected in the following practitioner's statement:

"It is the ultimate guide for everyone, the TPS is also flexible. If you don't want to be ordered you can move to another place." (Respondent 2)

The practitioners were divided on the principle of more flexibility. Those supporting flexibility indicated that to prevent abuse such a system must be left to the Unit Head to apply and approve the use of such a caveat for certain types of applications. In this regard the practitioners for DTPS spoke of such a clause in use some time ago, referred to as clause 6.28. However, this was the most important aspect of flexibility that did not carry through into the redeveloped DTPS. Clause 6.28 was dropped based on legal advice, because it was abused politically and by consultants and 'bad' practitioners. In addition, the Municipal Appeal Committee, established in terms of Section 62 of the Municipal Systems Act, 2000,

was expected to uphold, dismiss or amend administrative decisions as appropriate, but the committee does not function as intended, and therefore it was considered wiser to get rid of clauses that provide for discretion.

In probing the theme on flexibility further, business respondents were asked about what such an approach would mean for certainty, as the limitations to flexibility in planning are often stated as the reason for providing certainty to land owners. The argument made regularly in support of limitations to planning flexibility is that this is important to maintain property values, and that land owners want a system of planning that provides a level of certainty. This means what can happen on their and their neighbours' properties is important to property investors. In contrasts to the practitioners, the business respondents saw certainty not as a fixed use assigned to land or property but as a process that is fair, open to options and working towards a solution within a respected timeframe. One of the respondents even suggested that if the municipality refused an application but it was clear that the municipal practitioners had considered the impacts and mitigation and were open to dialogue but nonetheless still refused an application within a specific time, the market would respect such a planning system as certainty.

One of the concerns of the business sector is that the rules are black or white and there is no space for discussion within these rules. Planners are prohibited from finding solutions, and often they do not want, or do not know how to do so. This is a viewpoint shared equally with development activists, ironically the two parties most likely to find themselves in conflict. They both are requesting more discretion, dialogue and solution finding than the way planning knowledge is written and practiced. The reason for this stance is that the market changes quickly and regularly and is very segmented. For example, within the gap housing market, apartment size could be $100m^2$, but by the time the municipality approves the planning requirements, the market may have shifted and changes are required, since people want $60m^2$; and often planning cannot deal with such changes. In this case, an indication on minimum and maximum number of units required to support infrastructure would suffice, rather than dealing with the level of detail in current use planning knowledge. Another example provided was that of a road design and alignment of the road approved in a precinct plan, as part of a package of plans. However, in time with more detailed design and in order to maximise the site, the same road's alignment may shift within the precinct, even though the realignment has no impact on other sectors such as the environment, transport etc., the planners would want to reassess the impacts as if it was a new plan.

Business respondents raised a concern that practitioners lacked confidence and delegation from the organisation in applying their minds and using the knowledge that the municipal officials and their appointed consultants have created (particularly spatial plans), as reflected in the following quotation below.

> *"The biggest problem with planning knowledge is that it remains non-implemented it is almost to say that the Council does not believe in the plans produced and this is partially the problem because consultants produce the plans and the planners within the Council take on more of an administrative role and do not become engaged emotionally in the plans being produced." (Respondent 42)*

What also came through was that planning knowledge and practice focused on the small, site level, but not on the important and strategic. The inability of planning and planning knowledge to work across scales (macro, city level, neighbourhood and streets) and across complexities was identified as a concern by several stakeholders, including business and development activists, residents/community and the representative from the City Planning Commission (CPC). This concern was further unpacked in that by trying to give certainty about planning, planning knowledge cannot be achieved on the plan if alternatives, mitigation and compensation are not looked at in trying to attain a planned outcome. According to these respondents, the preferred way to handle planning knowledge was that it should cater for flexibility and engagement. This was seen as the basics in planning knowledge, but it was pointed out that this has been abandoned in planning knowledge and practice.

According to the business respondents, certainty is all about time, about knowing how long a process will take even if it takes a long time. Thus if an indication of time is given, business can plan ahead for when land can be developed; that would offer certainty. The important aspects of certainty include: infrastructure capacity and when this will be available so the market can have certainty on when to release land into the market, public transport and some height restrictions. Thereafter the market in dialogue with the city, and not controlled by planning knowledge, should then be able to resolve the details of the mix of uses and development intensity, as reflected in the following quotations from business:

> *"However the certainty aspect is more for the officials, the officials like things in black and white you either this side of the line or that side, either a yes or no and not willing to be guided by debate or merit." (Respondent 42)*

> *"The planning by comment on everything is problematic, it is like planning knowledge is not trusted and planners themselves are not being trusted or don't thrust themselves to apply their minds and take decisions." (Respondent 42)*

> *"Existing zones can be used on the basis that special consent requirements can be determined on a needs and market basis and not currently as it is restricted and prescriptive." (Respondent 42)*

It is for this reason that the representatives of developers interviewed indicated that they prefer a package of plans system, but even in such a system some level of flexibility is required, such as allowing for the existing zones to be 'mixed and matched' within a particular area to achieve certain benefits. A more flexible approach, a mediated and facilitated approach, was preferred where business could have a discussion with responsible practitioners within the municipality, who can assess and arrive at a decision on what is possible and what is not.

What is interesting to note is that representation from the ITB (representing traditional communities) felt that practitioners do not understand the land tenure system and the way of life in rural or traditional areas, and the need for planning knowledge to be flexible if it is to work in rural areas. For these areas, what is required is a shift away from land use categories, labels and reactions, based on abstract codes that determined what is acceptable or not. This means that planners should assess and arrive at decisions based on context, informed by the realities of people that live in the area. The rural is a particular context where levels of coexistence (i.e. a mix of uses) in rural areas are very different to what planners think of how life is lived or should be in such areas. The respondent further explained that flexibility in planning is particularly important in rural areas in order to attract investors and serve the needs of communities. In rural areas there is a higher acceptance and tolerance for coexistence as this brings about convenience, reduces travel costs and time, and is thus a necessity for rural areas, as reflected in the quotations below.

> *"Flexibility in traditional areas is extremely important because the intension is to have most things/uses within an area, so all notions of scheme controls and unique land uses do not work in traditional areas and more flexibility is required." (Respondent 44)*
>
> *"A plan is inflexible to the ways traditional authorities and communities work which is to look at what is possible, practical, what the land can do, but with conditions, and a lot of this is about discussion." (Respondent 44)*
>
> *"Questioning is it the scheme we need. Current schemes will never work, such as the one in Umnini. Can't declare a scheme it requires a building plan and this is not done, and you can't force people, different lifestyle." (Respondent 44)*

Like the respondents from the legal and development activist sectors, business and the CPC member were also insistent that an approach of mediation, discussion and negotiation must be part of a transparent and credible planning structure and process. In interviews with business they spoke of the municipality being more open to business now than before, and that this was something that has changed over the last two to three years. However, despite their appreciation of the opportunity to engage with the councillors and political executives,

this was happening outside of technical and professional engagement. The business sector respondents were concerned that this type of engagement cannot be sustained and be seen to be healthy. For business, municipal engagement should include engaging with the professionals in solving problems, as reflected in the following quotations from a business respondent and the CPC representative, respectively.

> *"It is my view with more intervention or mediation by the executive political and the political, planning will become more risky and more risky to investors some will win, some will lose in this process. It is my view that planning is an integral part of a technical process involving both people mandated professionally and technically, with political executives to engage with developers, this is what is required and this is what creates certainty and better planning for the city." (Respondent 43)*

> *"Uncertainty is the reality and planning for uncertainties is important in planning knowledge, the simplistic way to plan for uncertainty is to be flexible and simple." (Respondent 38)*

What emerged as a standpoint from business, the legal and development activists' respondents and the community interviews is that planning knowledge must be conceived and written as principles to include flexibility, debate, discretion and thought. Thereafter practitioners, as well as sector practitioners, must have the delegated powers, interest and ability to engage in planning in a way that is aimed at finding solutions compared to the rules-based approach of planning. The many types of stakeholders engaged in this research, other than practitioners within and outside the municipality, revealed that something different is required, a new planning ideology but not labelling it as such. This is explored further in Chapter Ten.

7.5.2 Planning specialists reveal their concerns about the knowledge they develop and its implementation

The lack of (re)thinking planning knowledge as an ideology also came through in the private sector consultant interviews. The respondents indicated that even amongst planning experts, there is a lack of sharing, learning and responsibility in the knowledge being (re)developed for municipalities. The standpoint that emerged from the private sector planners was that the work they did remained constrained and limited due the poor institutional arrangements within municipalities, the tender system, and the small budgets that constrained engagement and (re)thinking of planning knowledge being generated, as reflected in this consultant's statement:.

> *"We place a lot of emphasis on the experts generating planning knowledge such as consultants but in reality many consultants are actually wrapping up work the day*

before submitting to the clients and essentially an approach that is one driven by being rushed and one in crisis and with very little time to evaluate what is being produced. This evaluation between experts on the same team is not even happening, let alone in trying to touch bases with other teams and networks and other knowledgeable people." (Respondent 39)

Planning specialists that generate planning knowledge for the municipality and other councils within the province indicated that the way the plans and the text are used within municipalities remains narrowly defined, restricted and without thought, context and analysis. One of the respondents indicated that doing this type of planning work brought on anxiety as the risk was not about the knowledge being generated but leaving it with practitioners to apply it. These issues are reflected in the following comments by planning specialists involved in generating planning knowledge for the municipality and other municipalities within the province and nationally.

"As my role as a planning specialist I've generated many plans for guidance of land-use management and practice. However my concern with generating such knowledge is that it's not used as guidance and it is rather used as a rule. I often have enquiries to be more specific or rather just to provide a rule so that the rules may be applied as planning knowledge for action. This concerns me because whilst planning knowledge is important for action this does not mean one must dispense with internal knowledge and practical knowledge, flexibility, judgement and discretion." (Respondent 28)

"So to date planning practice within the eThekwini is largely been one that uses planning knowledge as the rules without any other forms of discretion, knowledge, flexibility. In my contact with the municipality in generating planning knowledge for action, I hate to say this but the planners in the room and the planners that lead the process come across as nothing more than a post office." (Respondent 28)

Practitioners across the spectrum of planning within the municipality also articulated concerns regarding the level of research undertaken by consultants appointed in the preparation of planning knowledge. There were concerns that often consultants produced similar ideas and knowledge for different projects within the same municipality and across municipalities, as reflected in the quotation below.

"When we look at the work we getting from consultants, this is scary, no sense of research." (Respondent Focus Group Participant: Outer West Regional Office)

The planning consultants interviewed were also in agreement with the views from practitioners that many consultants do not create planning knowledge to fit its specific context. Often the same concepts and tools are being reused for different plans in different contexts. Similar to public sector planners, private sector planners have not explored the importance of planning knowledge and/or how to (re)develop it, as reflected in the following quotations from planning specialists:

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"A lot more research is required. Schemes in urban areas need to be mitigated and in context, but we just use the tools/TPS because that's what we did." (Respondent 29)

"There are also no private sector forums or just a general forum where knowledge can be further discussed and dialogued, no learning." (Respondent 28)

"Municipalities do not keep trends and records, or use this as evidence based knowledge, on-the-ground trends, basic planning knowledge is absent." (Respondent 28)

7.6 Democracy in practice - participation at its minimum, symptoms of a weak and fragmented institution

"The amount of participation and engagement in the re development of land use planning knowledge is 'unethical.'" (Respondent 8)

In interviews with management and practitioners involved in drafting and implementing planning knowledge, there was general agreement that the level and modes of participation are limited, internally and externally to the municipality. As a principle the interviewees indicated that more participation is better than less, however, the point of departure was that more participation comes with risks if it is not managed well and unduly influences planning knowledge for practice, as expressed in the following practitioner's statement:

"If the involvement of stakeholders is not managed properly, this can influence knowledge, lose relevance and objectivity and then people have to live with this." (Respondent 11)

The standpoint of practitioners was that a job needs to be done and that participation is a prescribed process to do this, so they will comply. Essentially practitioners were of the view that they have undertaken the research, they have the feedback from implementers and those that deal with planning on a regular basis such as architects and planners. More importantly they have the qualification and the experience to undertake the (re)development of planning knowledge and therefore participation is not really necessary for the work they have to do, as reflected in the following quotations from drafters of planning knowledge.

"Knowledge from stakeholders including the Regional Offices, architects/developers, approached the project team directly." (Respondent 4)

"What we are doing as part of the Land Use Management Project's Team is applying that which we studied and our experience. I have worked in the implementation side, so I am aware of the many issues we trying to resolve in the DTPS." (Respondent 6)

The main consideration and conflict regarding participation was the underlying principle that the (re)development of planning knowledge may affect existing rights and responsibilities of property owners and yet this is being done without making property owners aware of such

changes. In fact one of the major tensions between practitioners (those writing and those implementing planning knowledge) was how to inform property owners and afford them the right to appeal the changes being made with respect to property.

It was often expressed by several practitioners that the irony was that for a special consent application, neighbours within a 100m radius must be notified by registered mail, but in the scheme review process just three advertisements and three meetings were held and this was the extent of public participation. Often this aspect was seen as the biggest flaw in the (re)development of planning knowledge, in particular by the practitioners engaged in implementation. Some practitioners even raised this as an unethical practice of planning, as in this comment below.

> *"Current approach in DTPS replacements is taking away rights without a process, increasing rights but also increasing impacts, needs a process of engagement, this is unethical." (Respondent 8)*

The first attempt of the DTPS was advertised for public comment. However, following a request from councillors of the opposition parties, three workshops were also advertised inviting the public to comment on the DTPS. A copy of the notification is included as Appendix 6C. The notice is silent on the fact that the proposed changes may impact on, or change, the zoning or development controls of an owner's property and that of other properties within the area. The duration for public comments was from 3 February to 7 March 2014. The three workshops were poorly attended, with less than 20 attendees at any one of the workshops.

In addition, a consultant's meeting was held but only one consultant attended. The consultant raised issues with how to access the documentation and the manner in which the notification was served. The preference would have been to involve various organisations such as SAPOA, SAPI, the South African Institute of Architects and the South African Institute of Architectural Technologists to inform and engage its members to discuss the DTPS and to make comments as both a collective and as individual consultants to the municipality. This consultant was also vocal about the electronic copy of the DTPS that did not include the maps, which made commenting on the scheme almost impossible. On the other hand the practitioners in their defence indicated that SAPOA was specifically requested to inform its members of the meeting. The practitioners also expressed their concerns and frustrations that often when efforts are made for engagement with the industry and the public, the attendance at such engagements is disappointing.

When asked why a more direct and targeted participation process was not favoured in this case, the response was that this is not legally prescribed by the PDA in relation to the (re)development of planning knowledge or for scheme extensions, and therefore public participation compliance was achieved. The practitioners also indicated that since the reports are approved by the municipal council, this represents stakeholder engagement. The reports are submitted first to the Town Planning Sub-Committee, which recommends an approval; this decision then has to be supported by the Planning and Economic Committee, EXCO and the full Council. Given that councillors represent the public and communities; this is regarded as part of the community and stakeholder engagement process. So, on the one hand practitioners think that councillors have little to add to planning, but then there are occasions like this when the councillors carry the community stamp of approval.

7.6.1 The majority of councillors lack the time, capacity and interest in planning

As discussed before in this research, when there are contentious issues at Sub-Committee meetings, decisions are taken by vote. Given that the majority vote sits with the lead political party, this essentially limits participation in planning, as expressed by councillors representing the lead opposition party, as reflected in the statements below.

> *"There is no room for negotiation regarding the implementation of certain policies such as knowledge in planning when it suits the needs of increasing the rates base and certain political interests through business connections." (Respondent 36)*

> *"At a subcommittee level the decision are predetermined and does not happen at the meeting the meeting is merely an administrative process for recording purposes." (Respondent 35)*

The concern raised by councillors was that legislation often pushes the Town Planning Sub-Committee and the Department and its practitioners to make a decision within a set timeframe, but finding solutions takes time and effort. Some councillors were also of the view that the practitioners use the timeframes to facilitate certain decisions that are aligned to the lead political party, which often results in reports being 'laid on the table' for a decision (meaning it is urgent and too late to be circulated prior to meetings). This means that councillors on the Town Planning Sub-Committee do not have a prior opportunity to read the proposal and the supporting and opposing documentation, and to do their own homework on the application or policy changes being 'pushed' through.

The councillors across both the dominant opposition and lead political parties also indicated that they lack the time to engage because they serve on different committees and also have to do councillor duties. However, the standpoint from councillors was that if a political

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executive system was followed like that in the other metropolitan cities, the partnerships between politicians and officials would be far more engaged. The political parties would be playing a bigger role in directing policy work such as planning knowledge as reflected in the following quotation:

> *"In other cities like Johannesburg and Cape Town it seems like lots is been done and councillors are far more active, and one of the reasons could be related to the political system, which in these cities politicians are assigned to certain functions and committees and they work closely with officials and start developing certain capacity and can engage with the officials." (Respondent 37)*

What also came through from the political respondents in the research across both lead political and opposition parties was that eThekwini is also very different to the other metropolitan cities. The politics in the lead party are far more fragmented and split within the city. The practitioners involved in integrated development planning and strategy development for the municipality shared similar views. They indicated that lack of engagement in planning knowledge is prevalent within the municipality and affects all forms of policy and/or strategy making that does not link directly to votes and interests. The Strategy Office respondents also indicated that getting both the executive and the political leadership to support policy development remains a challenge, since being ad-hoc helps the political to do whatever it wants, as reflected in the following quotations. One of the councillors even suggested that strategy, policy making and planning is not an African style of management and in particular within the KwaZulu-Natal context, as noted below.

> *"In reality the organisation does not work through policy and strategy, it is an organisation or institution in reality that works on an ad hoc basis. It is an organisation that does not have an agenda and one vision, if it was an organisation with an agenda and one vision it would be easier to locate and unpack various interests." (Respondent 57)*

> *"In essence planning to me seems like it's not part of African city management style." (Respondent 36)*

The problems of capacity, time, making policy and working within policy is an approach, skill and commitment that the municipality has lost over time. This is also indicative of the political in-fighting that has disadvantaged the municipality over a number of years. This affects the types of councillors deployed to the municipality, often without long-term interests, and without the capacity to participate, influence and work within a policy environment. Councillors across the lead and opposition parties and the development activists consider this as a national political leadership problem, but even more of a problem within the eThekwini region as compared to the other metropolitan cities, as supported by the following quotation from a councillor within the lead political party:

"There is cadre redeployment which results in the remainder of politicians playing a lesser role and showing less interest in functions like land use planning." (Respondent 37)

The standpoint from councillors engaged in this research was that many of the councillors in the Town Planning Sub-Committee, Economic and Planning Committee and full Council meetings do not have the necessary education and experience to engage in technical matters such as planning knowledge for action. The political interviewees also spoke about the councillors' priorities; often in the poorer areas, planning is not seen as a priority. The lack of importance of planning was also picked up on by development activists. They often found that councillors were gatekeepers and prevented the community and the municipal departments from engaging directly with communities and community networks. This problem was more pronounced in the township areas, where planning was seen as a lesser priority as it did not lead to tenders, as reflected in the following quotations from development activists:

"We have a problem of how democracy is working or how local government is working in township areas. The councillor is the centre point and officials will only work with communities and organisations if the councillor is in agreement. However the councillor does not share all the interests of the various parties of the community such as land use planning or environmental improvement." (Respondent 32)

"So planning issues are not directly about tenders, it is seen as down the list and so far not very active in the communities. Also the officials do not talk to us, they do not educate us, so how can we practice rules and controls and knowledge about what to do when we have no idea." (Respondent 31)

"There are a lot of people that are willing to attend workshops and seminars and want to be part of solutions for the community but often the councillors do not see the small things as important and the officials do not include us, so we do not know how to improve or how to work with the council in improving our environments." (Respondent 32)

The councillors were also very vocal about needing to find alternative ways to capacitate and engage councillors, at least those serving on the Town Planning Sub-Committee, so they can be better involved and engaged in planning policy development such as planning knowledge for action. Some of the councillors spoke about more site visits to appreciate local conditions and to apply practical knowledge in planning. Councillors would also like to be trained and observe practitioner meetings so they can learn what knowledge and factors are being used and how it relates to decision-making. These views are reflected in the following quotations from councillors across both the political parties interviewed:

"Some simple interventions to engage the planners, councillors and community initiatives and concerns include observing the Joint Advisory Committee that deals with the delegated decision-making such a special consents. It will be useful for

councillors to observe not necessarily get involved but observe how the committee is working. Such observation will then also be able to better inform the councillors what officials are doing in planning and also to engage in some of the decision-making and the knowledge used in making such decisions. And this will then also be able to open up some context for local information, political information, from the ground information to be seen as an option." (Respondent 34)

"The role of councillors in planning knowledge or policy for planning is extremely important but I would say my political party as well as the leading political party and any other party does not have councillors that are capacitated to engage in the knowledge been generated for the policy been developed." (Respondent 36)

7.6.2 Rethinking how to engage society as important contributors to planning knowledge

All the political interviewees were in unison that the planning function must consider innovative ways to get people involved in planning matters. The councillors were concerned that participation with communities is so limited and important sectors are not involved. The use of electronic media and social media was seen as an important yet unexplored opportunity for public participation and stakeholder involvement in planning.

The development activists were also very vocal about the municipality's 'tired' attempts at community engagement and not exploring new approaches for participation, as reflected in the following comment:

> *"I think we need to find interesting ways in informing people about meetings and give them enough detail so they know what the meeting is about and if it does or do not affect them. Have smaller meetings, a series of meetings, take issues and debate those issues in the meetings, on social media. The radio is important and the newspapers are places to keep people informed about planning knowledge about changes about what you want to engage about. Meetings in places that are different like markets takes away the pressure of attending the meeting and make it more possible for families to come to such meetings." (Respondent 30)*

The views of community activists from Ntuzuma, KwaMashu, the Berea and the Outer West were strikingly similar. Recurring themes regarding governance and planning engagement from a very diverse social, race, class and geographic context come through clearly. The standpoints emerging from activists was that the legal and or institutional protocols relating to, for example, access to documentation and when to have community meetings are barriers to participation, despite the legislation not intending for this to be the case. This is a problem of implementation and not reading the legislation in its widest sense and in the context of the Constitution. The activists were united in their concerns regarding legally compliant structures, such as ward committees, that often created more conflicts and were preventing democratic governance between the citizenry and the municipality. The way the municipality channelled all official engagement via local councillors, especially in township

areas, and defunct ward committees was viewed as creating a gatekeeping role and barrier to community engagement with the relevant departments, as reflected in this comment below.

> *"There are many conflicts in this particular area, various structures that have been put in place through democracy, are in conflict with each other. This includes the Ward Committees, the Branch Executive Committees, the National Civic Association, the councillors and Council departments are all not working together."* *(Respondent 32)*

In the established areas, when community initiatives became important and popular, development activists were concerned that efforts were being used as rallying points for certain political parties. However, in the township areas, if small and invisible, community initiatives are being tolerated. However, as soon as there is more interest in the initiative, then this is blocked by the councillors and the officials as they think that this interferes with the role and mandates of the municipality.

The community activist interviewees were clear that democracy does not mean that only local councillors and the municipality can decide and open up engagement with officials. Democracy means a multi-level engagement with communities and local government, as reflected in the quotations below.

> *"…and in a way we beyond that kind of democracy, we at a place where many organisations, associations, activists should be able to feed into the knowledge being generated and used and implemented within the Council."* *(Respondent 33)*

> *"I think community discussions are very limited in township areas, especially in planning, we have not ever had an engagement. Creating planning knowledge is important for us if it helps to improve the area but knowledge is also power. It is important we engage in such knowledge so that we all can use it and respect it."* *(Respondent 32)*

The community/resident interviews also revealed a lack of information, awareness and education regarding planning knowledge. This was the case for respondents across the socio-geographic areas that participated in the research. This is explored further in Chapter Eight.

The business sector representatives were equally vocal about a lack of partnership and consultation regarding planning knowledge, in particular the (re)development of town planning schemes and parking standards and spatial plans such as LAPs and the SDF. It was reported that often they would only be invited to meetings based on an advertisement in the newspaper, essentially being treated as any member of the public, without appreciation of other commitments they may have. They also found such meetings to be general and

without being able to get into specifics or a platform to engage in matters important to the property development sector. There was a general feeling from external stakeholders engaged in this research that the municipality has chosen to engage in a limited and uncommitted way, simply to satisfy legislation, as reflected in these quotes from a SAPOA representative:

> *"As an example if you take the parking standards and the rationalisation process of schemes simply speaking as the private sector I can say there was no engagement. If this means putting one advert to invite everybody what is the point of organising or having an organised private sector when they are not engaged in important aspects of planning knowledge, city knowledge, city development." (Respondent 43)*

> *"As the private sector we would ask the city to engage earlier and more meaningfully and as a starting point when it's packaging new knowledge to critically assess this new knowledge where it comes from and to evaluate it." (Respondent 42)*

> *"As the private sector we get the sense that it's really not engagement or requested to comment is a compliance matter and when we do this it is really treated as an annoyance." (Respondent 43)*

A broad brush approach and legal compliance to participation is not good enough. The local specifics, local tolerances, compromises and opportunities are where planning can be effective in promoting local planning needs and identity and responding to the bigger city wide issues. What emerged across the spectrum of interviews was that planning knowledge, its construction and implementation cannot move away from the simplicity of engaging with the people. These views are summed up in the following quotations from the community activists interviewed.

> *"No big theory, just meetings, making people aware, sharing planning knowledge, looking at new knowledge all comes down to good meetings, nothing more important than engaging people." (Respondent 30)*

> *"The Council needs capacity building for all of its officials and councillors and it could learn points from the officials working in the area based management programme such as INK (Inanda, Ntuzuma, and KwaMashu). Here you can learn how officials should engage and listen to people, how to help structure interventions to get people and stakeholders to engage and to create balance for successful planning knowledge." (Respondent 32)*

What emerged was a weak institutional environment, thus resulting in many conflicting policy initiatives driven at a technical level, without the necessary direction, integration and trade-offs expected within a municipality. Planning knowledge was seen in this context as simply one group of technical professionals pushing ahead on something that needs far wider internal and external discussion, debate, trade-offs and new visioning for planning and its many diverse publics.

What also came through in the interviews with politicians and senior executive management was that the municipality is trying to attend to its political promises and tries to do so institutionally through creating additional political appointees, units, departments and strategic executives, often in conflict with each other. Often when the technical engages the political, this was seen as party political for the survival of certain technocrats and political appointees. The leadership problem at a political executive level emerged as not supporting an institutional policy environment for the municipality, as reflected in the quotation below extracted from an interview with a practitioner involved in strategy and policy development for the municipality.

> "*Senior political administrative people are also gatekeepers, and are weak within the functional areas they are appointed to and this creates more additional pressure and reduces trust between them and the remainder of the administration and it further creates a divide between those that generate policy, planning knowledge, and strategy and those that sit at the highest levels of the political administrative system. This then also becomes a good excuse to find problems with the strategy, planning knowledge generated and to plead ignorance or to discredit such processes. This also leaves the middle management and the professional layer largely in the driving seat regarding policy, strategy, planning knowledge which is by nature technically strong but can be divisive within the organisation.*" (Respondent 57)

A respondent from the Strategy Office also raised concerns about alliances between the Strategic Spatial Planning Branch and the infrastructure and environmental sectors presenting a barrier, one of technicality and sustainability that comes up against the political pro-development agenda. This has further pressurised planning knowledge, being defined as anti-development, anti-transformation and anti-political, such that it remains isolated and technical. The recent response to this dynamic is to centralise the development of the SDF to an office within the municipality that deals with strategy, policy and in particular with the long-term city development plan, the IDP. The (re)development of the TPS may also be affected with this new institutional arrangement, as reflected in the following quotation from a practitioner involved in strategic policy development for the municipality:

> "*What I am trying to promote is that certain policy, certain types of strategy by nature should be owned by the organisation and should be centrally managed. With key inputs coming from the various sectors, and these inputs should be modelled around different scenarios and in this way you will hopefully get more integration as opposed to just cutting and pasting sector requirements into planning knowledge without making certain choices, certain trade-offs and for the sectors to work within the same scenario options. In this regard I see spatial development frameworks, other levels of plans and land use planning as part of a centralised function for the city and not something that is developed departmentally and sectorally, but rather informed centrally, discussed, negotiated and owned centrally by the organisation.*" (Respondent 57)

The appointment of a City Planning Commission (CPC) was also seen in a context as a way to bridge the divides between and within the political, the administrative and the public sectors, and to facilitate a platform for policy making once again within the municipality. The very first draft diagnostic report from the CPC painted a picture of the municipality, both internally and viewed from the outside, as a place on the edge. The institution is weak with many internal and external challenges. The current city leadership and management approach of conflict, of dealing with challenges in an ad-hoc manner, and lacking engagement, trade-offs needs to be responded to urgently and replaced with an institution that builds trust and purpose (eThekwini Municipality, 2015e).

A member from the CPC reflected on how a weak institution will also be surrounded by weak civil society. This respondent was of the view that the municipality should recognise different forms of civil society and even those that may appear to have specific and narrow interests that may not align to the municipality. The fact is that a resource base, an interest that exists outside the municipality, can over time become more inclusive in membership and issues of concern. If anything, it must be seen as a layer and lens to enrich the process and outcome of developing planning knowledge for action and other policy support for the municipality. The concern was that institutions such as the municipality can be oversimplified about development and developmental benefits or non-benefits. However, when development is complex and has a rich engagement platform inside and outside the municipality, this helps the municipality to sharpen the opportunities and solutions that can be derived from planning under such conditions of complexity.

7.7 The absence of research, reflection and learning in the (re)development of planning knowledge

"It was also felt that they not learning from what they doing and how to improve."
(Respondent Number: 7)

The isolation of ideas and experiences in the (re)development of planning knowledge came through clearly. Engagement with a wider policy making community within and outside the municipality is non-existent. The recently established CPC allows for limited internal and external engagement for city policy making. To date its efforts and progress has largely been on the diagnostic report for the municipality. However, the CPC is not sufficient nor can it substitute for a more rigorous and regular set of policy making networks or communities.

Policy making networks and communities remain underdeveloped, underutilised and unrecognised as unimportant knowledge contributors and partners to the municipality.

Notwithstanding this, the environment, sanitation and water functions have developed external policy making communities with academics and research organisations within and outside the province. These sectors are technically strong and have an alliance with each other. The strategic spatial planning sector also works closely with this grouping; however, this can be described as an on-off relationship. Unfortunately, across the types of planning and emerging as standpoint for practitioners, a wider policy making community in planning and research is not recognised nor given importance at this point in time. In fact the view is that research and academics have little to offer to practice, as reflected in the following quotations from one of the planning managers. The preference is rather to follow a best practice approach in (re)developing planning knowledge for practice, as noted by these practitioners in the following quotations:

> *"I don't think much new comes out of research that we don't know." (Respondent 10)*
>
> *"…the TPS research was much more thorough, it had international, national, local development trends that we can learn from. We looked at certain land uses beyond names changes and how it is done elsewhere." (Respondent 10)*
>
> *"I would like to know about international standards of operations, we should be looking at good and best practices." (Respondent 2)*
>
> *"The project team, are people in the system for a long while, depending on their experience. Six people have some 130 years of planning experience. When we do make any decisions, it is workshopped as a team concerning the recommendations and proposal we putting in place." (Respondent 4)*
>
> *"We validate our knowledge through testing it, it comes into practice and we know how people are receiving it. The clause comes into operation." (Respondent 4)*

The (re)development of planning knowledge remains important in the history of planning for the municipality, but sadly this 'history in the making' remains undocumented. In interviewing the practitioners that engaged in the (re)development of planning knowledge across the municipal regions (north, south, inner west and outer west) many of practitioners regretted that they did not track changes and record debates and reasons behind the changes or the retention of planning knowledge in use.

The actual development trends, approved and unapproved, were not used in the (re)development of planning knowledge. The basics of planning, the collection of planning data, analysis and the use of such data in the (re) development of planning knowledge for action – this form of research and analysis is lacking in both strategic spatial planning and regulatory planning, as reflected in the following practitioner's statement:

"Research is not big within the Planning Unit. More importantly we also not using available data for planning such as census data, other sector indicators and on-the-ground data of what we can see planning is not doing." (Respondent 7)

The notion of research was also seen to be a separate responsibility and capacity within the municipality, suggesting that 'other' practitioners within another branch should undertake the research to inform the (re)development of planning knowledge. However, provision for a Research and Policy Branch existed within the Development Planning Department but only one person was employed in the branch. However, with a recent restructuring process, research and policy for the Economic and Planning Cluster has been centralised. This further reflects on how some functions such as planning have continued to develop policy, but without some basic and applied research.

Despite practitioners wanting more authority and control over what they do, it was concerning that across the spectrum of practitioners engaged in this research, work that is central to the planning function such as research was seen as the responsibility of another section, branch, department or unit. Perhaps there is something to be said about the over-specialisation of skills within big institutions that comes at the cost of abandoning core functions. This was also an observation from an interview with a SAPI representative who remarked on how practitioners have lost the basic skills of planning such as the ability to undertake planning research and to be analytical.

In exploring to what extent practitioners were learning from what they were doing, this discussion also revealed an environment without the necessary time and culture to reflect and learn. This finding was not unexpected as explained by a senior executive within the Unit. A culture of reflection, debate and constructive criticism is not part of the current institutional culture. In part this is linked to a weak culture of learning and the conflicts across and within the municipality. However, this is also spurred on by disparate sectoral legislation and mandates imposed from national spheres of government onto the municipal level, which invariably leads to conflicts and professional, technical and political territorialism.

What emerged from practitioners across the types of planning was that learning happens through being in conflicts, crisis and preparing for court cases and appeals. Most was learnt from the failures emanating from a number of court or appeal cases. In probing this further, the response was that these legal hearings were the first time that practitioners hear an objective party provide a respected view of how the municipality arrived at certain planning decisions. Learning from litigation matters also unite officials in the organisation and issues of territorial conflicts and personalities become less important. This then also creates a more

accepting process to know when practitioners have erred, as reflected in the quotations below from a practitioner involved in the (re)development of the DTPS, and from a regional coordinator, respectively.

> *"We don't learn from each other, it is more a critique, which makes the work very painful. I like to find solutions and then ask for help. Come with a solution, not just a critique." (Respondent 7)*

> *"The biggest lessons have been around appeals. An appeal body critiques how we arrived at a decision." (Focus Group Participant: Inner West Regional Office)*

7.8   The role/s of research, teaching and planning organisations

> *"We also need more intervention from higher levels of planning, such as the institute, academic institutions, the more experienced planners." (Respondent 2)*

The planning knowledge being created is also associated with the wider profession of planning, inclusive of academia, the planning institute (SAPI) and the planning council (SACPLAN), private and public sector practitioners. What emerged from this research was that public sector practitioners and private sector planning specialists working for municipalities are essentially working on their own in trying to shift planning knowledge for action within a particular context. This is being done without the benefit of planning theorists, academia and the associations of planning. On the one hand, what comes through in this research is the undisputed importance of planning knowledge for action. However the opportunity and importance of (re)thinking this knowledge lacks in consciousness, research, theorisation and requires assistance. There is recognition that practitioners are alone in this task and need more help, despite the confidence and to some extent professional arrogance displayed. Essentially theorising for practice is what is required.

All sectors interviewed and in particular the legal sector, the community sector, SAPI, SAPOA, SACPLAN, and SACN indicated that a lot depends on what cities do and not so much about SPLUMA. This suggests that there is sufficient room for municipal planning to change the practice of planning, and also acknowledges that it is at city level where the burden of change in planning resides. In the interviews and focus groups, practitioners would often share their deep concerns and frustrations. This would result in comments such as '*we need more direction',* and *help from 'higher' levels of planning,* sometimes expressed as *we 'don't know what we doing'* or *'how well we are doing or not'*. The planning consultant interviewed often argued that an environment that encourages sharing and learning is currently missing for all practitioners.

Various stakeholders engaged in this study lamented the fact that the (re)development of planning knowledge remains inherited from strong provincial control in planning and to a large extent this legacy lives on. This in part was related to the approach within the municipality that remains incremental and narrow in planning knowledge (re)development. As observed and confirmed by practitioners engaged in this process, the pool of practitioners and specialists are a small group, isolated from wider learning and practices, as reflected in the quotation below from a planning specialist within provincial government:

> *"What we have is knowledge that is being produced by the same people engaging the same people using the same products - they are creating a narrow view of knowledge for an organisation." (Respondent 52)*

A core concern was the lack of partnership between the municipality and the university, not only on the teaching front but also referring to research and theory-building for practice. This was also picked up on by practitioners within the municipality. Often the relationship was seen as one way, essentially the municipality supporting the university students as graduates and in-service trainees. However, this relationship lacked engagement and the growth of research around rethinking planning knowledge for practice through new disciplines, new methodologies and new knowledge for planning and other areas of planning.

SAPI representatives also recognised that the notion of partnerships and multi-organisational agreements is what is missing in stimulating discussion, learning and research platforms for planning. It was remarked that to date the focus has been on the new planning legislation, but it is time to break free from only focusing on legislation and to think more freely about other aspects of planning. The concern also expressed by SAPI representatives was that SAPI and SACPLAN remained unhelpful to planning and the changes it needs to make. The main reason for this was cited as the dominance of government officials within such organisations, thus directly and indirectly eroding the independence of such organisations.

A planning specialist from provincial government was also critical about how planning is being taught at universities within the province and in particular the lack of emphasis on planning as a cross-discipline. There is a need to move beyond environmental law and transport and to draw in philosophy, sociology and research methodology as important knowledge resources for planning students and young graduates. However, in an interview with SACPLAN, the interviewee was very confident that the new competency standards for teaching planning is seen in the context of contributing to transforming planning through the new graduates being produced, for a South African and international context. The representative explained that arriving at this framework was part of a bigger consultative

process with government sectors and in particular with planning schools. Therefore it is a well thought out and considered response for the teaching of future planning graduates. The education of practitioners is also ongoing and in particular the two year training requirement serves this purpose to enable registration. This two year work experience caters for community planning amongst other important types of planning. In fact planning education now accommodates rural planning, not only because planning falls under the national Department of Rural Development and Land Reform, but this is one example of meeting the South African context for planning. The Association of African Planning Schools (AAPS) is also taking on an advocacy role, focussing on planning curricula that supports planning in the context of African urbanism.

However, a concerning account of university challenges was also reflected on. One of the academic respondents explained that a particular university within the municipal area lacks the basic conditions to teach and deliver a planning programme that is required for our context. This was reflected in the physical learning environment being unsafe and unpleasant and a lack of cross-discipline learning and cross-departmental cooperation in the planning programme. The university also lacks resources to support student engagement projects with communities, an important but missing component of a good planning programme.

This varying and often conflictual account of the state of planning further puts the spotlight on where and how knowledge for planning can be (re)developed in the context of its importance to practice and its ability to transform practice. Fortunately there is an emerging interest in rethinking African urban realities, methodologies, knowledge actors and epistemologies for urban spaces. In the recent past several South African universities have created applied and academic research partnerships to inform urban theory building and practice development with the public sector. In particular the African Centre for Cities, located at the University of Cape Town, the Urban Futures Centre located within the Durban University of Technology (DUT), and the Centre for Urban and Built Environment Studies located at the University of the Witwatersrand are working as partners and with universities and research organisations and communities to develop new knowledges for African urbanism. This does look promising for future planning research agendas that can inform practice differently. However, the role of municipalities engaging and working with such partnerships remains instrumental in shifting municipal planning knowledge for relevant planning practice.

7.9   We are so tired but we continue to do our best

In discussion with the ethnography participants, they have taken a conscious choice not to engage based on being tired and not heard. As a region they also feel dominated by other regions and management structures. The high volume and complexity of the work within the Central LUM Region were perceived to be ignored by management. The centralisation of practices and the standardisation of planning knowledge has also had unintended consequences. Strangely enough, similar sentiments relating to role and responsibility were shared by practitioners across the five regions. This standpoint of 'I occupy a slot, a level in the organisation and this is what I do, don't do and cannot do' also came through from the focus groups and interviews with practitioners involved in implementation of planning. The regional coordinators also felt this way.

What was present was a tiredness and numbness that was felt by the practitioners across the Department - the Strategic Spatial Planning Branch, the LUM Branch and to a lesser extent within the Land Use Projects Branch. In trying to understand this feeling of being disengaged, what came through was the endless restructuring process and the increase in the volumes of work and areas covered. The bureaucratic requirements have also increased, such as audit reports, risk indicators, performance plans and supply chain management processes. The changes ushered in by the PDA, implemented in 2010, and more recently SPLUMA, implemented in 2015, have just added to the feeling of being overwhelmed. Party politics, partisan interest in planning applications and the institutional politics have taken their toll on practitioners and planning.

In interviews with SAPI, SAPOA and planning specialists, the tiredness in planning was picked up on and in particular for planners within a municipal context, as reflected in these comments:.

> *"The problem is that at a municipal level everything is expected to be implemented without understanding if there is capacity and the various things that need to be implemented also come with their own conflicts." (Respondent 45)*

> *"To date planning transformation is really being about rewording certain pieces of legislation, consolidating pieces of legislation and enacting new legislation, it is about legislation and more legislation." (Respondent 50)*

> *"Planners are actually worn out by the PDA and now SPLUMA." (Respondent 42)*

Notwithstanding the challenges faced by practitioners, what stood out clearly from various interviews, focus groups, observations and the institutional ethnography participants was that the commitment to providing a service was still very much intact. At the planning public

counter, groups of building plan drafters were observed just 'hanging out', not only to check on the progress of applications but simply because they found the place to be 'home', a place they came to in order to see friends, the practitioners involved in assessing application and other plan drafters. The planning assistant even joked that some people came to see the practitioners because they liked them. I was told a story of a woman who called in every so often, just to say hello to the planners and technicians, even though she did not have an application in the system. Even whilst I was observing the work and interactions at the public counters, she made one of these visits.

As the former Unit Head, I always imagined (never having spent time at a public counter) that the counter areas would be a place of conflict and impatience; instead it was busy, warm and friendly. There was one incident where a plan drafter said he refused to queue, since in the Umhlanga LUM Region there are sufficient staff and no queues. In this case another plan drafter next in line to be served gave up his turn so this plan drafter could be served. When asked why he did this, he simply indicated that he would not like this one person to spoil the day for everyone.

What did emerge from across the practitioners engaged in the research was that practitioners found their own ways to make sense of what they were doing. Some were more engaged and found their own peculiar ways to address certain situations, while others were just doing the job in the manner expected of them. There was also a small component of older practitioners whose names and stories came up in the many interviews held with practitioners from the Central LUM Region and with the students that assisted undertaking the community interviews. Repeatedly it was mentioned how the older practitioners taught them about planning practice within the municipality. Whilst there remains a concern about how the new learn from the old and how planning practice can become fixed and reinforced from one era to the next, the mentorship taking place should not be overlooked. These practitioners were often referred to as the 'old guys', the institutional memory, and also those who will question changes and/or resist change. In all of this complexity and conflict, practitioners resolved to get the job done in a way that worked for them. The social aspect of planning in this context was simply to be helpful and polite in handling the work they did, despite the daily challenges faced within the institution.

7.10 Emerging insights from the empirical data

This question delved into the actual institutional process involved in the (re)development of planning knowledge for practice. This was a view from the inside, an unfiltered discovery of how knowledge is (re)developed within the municipality. Emerging insights are summarised as follows:

- *Social relations and unintended consequences in the (re)development of planning knowledge for action*

What emerged was that planning knowledge was undertaken in a context of power, domination, alliances and social relations. In particular this revealed the subjectivity, the narrowness, the selected and 'club' approach for certain practitioners, consultants and sectors to be involved and not others. The knowledge being created was undertaken by a small group of people that were familiar with each other, circulating and discussing knowledge within this group and validating this knowledge for a socially diverse practice context. Secrecy, the signing of a confidentiality agreement, alliances, the emergence of those that used (in)formal power to dominate over those that had formal positioning within the institution in the (re)development planning knowledge, all demonstrate the Realpolitik in action. What was uncovered is that practitioners that were subjugated and marginalised choose to remain within such a status quo and also contribute to the reproduction of the social relations and the power-knowledge relationship within the municipality. They did this in the context of toeing the line and not to cause unwarranted attention to their own grievances within such a process.

Essentially the assumed 'hallmark' of planning knowledge as 'neutral', 'objective' and in the public interest was proven to be constructed socially, politically and ideologically and institutionally through a process of social webs, alliances, politics and professional jealousy. In the example of the (re)development of the DTPS, internal conflicts within the drafting team, resulted in a splitting of the team and the production of two versions of the TPS. Compared to the notion of planning transcending divides, what emerged was planning creating more divides in the way it (re)developed and implemented planning knowledge for practice, and taking on a number of different forms.

Divides between the knowledge developed and the knowledge of implementers: Implementers in the form of regional coordinators and regional LUM offices were marginalised and/or excluded from the (re)development of planning knowledge. This resulted

in a loss of local knowledge from decentralised regions and implementers. It also reinforced that in practice implementers have a minor role in planning and simply follow and implement the rules.

Divides between sectors: A major point of contention was the conflict between different types of planning and the dependence on and domination from technical sectors such as the transport, environmental and infrastructure sectors. On the other hand, social and economic sectors were regarded as subjective knowledge actors and likely to undermine the objectivity of planning knowledge for practice. These sectors themselves felt that they would weaken the objectivity of planning knowledge and that their roles are limited in constructing planning knowledge. The modus operandi for the social and economic sectors was to pursue political support and pressure on planning, largely confined to decision-making on applications and not to consider a proactive role in confronting, challenging and expanding planning knowledge. In fact, this was seen as a strategic area of focus only after I engaged with the economic, housing and informal economy sectors.

Divides created by the private sector planning consultants in the (re)development of planning knowledge: It emerged that private planning consultants also supported and worked within the social relations affecting the municipality. In addition, the consultants also brought with them their own agendas, power alliances and dominant ideology, further constraining the planning knowledge being (re)developed. It was often stated by consultants that the budget was insufficient to think of wider engagement and alternative knowledge actors in the (re)development of planning knowledge for municipalities. The private sector planners like the public sector practitioners also had varying capacities, interests and commitment to shifting planning practice through the knowledge being (re)developed for implementation.

Divides between new and young practitioners and older and more experienced practitioners: There was a divide between older versus newer practitioners. It was established that the young and new were equally resistant to change and rethinking planning and the planning knowledge being (re)developed for practice. Partly this was because they did not have the experience to consider something different. This research nuanced risk taking and innovation to be more complex than simply the old resisting and the new trying to change things.

Divides created through resilient planning knowledge of the past in conflict with the current planning context: It emerged that much of the planning knowledge in use, and dominated by planning ideology from the past, remains focused on the need to control and to be comprehensive. The changes that have taken place are incremental without being critical of

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why this knowledge should continue to influence practice. What also emerged was that new forms of knowledge are borrowed concepts, applied across municipalities but often lacking relevance, context and adaptation.

Divides created through local knowledge and knowledge actors being undervalued and ignored. It emerged that both the public and private practitioners engaging in planning knowledge ignored local actors, in particular community groupings, wider community engagements, councillors and business as some of the main stakeholder groupings. It emerged that 'on the ground' knowledge and processes were ignored or curtailed in devising new plans and knowledge, thus widening the divide between plans and realities.

▪ *Uncovering the Power-Knowledge-Decision Nexus*

The centralisation and standardisation of planning practice: is seen in the context of control and domination of practice from the standpoint of practitioners. Previous and new structures implemented in terms of SPLUMA are regarded by practitioners as squeezing out practitioner involvement to enable control for management and certain political and institutional discourses and agendas to be more easily translated via planning practice.

Education, aspirations, and enforcement will lead to assimilation over time: Practitioners were of the united view (a practitioner's world view) that with education, the growing aspirations of home owners and some enforcement, people will realise and experience the benefits of the planning system. They will want to be planning compliant as this will improve their living environments and property values. In essence this view is what underpins the assimilation model, where those outside of planning control or within primary scheme areas and established through older forms of legislation such as the DFA and LFTEA, will be successfully assimilated into one urban core scheme for the municipality. There will also be just one rural scheme that covers the rural and traditional areas.

▪ *The generation of planning knowledge for action within the eThekwini Municipality - views from the inside*

We still cannot do what we should: A large number of practitioners including some that are involved in the (re)development of planning knowledge were of the view that their role/s in defining and implementing planning is constricted by legislation and they have a limited role in changing this outcome.

There is no real discussion and philosophy in the (re)development of the planning knowledge being undertaken: What emerged was an uncritical approach to the (re)development of planning knowledge, one that is incremental, without research or a wider knowledge engagement agenda. However, despite this view an ideological approach to planning remained present and intact, one where planning needs to be comprehensive, in control as much as it needs to be facilitative and flexible. The view was that there is a difference between controls and flexibility and therefore planning still needs to be in control and allow for some levels of flexibility, and this is what is provided for in the (re)development of planning knowledge. However, there was recognition and concern about how to handle the planning knowledge being (re)developed, that still does not accommodate what is on the ground. The default position was that additional and more effective enforcement is required to rectify this non-compliance.

There is nothing wrong or missing from the planning knowledge being (re)developed it's just a matter of time, education, and enforcement: The bigger theoretical debates about planning in the context of Africa and for the global south, which also embraces informality, 'grey' areas, did not filter into the (re)thinking of planning knowledge. The lack of risk-taking and innovation in the urban African context was very evident. The technical coding, technical development and technical disempowerment of planning knowledge as a problem of planning and planning practice seemed to be unnoticed across practitioners.

- *'The TPS is the ultimate guide for everyone" - flexibility and discretion versus control*

The redevelopment of planning knowledge remains and should be the purview of the legally competent and trained practitioner: What emerged was a wide acceptance from practitioners that they know best. This was informed though training and experience, good judgement and strong values of what is acceptable and what is not in the (re)development of planning knowledge. Creating planning knowledge for practice was seen in the context of job reservation. It exists for a reason, and this responsibility is assigned legally and professionally to practitioners.

More importantly, practitioners have the ability to remain apolitical and impartial. Those that are untrained, including councillors are seen as a risk to the good principles of a planning system. Additional collaboration with the dominant technical sectors in planning was recognised as important, given the co-dependence planning shared with such sectors.

Participation was seen as useful and more is better than less, but this was seen as a potential cost and risk to planning knowledge if it is not managed appropriately and without blurring the responsibility for production of planning knowledge. Participation was also seen as not adding to what the practitioners already know.

- *Democracy in practice - participation at its minimum, symptoms of a weak and fragmented institution*

Participation through compliance: Participation continued to be compliance driven from those that administered it. Across the different stakeholders, there was a view that participation does not matter and it is simply being done because it is a legal requirement. Considering that participation is legislated should have created more ideal conditions for engagement but planning practice simply ignored the value, the commitment and investment in participation. It also emerged that new legislated platforms to enhance governance such as ward committees and local councillors were viewed by the stakeholders as blocking democracy, since these committees/councillors become gatekeepers and further prevent community engagement with the officials.

Councillors lack the capacity and interest, and are scared to engage with the technical: Councillors were quite frank that most councillors lacked the capacity to engage with policy and in particular planning knowledge which was seen as being very technical. Thus there is an entrusted responsibility given to professionals, due to the technical and legal nature of particular sector knowledges, including planning. This was the view across political parties interviewed. The political system was also seen to be one of deployment given the politics within the province/region, the result of which was a metropolitan municipality without the strongest set of politicians compared to the other three metropolitan municipalities within the country.

However, there was real interest displayed in the identification of innovative ways to grow councillors' capacity to deal with matters such as planning knowledge, amongst other policy making initiatives. Councillors were also unaware of planning knowledge as a strategic space for political engagement and influence and this emerged only due to this research being undertaken.

- *The absence of research, reflection and learning in the (re)development of planning knowledge*

Research was not considered important by the practitioners and part of the (re)development of planning knowledge. Applied research and basic planning research was also not part of the knowledge production process. Furthermore, what came out was a greater need for academic and theoretical involvement in practice. Despite the confidence and arrogance shown by some practitioners engaged in the (re)development and implementation of planning knowledge, this was sadly being done in isolation from a wider planning field and policy making context. In essence what came through was a need to theorise with and for planning practice.

Reflection and learning within action and through doing was also non-existent for private and public sector practitioners, legal expertise and appeal authorities. What emerged was a wider planning environment that was lacking actions to support such theoretical, legislative and policy development learning for planning. The municipal institutional environment was seen as an unwelcoming, untrusting and unsafe environment in support of a reflective and learning approach.

- *The role/s of research, teaching and planning organisations*

It emerged that the role of SAPI and SACPLAN was limited and conservative in supporting new ideology towards planning knowledge for action. In part this was linked to the over-fixation on legislation without looking at other aspects of planning that represent opportunities and blockages to transforming planning and practice. The over-representation of government officials within these organisations was viewed as a problem for independence and prevented a level of critique expected from such organisations.

7.11   Conclusions

How planning knowledge is (re)developed within the municipality turned out to be a very dense, conflictual and intriguing journey with many unexpected findings. What came through was that the knowledge used and seen as professional is laden with conflicts, contradictions and alliances. However, when the knowledge is approved and implemented it is viewed as being sophisticated, correct, unwavering, definitive and professional. The presence and

influence of social relations on the (re)development of planning knowledge cannot be underestimated.

The divides in planning knowledge remain technical and a knowledge-power nexus is unable to cross the many divides of the social, economic and historical circumstances. Furthermore, the research revealed the narrowness, exclusivity, professional responsibility and control of those who construct planning knowledge. Changing power relations and expanding knowledge actors is a beginning and a possibility for rethinking the current ideology and purpose of planning knowledge for practice. This depends on how practitioners, management, councillors and the wider institution refocus and pay attention to the social relations, the secluded, technical 'club' approach and finding alternatives to grow shared responsibilities for developing planning policy and implementation. The lack of learning and engagement with various planning organisations and academic capacity within the province raises concerns about responsibilities and partnerships, leaving the policy and practice environment of planning unchecked.

Research sub-question three - what are stakeholders' experiences and perspectives on planning knowledge, for informing planning practice within the eThekwini Municipality? - delves specifically into the views, the experiences and the expectations of a multiplicity of residents and development activists in expanding and challenging planning knowledge for practice.

CHAPTER EIGHT: WHAT ARE STAKEHOLDERS' EXPERIENCES AND PERSPECTIVES ON LAND USE PLANNING KNOWLEDGE, FOR INFORMING PLANNING PRACTICE WITHIN THE ETHEKWINI MUNICIPALITY?

8.1   Introduction

This component of the research focuses specifically on stakeholders and how their knowledges challenge, inform and expand current planning knowledge. This aspect of the research comprised of informant interviews with stakeholders outside of the municipality including, in-depth interviews with development activists and 168 resident interviews. The difficulty in establishing stakeholders' experiences and perspectives on planning knowledge is that it will always remain as temporal and incomplete, given who was included and excluded, and the fact that views and experiences also change over time. However, this should not diminish from the invaluable appreciation of lived experiences to inform planning knowledge.

8.2   Stories of community activists - supporting, expanding and confronting planning knowledge and practice

How these stories were constructed: Three of the four in-depth community activists' stories are offered as a rich and deep appreciation of how planning is (or is not) perceived and experienced in three very different geographical settings. The settings for these stories differ in context, history, race, spatial legislation, spatial patterning and levels of services. The areas also differ in terms of education, language and involvement with planning. However, there are very similar storylines that emerge, more so than differences. The similar and different storylines are summarised as invaluable insights into appreciating issues of planning practice, democracy and governance and confront the current planning ideology that informs planning knowledge for practice. What also emerges from these interviews, along with the informant stakeholder interviews and 168 community/resident[10] interviews, is the emergence of a new planning ideology. This new planning ideology will need further conceptualisation, theoretical underpinning and acceptance as an alternative for planning within the current South African planning context. This is picked up in more detail in Chapter Ten.

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[10] Community/resident interviews will be referred to as resident interviews within the research.

How these stories were used in the research: Many of the views of the community activists were drawn on throughout Chapters Six to Ten, as part of the stakeholder experiences with planning practice and insights into (re)developing planning knowledge. In addition, the key thematic areas coming through from the stories were used to further develop the qualitative questionnaire used for the 168 community interviews. Finally, it is important to record that quoting from and summarising these stories is in some way a disservice to the richness and insightfulness of these intimate accounts of planning. Therefore the interviews have been recorded as detailed and informative stories, and included as an appendix (see Appendix 6B). It is important to record that I feel awkward talking about socio–demographic factors such as race, class and education given the positive and resilient stories of hope and innovation I experienced when doing the in-depth development activist stories. I say this with the full recognition that community activism is not always without agendas, power, alliances and conflicts, but sometimes one needs to look beyond this. These insights from the community activists' interviews are further explored and integrated with the resident/community interview findings discussed in section 8.5.

Difference is so similar! Emerging themes from stakeholder knowledge and approaches to planning

The following are some of the themes that resonated across the interviews and those that also stood out as unique and informative.

- *A time to organise communities to be engaged in governance matters*

Regulatory planning was seen as a big issue in some geographic places such as the Berea and Outer West areas that are undergoing change due to development and investment interests. In the poorer, former township areas planning has a lower priority when compared to other development needs such as unemployment, housing, public services and a lack of neighbourhood conveniences and investment in these areas. However, the activists were also clear that it is the small things that matter, and if the community and the municipality can work together, this will enhance the environment poorer people live in.

Community activists' experience with planning indicated that municipal planning is biased and in favour of business, in the context of a pro-development agenda. However, planning was seen as increasingly being done 'at an arm's length', supporting investors without understanding local impacts, local knowledge and the receiving environment and without seeking mitigation and solutions. Planning was largely perceived and experienced as administrative and formal and often came with political interests. The practice of planning

was seen as alienating, disempowering, and inaccessible to communities that are unaware, poor and without the time to learn and engage in planning. Given the disadvantages communities experience with planning and governance matters in general, the activists saw their role as organising, educating, connecting and assisting other members of community who feel the same neglect from planning and local government, as well as taking up particular issues themselves. They were of the view that as activists they must also assess what agendas they pursue. These agendas can be narrow and interested in place specifics but they must also be progressive. The idea of such activism is to encourage citizens to notice that places are changing and to engage with what this change means, whether it is positive or not.

▪ *Lack of democracy despite legislating for democracy*

All activists had a problem with the legislated democratic processes that are poorly implemented and used to crowd out democracy in governance and planning. The knowledge being (re)developed in planning and planning decision-making was seen as closed off to communities or communities felt shut down and shut off from planning. In addition, they also found that the younger planners were insecure and did not know how to engage with social activism and often would use planning knowledge, procedures and legislation to prevent engagement.

In particular local councillors and ward committees were seen as gatekeepers, preventing the community from engaging directly with municipal officials. All activists complained that they fight for the very basics such as access to information, requests for meetings and access to the rules being used to arrive at certain decisions. The activists were of the view that the municipality regularly transgresses its own knowledge and rules in favour of some applications and this has created an environment where planning practice within the municipality is considered secretive and therefore is mistrusted.

▪ *Current participation initiatives were nothing more than compliance driven*

Activists were of the view that participation is often just tolerated by the municipality and its planners, it is undertaken with arrogance and it remains non-effective. The municipality takes a 'one size fits all' approach that does not allow for engagement and solution finding. This would often result in one or two big meetings being advertised without much information to help people decide if they should attend or not. Furthermore the municipality will not hold smaller meetings or undertake awareness, education or capacity development initiatives that give more access and resources to participate in planning. Instead the municipality's

invitations to engage in public meetings and information on any documentation being made available before such meetings remains hidden and inaccessible, therefore making public participation non-effective. Consideration is not given to the need for people to have the time, knowledge and capacity to engage, especially when the planning environment remains technically coded. This further disadvantages the public and so-called public processes. Public meetings also take place without recordings, accountability and follow-up.

Failed democratic processes and participation are seen as an ongoing problem in practicing democracy within planning and are linked directly to the institution and that which is taking place within the country. The call for basic conditions or principles of participation came through consistently as not only important for democracy and governance but also for building and respecting places, neighbourhoods and the city agenda-making process. The municipality's councillors and officials were viewed as gatekeepers to planning knowledge and decision-making, reinforcing the secrecy of planning and the many agendas of planning practice.

▪ *Investors, Practitioners, Politicians and Local Communities and Places*

A dominant story line of investors and developers not being held accountable and in fact assisted and supported by the municipality, the political executive of the administration and planning as a practice and by practitioners, emerged through the activist interviews. Planning as a profession was seen as problematic, lacking in integrity and a profession failed by both private and public sector practitioners. The activists prefer to have access to information in which the municipality indicates what is supported at a city level. Within this context solutions or alternatives can then be sought, as there is an appreciation by the activists that local knowledge and antagonism may not always be in the wider interests of the city.

▪ *Resolving conflicts is expected but the means to do so in current planning approaches works against communities and favours investors and the municipality*

A planning system that is transparent and allows for trained mediators or those that resolve conflicts was seen as important. Such a system that engages with local communities should preferably encourage developers and local community organisations to find solutions before delving into formal appeal routes. The view was that appeal processes are too late and too costly for communities. An appeal often resulted in a win-lose situation with the communities being the losers. The activists' standpoint was that discussion, negotiation and debate should be part of a planning process before the formalities are concluded on a planning application.

This should be a pre-requirement for an appeal process. Community engagement with developers before submissions are made to the municipality was seen as important to allow for communities to still have some form of leverage, and to salvage that which is common to the various parties.

- *What are important community factors in assessing development applications? Insights for practice*

What emerged as important factors to consider in the assessment of planning applications was to be flexible, to consider context, alternatives and mitigation, and to be innovative. This approach would allow for a development/use to happen, even if it was not envisaged within planning. However, new development must add value to an area or at least not take away from an area; it must be 'neighbourly'. The view expressed was that on controversial projects, discussion, debate and finding solutions to make such projects neighbourly is critical. However, communities also need to recognise that local places have changed and continue to change, while at the same time appreciating that there are aspects that make places unique and interesting that need attention and protection.

Planning was increasingly being seen by activists as a process that should increase opportunities and not just be one of administrative approval and survival that meets the requirements of particular checklists. What emerged, in particular for township areas, was the view from activists that development and planning must also contribute to improving public spaces and infrastructure and should protect public assets such as pavements, lighting and landscaping. Increasingly planning was being challenged to see less distinction between private and public property, and to mediate and act within places and spaces holistically, as this is how local places are being experienced.

- *A local version of communicative planning theory emerged, as voiced by the development activists*

A locally adapted form of communicative planning theory resonated amongst the development activists. It emerged organically and was not something I was looking for in terms of the research. Again, while activists did not identify this as a particular theory or approach, it was what they worked with, believed in as an ideal and wanted to pursue in the (re)development of planning knowledge for practice. Some of the ideas that they expressed that started to reflect on the possibility and value of exploring communicative planning theory, with contextual specifics, in some ways similar and different to what the theory promotes, were:

o Planning knowledge is about different values and judgements. To develop this, many views and engagements are necessary to represent the knowledge to be used in practice in a diverse society.

o Coming together, engaging, debating and compromising collectively are essential for planning. We need to come together in wards and smaller geographic areas to develop this knowledge as something that works as mini-constitutions. We need to come together as society first and not simply rely on the municipality to decide what is good for society.

o As there will be different interests and conflicts, some level of negotiation and mediation will be required. We want experts and the city to assist and be involved in such a process that makes sense locally and from a wider city context.

▪ *Bridging divides in planning knowledge and practice*

Planning knowledge and the (re)development of such knowledge and implementation in the context of divides, differences and change was recognised as a process and outcome that requires civil society, government ability and professionalism to converge and work together. This was seen as more than just participation, but started resembling contemporary concepts of co-production and co-users. Whilst the community activists did not necessarily use such terms, what they described reflected collaborative planning approaches and the re-introduction of phronesis as practical knowledge for planning. Some of the ideas that came through included:

o Planning knowledge must be accepted, understood and developed together in order to be of benefit to the people expected to uphold it. Planning knowledge must be informed by those that experience it and come from different places and views. It must be pragmatic for our society. It must be basic and easy to understand by everyone, and easy to implement and uphold and should allow for change and opportunities. We do not want rules without benefits; rules which will make life harder.

o The municipality and its planners are out of touch on what is happening 'on the ground'. Planning knowledge and practice was seen to be impractical; it did not know how to work with what is happening in reality and lacked innovation and risk taking.

o Discussion and engagement are essential to find collective solutions and compromises. Planning knowledge should work with, and also support, what people are doing and not simply exclude and criminalise that which does not comply. Planning can be very anti-

African, as planning ideas used are often borrowed concepts and best practices that do not relate to the local context.

o There is a need to be innovative in engaging with stakeholders, requiring new venues and diverse stakeholders. People with good local knowledge were critical but missing aspects of the planning being experienced to date. Art, music and markets can be considered as new ways to engage with people and contribute to planning. Community networks and groups are using such mediums and social media to engage with and make citizens aware of their areas, their rights and to pressurise the municipality on various matters of interests and in particular planning issues.

The approach of civil society to be actively involved and organised to take ownership as part of developing planning practice came through as an important narrative. People see the need, and want, to be involved; not everyone one can, but it is important to recognise those that are able to engage with planning.

8.3 Resident/community interviews - experiences and expectations for planning knowledge - those we plan for, but never ask

The resident interviews represent an exploration with a research method, in identifying lived experiences, tacit and formal knowledges of land use planning. Generalisations cannot be made because of it being a non-probability sample. The levels of analysis were simple and somewhat crude, utilising mainly frequencies and cross tabulations to appreciate some of the trends emerging based on socio-demographic factors, where appropriate. The use of frequencies provided for a simplistic and broad indication of respondent opinions, those which stood out (majority views and in some cases minority views). The cross tabulations were limited to closed-ended questions and not used for open-ended questions. The cross tabulations are included as Appendix 6.4.

The community interview questionnaires were divided into three main sections as follows:

- An introduction to the study and the interview and issues of confidentiality.
- A section on the socio–economic status of respondents, to appreciate who the respondents were and if this had any bearing to their opinions and experiences with planning knowledge for action.
- A final section of the interview considered aspects for planning knowledge; this was approached thematically, probed by specific open-ended and closed-ended questions, based on the following themes:

- o *Tolerance and support for flexibility* unpacked in statements and opinions regarding mixed typologies and uses both at a neighbourhood and individual property level.
- o *Integration*, assessed in a very simplistic manner regarding race and class.
- o *Notions of control from the municipality and neighbours' involvement,* including an exploration of awareness, perceptions and effectiveness of current planning knowledge in practice.
- o *How conflicts should be addressed in planning knowledge for action,* as explored from the experiences and perspectives of stakeholders.
- o *Notions of illegality*, including how prevalent this is, but more importantly the factors that promote illegality and those that would prevent the illegal construction and/or use of a building.
- o *Ideas, criteria, land uses and processes that should be considered when assessing development applications* - essentially, this theme delved into citizen perspectives of what planning practice should consider when developing plans and assessing development applications in the context of place, the neighbourhood and the city.

8.3.1   Some cautionary notes on reading the results from the resident interviews

Given the past racial spatial policies in South Africa, a possible factor shaping experiences, views and knowledge of planning knowledges would also relate to where respondents live. However, given that this was a convenience sample and located within the Sizakala centres at Chatsworth, KwaMashu, Phoenix, Umlazi, Umhlanga and Pinetown, 79.1% of all respondents interviewed lived in these local areas, as reflected in Table 8.1 to follow and in Appendix 6.4.3(h).

The analysis should be seen as informative and as an input into accessing a multiplicity of stakeholders' knowledge for planning. Where appropriate the demographic and socio-economic status of respondents accessed through the convenience sample was compared with a stratified probability sample, the eThekwini Municipal Services and Living Conditions Survey, undertaken annually (eThekwini Municipality, 2015f). This survey tracks the changes in municipal services and living conditions within the municipal area. The number of respondents that identified themselves as part of the Coloured race group was extremely small (only three respondents, 1.8%) and therefore excluded from further analysis. This sample also did not access the voices of the extreme poor and people residing in informal

settlements and in the inner city. This is reflective of the challenges posed by a non-probability sampling method.

To date the municipality has not conducted a user survey for the Sizakala centres and therefore no comparisons could be made between the respondents accessed for this research and a probable profile of users within and across Sizakala centres. Notwithstanding this important gap in available information, the socio-demographic findings for this research were discussed, clarified and expanded on with the help of the officials engaged in managing the Sizakala centres and the Municipal and Living Conditions Survey.

8.3.2 Sampling and residential property characteristics

Geographic location, dwelling typology and ownership
The respondents for the community interviews were from the six Sizakala centres. Each of the Sizakala centres serve residents from the surrounding community areas seeking to attend to municipal matters. In summary, 79.1 % of the respondents came from the following areas: Chatsworth (12.5%), KwaMashu/Ntuzuma and Inanda (19.0%), Phoenix (17.3%), Umlazi (16.1%), Umhlanga (7.1%) and Pinetown (7.1%). The remaining 20.9% of the respondents lived in various parts of the municipal area as depicted in Table 8.1 to follow. The Sizakala centres chosen enabled a mix of respondents in terms of past racial-based spatial policies and across the socio-economic spectrum as detailed further in Tables 8.1 to 8.9, to follow.

The respondents participating in the interview also included 58.3% that owned the property they lived in and 41.7% who did not own the property, as reflected in Table 8.2 to follow. This is useful as the views expressed represent a fairly good split between owners and non-owners of property. On certain questions, a cross tabulation was undertaken to establish if ownership of property among other factors could be associated with the strong or varied opinions offered.

A substantial number of the respondents lived in a free-standing residential unit (70.2%), whereas only 18.5% respondents lived in a flat/apartment and 8.9% in a townhouse or duplex, as reflected in Table 8.3 to follow. A typical probability sample would result in 69.5% of respondents living in free-standing units, 3.1% in a block of flats, 2, 3% in a duplex or townhouse and 4.8% in traditional dwellings (eThekwini Municipality, 2015f).

Table 8.1: Property location of respondent (n=168)

Location	Frequency	Percent
KwaMashu/Ntuzuma/Inanda	32	19.0
Phoenix	29	17.3
Umlazi	27	16.1
Chatsworth	21	12.5
Hammarsdale/ Welbedacht	13	7.7
Umhlanga/ Umdloti	12	7.1
Pinetown/New Germany/Westville/Queensburgh	12	7.1
Berea/Morningside/Glenwood/Durban North	4	2.4
Northdene/Mariannhill/Mariannridge/Clermont/ KwaDabeka	4	2.4
Rural	3	1.8
Asherville/Sydenham/Sherwood/Westwood	3	1.8
Redhill/Greenwood Park/Parlock	2	1.2
Kloof/Hillcrest	2	1.2
Outside eThekwini	1	.6
Amanzimtoti	1	.6
Verulam/Tongaat	1	.6
CBD	1	.6
Total	168	100.0

Table 8.2: Ownership of property (n=168)

Response	Frequency	Percent
Yes	98	58.3
No	70	41.7
Total	168	100.0

Table 8.3: Type of property respondent lives in (n=168)

Property type	Frequency	Percent
Free-standing	118	70.2
Flat/apartment	31	18.5
Town house/duplex	15	8.9
Informal structure	2	1.2
Hostel	1	0.6
Traditional dwelling	1	0.6
Total	168	100.0

8.3.3 Socio-demographic characteristics of respondents

The municipality conducts an annual quality of life survey which commenced in 2011/2012, and monitors trends over the electoral cycle, which is five years (eThekwini Municipality, 2015f). This is a stratified probability sample and will be used as the benchmark for comparing the demographic and socio-economic data with that of the respondents accessed in this research, as and when applicable (eThekwini Municipality, 2015f).

Gender

The number of male respondents accounted for 60.1% and exceeded the number of female respondents (39.9%) as reflected in Table 8.4 below. Partly this relates to services provided at the Sizakala centres which would be traditionally more male-orientated. It is more likely that men, more than women, are to attend to certain municipal business matters such as paying of rates, utility bills, applications for services or relocation of services, confirmation of property details, accessing building plans or submitting plans, the renewing of motor vehicle licenses or seeking the help and advice of a local councillor.

The typical stratified sample would require 48.70% male and 51.3% female respondents (eThekwini Municipality, 2015f).

Table 8.4: Gender of respondents (n=168)

Gender	Frequency	Percent
Male	101	60.1
Female	67	39.9
Total	168	100.0

Age

The respondents were mostly within a mature working age group. This was demonstrated by 62.5% of respondents being in the range of 35 to 54 years of age. The sample was represented by a limited number of young people, within the age category of 18 to 24 (8.3%) and aged adults greater than 65 years (1.8%), as reflected in Table 8.5, below. This finding relates to the fact it is a convenience sample and the nature of respondents would likely be the employed, contributing to a household income. The respondents are likely to be the responsible members of the family who would engage the municipality on various matters at the respective Sizakala centres.

The typical stratified sample would result in 41, 9% of respondents being outside of working age and 58.1% within a working age of 20 - 59 years (eThekwini Municipality, 2015f).

Table 8.5: Age of respondents (n=168)

Age categories (years)	Frequency	Percent
18-24	14	8.3
25-34	35	20.8
35-44	41	24.4
45-54	64	38.1
55-64	11	6.5
65 +	3	1.8
Total	168	100.0

Historical racial categorisation

The historical racial breakdown of respondents is not reflective of the municipality's population. Africans represented the highest number of respondents interviewed (54.8%), followed by Indians (34.5%), Whites (8.3%) and Coloureds (1.8%) as shown in Table 8.6 to follow.

Table 8.6: Historical racial category (n=168)

Category	Frequency	Percent
African	92	54.8
Indian	58	34.5
White	14	8.3
Coloured	3	1.8
No response	1	.6
Total	168	100.0

The typical probability sample would result in the following stratification of respondents: 70.1% African, 17.4% White, 7.3% Indian and 5% Coloured, in terms of the annual municipal living conditions survey (eThekwini Municipality, 2015f). This breakdown of race is partly related to the fact that the Sizakala centres are located in geographical areas that are still reflective of the dominant race group policies of the apartheid era. However, there is an interesting shift occurring in certain areas, in particular for the historical Indian areas and middle- to lower-income historically zoned White areas such as Pinetown, as reflected in Appendix 6.4.1(a). The numbers of informal settlements are numerous within former Indian areas and there are a number of in-situ upgrade projects and the public sector housing programmes in such areas. The beneficiaries to date have been largely African hence the African population is increasing in these former Indian group areas. This also corresponds with the slow break down of apartheid-based planning (Mabin and Smith, 1997; Harrison and Todes, 2015).

The demographic profile of respondents visiting the Umhlanga Sizakala centre were less reflective of the Umhlanga population, but more reflective of the surrounding communities using the centre, as reflected in Appendix 6.4.1(a). The users across the Sizakala centres are likely to be from the lower to middle income groups, as clarified by the Sizakala centre management in the statement to follow.

> *"The racial profiles at the Sizakala centres have also become diluted as new housing projects are located close to the centres. The Sizakala services mostly the lower to middle low income groups. This will also mean that the services offered in Umhlanga centre will also change over time to cater for the lower income groups."* *(Respondent 55)*

However, an important factor that contributes to who visits a Sizakala centre is the income status of respondents as can be seen in Table 8.9, to follow. The respondents are largely within the lowest income band of R1-1000 (13.1%) and the low income band of R1001-5000 (48.8%). The middle income and higher income earners are likely to have less direct business with the municipality in terms of visiting a Sizakala centre. Compulsory municipality business matters such as payment of utility bills, rates and enquires are likely be undertaken through electronic banking mechanisms, and through the use of the telephone and emails as opposed to physically coming into a Sizakala centre.

A small percentage of middle and higher income groups as reflected in Appendix 6.4.2(b), including the higher number of respondents choosing not to disclose income, was recorded for the interviews taking place at the Umhlanga Sizakala centre. Whilst the Sizakala centre is not likely to be a place that services middle to high income groups, the Umhlanga Sizakala centre may also be the exception because it is the only Sizakala centre that caters for the renewal and payment of motor vehicle licenses. However, the above reasons do not rule out certain racial and income groups from coming directly to a Sizakala centre as required.

Education

The respondents accessed for the community interviews demonstrated higher levels of education as compared to the education levels for whole municipal area, as shown in Table 8.7, to follow. More than a quarter (26.8%) of respondents held a tertiary qualification, while 57.7% of respondents had a secondary level of education, followed by 11.3% reporting a primary level of education and only 3.6% of respondents without any formal education.

The typical probability sample would result in 9% of respondents with tertiary education, followed by 59% with a secondary level of education, 21% with a primary level of education and 11% without any formal education (eThekwini Municipality, 2015f).

This finding on education levels being higher than the representative sample of the municipal area also speaks to the fact that the interviews took place in a convenience centre that revolves around transactions, payments and enquiries linked to earning an income and therefore also associated with higher levels of education.

Table 8.7: Education level of respondents (n=168)

Education level	Frequency	Percent
Tertiary	45	26.8
Secondary	97	57.7
Primary	19	11.3
No schooling	6	3.6
No response	1	.6
Total	168	100.0

Employment Status

As indicated in Table 8.8 below the employment status of the respondents interviewed is regarded as better than the typical sample for the municipality, where 29.2% of respondents are employed in the formal sector, 23.2% are self-employed, 12.5% are engaged in the informal economy and 23.8% declared themselves as unemployed.

The typical probability sample would result in 22-26% being unemployed, and 27-30% being employed, with 18.7% employed in the formal sector and 3% in the self–employed sector (eThekwini Municipality, 2015f). This again reflects the convenience and non-probability nature of the sample used for this research.

Table 8.8: Employment of respondents (n=168)

Employment	Frequency	Percent
Formal sector	49	29.2
Unemployed	40	23.8
Self-employed	39	23.2
Informal sector	21	12.5
Pensioner	13	7.7
Student	6	3.6
	168	100.0

Monthly Income

The income levels of respondents are not reflective of the typical income levels expected for the municipality as shown in Table 8.9 to follow, again this is because of the non-probability

sampling method. A comparison could not be made as this study called for individual income and not household income.

Table 8.9: Monthly income of respondents (n=168)

Income Level (R)	Frequency	Percent
1001 < 5 000	82	48.8
1-1000	22	13.1
Undisclosed	21	12.5
10 001-15 000	13	7.7
5 001-10 000	12	7.1
>30 000	6	3.6
20 001- 25 000	6	3.6
15 001-20 000	5	3.0
25 001-30 000	1	.6
Total	168	100.0

Summary of socio-demographic characteristics of respondents

The respondents are largely those that run and manage a home, as owners or tenants living in mostly former non-White group areas. The respondents represented the lower to middle lower working class, with a small percentage of middle to upper income earners. There was a higher level or education and a lower level of unemployment when compared to the municipal statistics. Thus the respondents represent a good mix of respondents to share their views, experiences, expectations and knowledge on planning and to inform planning knowledge for practice. However, the limitations regarding generalisations still stand, as this was non-probability sample method. Furthermore, this sample did not access the voices of people residing in informal settlements and the inner cities.

8.4   Aspects of planning knowledge

8.4.1   Theme One: Flexibility and Tolerance

Perceptions of mixed uses and building typologies within residential neighbourhoods
The overall trend towards accepting a mix of uses and typologies within one's neighbourhood suggested a high to very high acceptance across all respondents interviewed. The order of acceptance was greatest for education facilities (94%), community facilities (89.9%), religious and cultural facilities (88.1%), shops and restaurants (82.8%), and then followed by offices

(63.7%) and finally a mix of residential typologies (63.4%). It is also interesting to note that respondents were more cautious about accepting a mix of residential typologies and offices. This can be linked to perceptions of typology that belongs in a residential area compared with those that belong within a city, such as taller buildings. The highest levels of non-tolerances (reflected in the very difficult and difficult categories) were recorded for offices (36.4%) and for a mix of residential typologies (36.3%), as seen in Table 8.10, as follows.

Table 8.10: Perceptions regarding the mix of land uses and building typologies in the neighbourhood (n=168)

Mix of uses	Rating (Percent)					
	Very easy	Easy	V. Easy +Easy	Difficult	Very difficult	Difficult + V. Difficult
Education: crèches and schools	49.4%	44.6%	94.0%	6.0.%	0.0%	6.0%
Community facilities: public transport, bus shelters and taxi ranks	39.3%	50.6%	89.9%	9.5%	0.6%	10.1%
Religious and cultural facilities	36.3%	51.8%	88.1%	11.9%	0.0%	11.9%
Shops and restaurants	39.3%	43.5%	82.8%	15.5%	1.8%	17.3%
Home business	37.5%	37.5%	75.0%	20.8%	4.2%	25.0%
Offices	28.0%	35.7%	63.7%	30.4%	6.0%	36.4%
Houses, flats, duplexes, town houses	20.8%	42.9%	63.4%	29.2%	7.1%	36.3%

However, despite the high to very high levels of acceptance and tolerance recorded by respondents towards a mix of uses and building typology in a residential neighbourhood, some differences between respondents can also be analysed in terms of socio-demographic factors, such as race and geographical location of the respondents' residence.

Educational uses: Across race groups there was a high level of tolerance towards educational uses. The acceptance of educational buildings and uses within residential neighbourhoods was recorded as very high for the majority of respondents living in the following areas (Chatsworth, Phoenix, KwaMashu, Umlazi, Umhlanga and the greater Pinetown areas), as indicated in Appendix 6.4.1(c). Whilst the levels of intolerance were

comparatively low across racial groups and areas, the White race group did record a higher level of intolerance (14.3%), compared to the Indian (5.2%) and African (5.4%) race groups, as reflected in Appendix 6.4.1(c).

Cultural and religious uses: The same can be said for cultural and religious facilities - whilst very acceptable in the neighbourhood, racial differences were evident to a certain extent as indicated in Appendix 6.4.1(d). The levels of intolerance were recorded at fairly low levels for the African (10.9%) and Indian (10.3%) race groups, but were higher for the historical White race group (28.6%).

Community uses: Regarding community uses within the neighbourhood, respondents from the all population groups indicated high levels of tolerance towards community uses and buildings and structures. The acceptance of community buildings, structures and uses within residential neighbourhoods was recorded as high for the majority of respondents living in the following areas - Chatsworth, Phoenix, KwaMashu, Umlazi, Umhlanga and greater Pinetown. However, respondents from Chatsworth (19%), Phoenix (10%) and Umhlanga (33, 3%) recorded a higher level of intolerance for such uses and the need for more control, as reflected in Appendix 6.4.3(d). This finding also corroborated with racial levels of tolerance where the African group recorded the lowest levels of intolerance (2.2%), followed by the Indian (19%) and White race group (21.4%), as reflected in Appendix 6.4.1(e).

The levels of intolerance reflected for Chatsworth and Phoenix could relate to the changes taking place in such areas, including more informal trade and taxi ranks as some examples of community facilities that are regarded as more problematic.

The levels of intolerance for community facilities in residential locations like Umlazi and KwaMashu and greater Pinetown (including the Mariannhill area) were lower or non-existent. In part these differences could be ascribed to several factors including the need for more public conveniences in Umlazi and KwaMashu, a lack of mobility, and less income and affordability to travel out of the area to access such uses/services, as indicated in Appendix 6.4.3(d).

Mixed uses: The same trend was analysed for mixed use development that allows for a mix of shops and business - the tolerance levels were high across the racial and income groups. However, the Indian race group reflected a lower tolerance level, or need for more control, for shops and business. In part, this is again probably linked to changes that have occurred

in former Indian areas along both race and income lines. Refer to Appendix 6.4.1(a) for racial changes and Appendix 6.4.2(b) for income changes within areas like Chatsworth and Phoenix. These opinions may also link to the economic shocks taking place in such areas, giving rise to more survivalist livelihood initiatives. The Indian population interviewed dominated the lower income bands between R1-1000 and R1001-5000, as seen in Appendix 6.4.2(a).

The highest level of acceptance towards shops and businesses was from the African race group, perhaps suggesting a lack of convenience and mobility in their areas. This also correlated with the lowest level of intolerance recorded for the African race group at 5.4%.

A high level of acceptance for mixed use (shops and businesses) was noted for the Indian race group, but with 31.1% of respondents from the Indian race group recording higher levels of control needed or to make it more difficulty to establish such uses within the neighbourhood.

A moderate acceptance of business and shops as mixed uses were recorded for the White race group, with 42.9% of the respondents supporting a more difficult process or greater control for the establishment of such uses within the neighbourhood, as reflected in Appendix 6.4.1(f).

This trend is also reflected in the geographical location of where the respondents live. Areas such as Phoenix (27.6%) and Chatsworth (19%) and the greater Pinetown area (25%) recorded a moderate level of intolerance to such uses. Umhlanga recorded the highest level of intolerance (41.7%), while the greater KwaMashu and Umlazi areas showed an extremely low level of intolerance (0%), as reflected in Appendix 6.4.3(e).

Offices: Across race groups, there was a lower tolerance level for office-related mixed use. One third of the African population preferred more control measures for offices within a residential environment. In the White and Indian groups approximately half of the respondents preferred a more controlled environment for offices within a residential neighbourhood. Respondents would often add that offices and tall buildings are for the city centre. In part, this is relates to offices being viewed as something that occurs within a city centre, and were assumed to be a high rise buildings and not something that can be accommodated easily within a residential area. This trend was also identified within the main geographic locations where respondents resided, where at least one third to half of the

respondents recorded the need for higher and stricter levels of control to locate offices within residential neighbourhoods - Umlazi (33.1%), Phoenix (37.9%), Chatsworth (38.1%), and Umhlanga (58.3%), as reflected in Appendix 6.4.3(f). It is not surprising that the greater KwaMashu area recorded the lowest levels of control required since, at least in part, this could be explained by the desperate need for development and job creation.

It is also interesting to note that across the racial profile, respondents were more opinionated regarding the typology of buildings as compared to the use of buildings. This trend regarding typology of buildings within a neighbourhood was also supported across the dominant residential areas of interest, with Umhlanga (50%) and KwaMashu (50%) recording the highest intolerance level towards a mix of building typologies, followed by Umlazi (37%), then Chatsworth (28.6%) and Phoenix (27.5%), as reflected in Appendix 6.4.3(a). The typology of building is something that residents pay more attention to and its impacts as opposed to uses (assuming it is not a noxious use).

What is interesting about this finding is that Umlazi and KwaMashu recorded the highest levels of intolerance for this aspect of mixed uses of offices and mixed typologies, which in some way speaks to the cultural perception associated with high rise buildings being less acceptable in historically African residential neighbourhoods, as reflected in Appendix 6.4.3(a). This was also reflected in the racial categorisation, where the African race group showed the highest levels of intolerance or wanted more controls if establishing mixed typology within a residential neighbourhood, as reflected in Appendix 6.4.1(b).

Own property flexibility and use maximisation

The number of respondents who would like to use their properties for more than just a residential use was recoded as high, if given the chance and approval from the municipality. What is interesting is that not everyone wanted the same choice or a range of choices. It is also interesting to note that the number of respondents recording support for residential use only were extremely low, reflected at 0.6%, as shown in Table 8.11 to follow.

Table 8.11: Use of property if given a choice (n=168) (multiple responses)

Property use	Percent	
	Yes	**No**
Residential plus shop	60.1	39.9
Residential plus cultural plus religious	48.2	51.8
Residential plus offices	45.8	54.2
Residential plus office plus shop	35.7	64.3
Residential plus office plus shop plus industrial	19.0	81.0
Residential only	0.6	0.0
Crèches	0.6	0.0

The respondents were opinionated and cautious in the choice they made. They were aware of the impacts different uses could have on their properties and how the use of their property would impact on neighbours and the neighbourhood. Offices were linked to assumptions about typology and assumed to be high rise and that which belongs in a city. Opinions on offices as a second use were split with half the respondents saying it is what they would like and the other half saying they would not want such a use for themselves.

A business use with residential came through as fairly high, with 60.1% saying that they would like to have such a use and 39.9% not wanting such an option. This was then followed by the option of religious and cultural uses being allowed with a residential use. The results were evenly split, with just under half (48.2%) of the respondents indicating they would like this option and just over half (51.8%) indicating that they would not want to exercise such an option on their residential properties.

In further analysing this trend, residential location, race and income were looked at to see if this could be associated with the options offered. The use of a residential site with offices was moderately acceptable across all race groups, with at least half liking this option as reflected in Appendix 6.4.4(a). However, the White race group favoured this option more than any other option (50%). This could be explained by the higher levels of education in this

group and the practice of operating professional services from residential sites being more likely for the higher income and the better educated respondents.

The use of a residential property with a shop was mostly chosen by the historically African (71.7%) and Indian (53.4%) race groups and was substantially lower for the White (21.4%) race group as reflected in Appendix 6.4.4(b). In part this can be explained by the income levels of respondents, where the White race group exhibited higher income levels, compared to the African and Indian race groups, as reflected in Appendix 6.4.2(a) and would therefore be less likely to use part of the residential site or building as a shop. Disparities in levels of economic development between different geographic areas could also be an explanation. Historically White geographic areas have access to a range of conveniences and services and are regarded as well-located to access a variety of services within or in close proximity to the area.

A similar trend was also experienced for a residential option, plus a religious and cultural use. This was more readily chosen by African and Indian respondents and less so for White respondents.

Theme One: Summary of findings for future policy consideration for planning knowledge - flexibility and tolerances

Within the neighbourhood: There is a high tolerance level for and acceptance of mixed uses across geographical, racial and income based neighbourhoods. This flexibility is very diverse and far more radical than what 'should' co-exist in residential neighbourhoods as designed by planning professionals. However, this does not mean that attention to impacts and the public realm must be forgotten. In particular offices as a land use was associated with specific building typology, higher rise buildings, which was given less support across the spectrum of respondents, because of the experienced or perceived impacts it may have on one's own property. Historically, South Africa does not come from land scarce perspective and thus typologies that support higher density were less attractive as an option to the respondents interviewed.

In using additional analysis such as geographical areas, race, and income, some variances in tolerance can be nuanced further. This does then raise concerns regarding whose interests planning ideology and practice should serve. The desire for the most stringent and dominant forms of control were associated with the White race group and historically White

and higher income geographical areas. Whilst to some extent this is a crude analysis, it remains an important finding and requires more research to inform planning knowledge.

Within your own property: All the respondents recorded high to very high levels of interest in multiple uses on their own property, should this be permissible from a municipality perspective. This can be seen in the context of increasing the use, efficiencies and functionality of private property. However, respondents remained calculated and opinionated on what was regarded as good for their properties and that which they can also expect their neighbours to undertake. This suggests a sense of practical judgement and knowledge of what is good for oneself and for others. These findings emerged despite many of the respondents stating that they are unaware or unknowledgeable about what planning knowledge applies to their proprieties or area. This does point to self-policing, self-awareness and self-control, in that people will socially and individually come to some practical conclusion concerning the use of property and potential impacts. This works totally against the practitioners' belief that being prescriptive, comprehensive and limiting flexibility is important because everybody will want to maximise development on their properties in the same way; and that if there are no detailed rules, this will lead to chaos. It is interesting to note that an insignificant number of respondents (less than 1%) wanted a residential property to simply be used as a residential property.

8.4.2   Theme Two: Integration

A high level of tolerance towards integration was recorded across all respondents. A mix or integration with different age groups ranked highest (92.9%) and was the most acceptable type of integration acknowledged within the neighbourhood. This followed by cultural and religious integration (88.1%), then racial integration (82.1%) and finally income integration (76.2%), as reflected in Table 8.12, to follow. The levels of difference between types of integration also reflected the careful consideration and difference of opinions regarding integration, as it was not unusual for respondents to vary their responses to the different types of integration being considered.

Table 8.12: Perceptions on neighbourhood diversity (multiple responses) (n=168)

Response	Frequency	Percent
Mix of ages (including the old and students)	156	92.9
Mix of culture and religions	148	88.1
Mix of race	138	82.1
Mix of income	128	76.2

Where respondents lived resulted in different levels of perception regarding integration. Respondents' race and income levels helped to further understand how respondents reacted to the questions posed. The lowest level of racial integration was noted for the greater KwaMashu area (65.4%). The highest level of acceptance of racial mix was recorded for Umhlanga (100%) as reflected in Appendix 6.4.4(c). However, the Umhlanga area was more sensitive to mixed income and recorded a lower level (66.7%) of income integration for the suburb. In part, this relates to higher income levels in the suburb and the perceived desire to protect such property values from the lower income groups. Therefore race was not an issue, provided the income levels were of a similar higher level, as reflected in Appendix 6.4.4(d). The area that recorded the lowest levels of integration both for race and income was the greater KwaMashu area, which also happens to be the area that exhibited the lowest levels of income. The remaining areas of Umlazi, Chatsworth, Phoenix and greater Pinetown exhibited high and similar levels of integration for race and income, as reflected in Appendix 6.4.4(c) and Appendix 6.4.4(d). An explanation for this finding could be that these areas have undergone much change in the recent past, in terms of race and income integration as a result of government intervention regarding housing projects.

Theme Two: Summary of findings for future policy consideration for planning knowledge – integration

Integration or diversity expressed in terms of race, income, culture, religion and age seems less of an issue than what is often expected, particularly by planning practitioners. The growing levels of integration within spaces across similar income groups and through government interventions seemed to have broken down previous racial, religious and cultural barriers. However, income integration is more resistant to change. Perhaps this calls for

more government intervention and support mechanisms to break down some of the barriers associated with the integration of a range of income levels in neighbourhoods.

8.4.3 Theme three: control, awareness, effectiveness of current planning knowledge in practice

Perceptions of level of control from the municipality and the role of neighbours

Desired levels of municipal control on private property: As reflected in Table 8.13, below, 18.5% of the respondents wanted no municipal control in relation to the use of their property and the surrounding area, 22.0% wanted strict control and the remainder (59.5%) wanted limited control on planning related matters. This trend was also reflected across the areas where respondents resided. However, Chatsworth, Phoenix and Pinetown recorded slightly higher levels of wanting no control on the one hand, but on the other hand higher levels of strict control from the municipality. This suggests that the current levels of control in some cases are seen as prohibitive, but in other cases are seen as too *laissez faire* or absent, again suggesting major changes taking place in such areas. Umlazi recorded a higher desire for limited control, with Umhlanga residents mostly wanting a mix of limited and strict control. Refer to Appendix 6.4.5(a).

Table 8.13: Perception of level of control by the municipality (n=168)

Level of control	Frequency	Percent
Limited control (moderate control)	100	59.5
No control	31	18.5
Strict control	37	22.0

This trend is further reflected in Appendix 6.4.5(c) which shows the relationship between desire for municipal control and race. The African race group supported higher levels of limited control and lower levels of strict control. The Indian race group called for lower levels of limited control and was more split between no control and stricter control, again probably in response to the challenges associated with change in the area. The White race group showed the highest levels of desire for strict control and the lowest level of no control. This could be attributed to wanting control to prevent changes from taking place.

The role of neighbours on use of private property: Views about neighbours' involvement in development showed similar trends to that of the desired municipal level of control in planning-related matters. Almost half of the respondents (45.85%) supported a limited role for neighbours in planning-related matters, while 32.7% supported no involvement from the neighbours and 21.4% considered the involvement of neighbours in the development and use of property as important. This is reflected in Table 8.14, below.

Table 8.14: Perceptions regarding the role of neighbours on how property is developed and used (n=168)

Role of neighbours	Frequency	Percent
Limited role	77	45.8
No role	55	32.7
Important role	36	21.4

The role of race in influencing opinions of the neighbours' role in planning-related matters was fairly similar across race groups, with some observable differences. The African race group recorded higher levels of wanting no involvement from neighbours (35.9%), followed by 29.3% for the Indian race group and 21.4% for the White race group. The reverse trend was observed concerning whether neighbours should be assigned an important role in planning matters - 19.6% for the African race group, followed by 22.4% for the Indian race group and 28.6% for the White race group, as reflected in Appendix 6.4.5(d).

Middle income areas like Chatsworth and Umlazi, tended to support a more neutral stance and involvement of neighbours in planning and development related matters, as reflected in Appendix 6.4.5(b). The greater Pinetown area showed the highest level of support for neighbours to have no control. This response may be prompted by the rapid changes taking place in this area, in particular new public sector development and ongoing changes or upgrading associated with such development. The legacy of strict control and planning implementation in the greater Pinetown area could also be a possible explanation for this response.

As a surprise, the higher income areas supported a greater desire for no involvement of neighbours, perhaps reflecting the litigation side of planning and its prevalence in more

affluent areas. This finding was also supported using income levels as an indicator where higher income respondents wanted less involvement from neighbours, but more control from the municipality as reflected in Appendix 6.4.5(e) showing income and control of municipality and Appendix 6.4.5(f) showing income and role of neighbours with respect to private property development.

Awareness and perceptions of effectiveness of current planning knowledge and practice

What emerged was that the awareness of planning knowledge in the form of town planning schemes was limited, where only 27.4% of respondent were aware of a TPS and 72.4% were not aware, as reflected in Table 8.15 to follow. To some extent this is also concerning as the interviews were conducted in centres such as Chatsworth, Phoenix, Umhlanga and Pinetown, areas that have always been developed and managed in terms of a TPS. The more recent areas to be included within the TPS in 2009 are Inanda, KwaMashu, Ntuzuma and Umlazi.

Table 8.15: Awareness of implementation of town planning schemes to manage private development (n=168)

Response	Frequency	Percent
No	122	72.6
Yes	46	27.4

Whilst people were not aware of a TPS, they were aware of, or expected, that there were 'rules' and 'laws' in place. A large number of respondents, some 73.8%, as reflected in Table 8.20 to follow, stated that they would not just alter and use their property as they liked as they want to be compliant with the municipality's requirements. So whilst there is limited awareness of the TPS, more than two thirds of the respondents were aware of some form of limitations practiced by the municipality. This could be viewed as an opportunity for the construction and implementation of planning knowledge for action, where people, aware of some form of limitation, are likely to uphold it within context, assuming it is practical and reasonable.

It is noted that, of the 27.5% of respondents who indicated an awareness of the TPS, as reflected in Table 8.16, to follow, 67.4% were of the view that the TPS could have a positive impact on their property and the neighbourhood. However, almost one third (28.3%) of those

aware of the TPS did not think that the TPS had a positive impact on their property and the neighbourhood. In summary this represents an opportunity for the (re)development of planning to be useful, effective and upheld by the various users.

Table 8.16: Perceptions regarding the positive impact of town planning schemes on private property and neighbourhoods (n=46)

Response	Frequency	Percent
Yes	31	67.4
No	13	28.3
Maybe	2	4.3

Accessible municipal offices with up-to-date records and an efficient service came through as the most important place to access planning knowledge, according to 69.6% of the respondents, as reflected in Table 8.17, to follow. This finding would suggest that more local and well-staffed planning offices throughout the municipality are needed. Further analysis, using place of residence, race, and income, did not provide any additional explanation or clarity for the options chosen.

The levels of internet usage to access planning-related knowledge also came through as low, where only 1.8% of respondents indicated that they would access knowledge off the internet. However, this response has its limitations since this was a convenience sample, with respondents who are less likely to use the internet to access the municipality and would therefore come directly to the Sizakala centres for help with municipal matters. What could be viewed as a concern regarding the effectiveness of local government services and the engagement with residents on planning-related matters was that one quarter of the respondents (25%) indicated that they did not know where to access planning knowledge, as reflected in Table 8.17 to follow.

The 'usual' legislative mechanisms used in planning, such as public meetings, were not mentioned by the respondents (Refer to Table 8.19 to follow). The role of councillors to inform residents about planning matters came up as an important resource for engaging in planning related issues. Furthermore, respondents had mixed views about their concerns being addressed, through engaging in planning processes, as reflected in Table 8.20 to follow.

Table 8.17 Knowledge of where to access information regarding the development and use of private property (n=168) (multiple responses)

Response	Frequency	Percent
Municipal office	117	69.6
Don't know	42	25.0
Councillor	6	3.6
Internet	3	1.8
Body corporate	2	1.2
Consultant	2	1.2
Amakosi	2	1.2
Property owner	1	.6

Table 8.18: Previous involvement in planning by respondents (n=168)

Response	Frequency	Percent
No	148	88.1
Yes	20	11.9

Table 8.19: Mechanisms used to involve respondents in planning (n=20)

Mechanisms used	Frequency	Percent
Part of respondent's work	7	35
Meeting called by local councillor	5	25
Notification to attend a public meeting	3	15
Through a developer/investor/neighbour	3	15
Through advertisement notifying of an application	1	5
No response	1	5

Table 8.20: Addressing concerns of respondents by the municipality (n=20)

Response	Frequency	Percent
No	8	40
Yes	5	25
Partly	5	25
No response	2	10

Theme Three: Summary of findings for future policy consideration for planning knowledge – control, awareness and effectiveness of planning practice

The findings for this theme can be viewed as an untapped opportunity for the (re)development and implementation of planning knowledge, including how relevance, awareness, education, accessibility and engagement can be considered in the (re)development of planning knowledge for the future.

This theme reveals that there is an expectation and desire for the municipality to pay attention to both private and public property. The refocus of such knowledge on the priorities for a municipal involvement suggest an important focus area to research further.

The need for engagement and coordination was considered as moderately important with respect to the role of both the municipality and neighbours within planning. Factors such as race, income and geographical place of residence also proved to be less explicit in explaining the trends observed. What is clear is that some level of control by the municipality and involvement of neighbours in development-related matters and place-making is recognised. This serves as an opportunity for (re)developing planning knowledge and practice for the future.

8.4.4   Theme Four: Addressing conflicts, experiences and expectations

Residents' views on how to address neighbourhood conflicts can be classified in four main ways. Mediation and conflict resolution (46.6%) was the most dominant solution suggested to address conflicts associated with planning and development. This was followed by community meetings (32.1%) prior to development being done. Court and enforcement processes ranked third at 22.6% and notices to interested and affected parties followed at 5.4%, as reflected in Table 8.21 to follow. As part of the mediation response suggested, the role of the ward councillor in resolving conflicts was rated at 14.3% and higher that the

serving of notices to interested and affected parties (5.4%) which is the commonly used planning mechanism as prescribed for in the legislation.

Whilst there may be nuances and explanations offered regarding the respondents' perspectives and experiences in addressing planning related conflicts, further demographic and socio-economic analysis proved to be limited. In part this relates to the convenience sample method, since this was an open-ended question, and thus drawing out further trends remains limited.

Table 8.21: Perceptions on ways to address conflicts in the neighbourhood (Multiple responses) (n=168)

Addressing conflicts	Response	Frequency	Percent
Mediation and Conflict Resolution (46.6%)	Mediation/arbitration	17	10.1
	Government conflict resolution and mediation structure/s	29	17.3
	Community conflict resolution committee/s and community voting	25	14.9
	Ward councillor, councillor, ward committee	24	14.3
Communication notices (5.4%)	Notification of development to neighbours before starting the development	9	5.4
Community meetings (32.1%)	Good communication and meetings with affected parties before proceeding with the development	54	32.1
Legal Proceedings (22.6%)	Court proceedings	14	8.3
	Enforcement SAPS and Metro police	24	14.3
Don't Know (4.2%)	Don't know	7	4.2

Theme Four: Summary of findings for future policy consideration for planning knowledge - addressing conflicts, experiences and expectations

The traditional methods used in planning to address planning related conflicts represent a major departure from what the respondents identified as potential mechanisms. In particular mediation and conflict resolution came through as an extremely important approach to

addressing conflicts. The importance of community meetings cannot be further underscored. The timing for such meetings is also an important factor, with respondents recommending meetings prior to planning applications being advanced and development taking place. Public meetings, as expressed by the development activist, are important to resolve conflicts and find planning-related solutions. Also, the role of local ward councillors once again came through as an important aspect of planning practice to resolve conflicts. Current planning approaches such as notification letters and appeals featured poorly as mechanisms to address conflicts within planning.

8.4.5   Theme Five: Notions of compliance and illegality

The respondents indicated very low intentions (10.1%) of using and developing their property 'illegally', showing that they are aware that they will be breaking procedures and rules if they did so. Approximately 87.5% indicated that they will not develop or use private property without the approval of the municipality, as reflected in Table 8.22 to follow. Whilst the majority of respondents were unaware of the TPS, as shown in Table 8.15 above, they were aware that there are 'some' rules and regulations regarding property and did not want to break such rules (73.8%), as reflected in Table 8.23 to follow. There were also other important reasons cited as to why people want to be compliant and are reluctant to consider changes to property without the approval of the municipality. However, there were also 'reasonable' factors cited why compliance at times could be difficult to achieve, such as personal desperation, site challenges and what people considered as minor and temporary changes, as reflected in Table 8.23 to follow.

Table 8.22: Perceptions regarding private property compliance and whether respondents will proceed without Council approval (n=168)

Response	Frequency	Percent
No	147	87.5
Yes	17	10.1
Maybe	4	2.4

With respect to intentions to not comply with municipal planning requirements, based on further analysis of the respondents' geographical areas, the greater KwaMashu area

dominated with 21.9% of non-compliant views, followed by Chatsworth at 19% and Phoenix at 6.9%, as reflected in Appendix 6.4.7(a). A racial analysis of intended non-compliance indicated that the African and Indian race groups recorded a low level of non-compliant views, while no non-compliant views were recorded for White respondents (0%), as reflected in Appendix 6.4.7(b). An income analysis of non-compliant views showed no definite patterns, except for such responses being more evident in the very high or the very low income levels, as reflected in Appendix 6.4.7(c).

Table 8.23: Factors regarded as important when making a decision to be compliant or not (n=168) (multiple responses)

Factors	Frequency	Percent
Follow rules, procedures and is law abiding	124	73.8
No response	19	11.3
Waste of money if council orders the building to be demolished	8	4.8
Desperation and personal (reason to be non-compliant)	5	3.0
Site limitations such as a small site, canals, pipes, no alternatives, blanket rules (reason to be non-compliant)	5	3.0
Minor changes and temporary changes (reason to be non-compliant)	5	3.0
To ensure safety of the building , council approval is important	5	3.0
Do not own property (therefore cannot change it)	2	1.2

Theme Five: Summary of findings for future policy consideration for planning knowledge - notions of compliance and illegality

The respondents' views indicate that they think about actions of compliance and non-compliance, even if they are unaware of what the regulations require. They have some notion that rules apply to the use of their property and they would like to follow such rules. Even when respondents chose a non-compliance option, representing only 10.1% of all respondents interviewed, the reasons for this decision was based on what can be considered as 'reasonable' factors, as reflected in Tables 8.22 and 8.23, above. This finding is a big

departure from the way planning and practitioners regard non-compliance and a lack of enforcement as one of the biggest problems facing planning. However, there were also cases where respondents simply did not provide any reason for their non-compliant response (11.3%) as reflected in Table 8.23 above. Given the overwhelming support for compliance, this should viewed as an opportunity in the (re)development and implementation of planning knowledge where issues of relevance, merit, flexibility and practicality can be used in future.

8.4.6 Theme Six: Non-negotiables to making places and neighbourhoods - experiences and expectations from residents

The residents' views based on lived experiences provided a considered opinion of what uses are important to protect and what are regarded as uses for public concern and intervention. This response was useful because it gave an appreciation of what stakeholders viewed as important priorities for planning, in its broadest sense. In keeping with a more flexible approach to planning, keeping a residential area solely for residential use was not a dominant request that requires protection. A land use that provides for low income housing was seldom mentioned as problematic. Social facilities and open space, such as schools and parks, were mentioned frequently as important areas to protect. There were some surprises like public transport facilities that were not considered as a problematic land use. Then there were other planning-related issues that featured as important, such as convenience, design and urban management, from across the spectrum of geographical places represented in the research.

Regarding land uses that should be avoided, preventing non-residential uses in residential areas was seldom mentioned as being a problem, again supporting a more flexible approach to land use and buildings within residential areas. The main areas of focus to avoid in residential areas related to pollution, noise and general industry uses, such as workshops. This also demonstrated a good sense of what matters, what is practical and where planning knowledge could intervene regarding 'public interest' and 'public bads'. This theme also demonstrated the challenge of planning as a practice that still focuses on traditional land uses and building controls without engaging with, or avoiding, the social or non-spatial impacts that should be of concern. This theme also points to the importance of municipal services such as environmental health and social services and the need for a more integrated approach to local municipal planning. The blurring of lines between public and

private property is also very evident in which areas stakeholders wanted the municipality and planning to intervene.

Uses that should be promoted and protected when assessing development proposals: The responses from respondents regarding uses that should be promoted and protected in making a neighbourhood reflected an expected mixture of uses, facilities and assets, as well as some surprises, as reflected in Table 8.24 below. Sporting and recreational facilities were the most mentioned use (31.0%), followed by shopping, business and personal services (26.8%), educational uses (25.0%), community facilities (18.5%) and, interestingly, transport facilities (16.1%). Whilst not a typical land use, creating a neighbourhood that is well-maintained and which allows for convenience and a range of amenities and services received a fair amount of mention from respondents (16.1%). Strictly residential uses were mentioned less (4.8%).

Table 8.24: Perceptions of important land uses in the neighbourhood (n=168) (multiple responses)

Important land uses	Frequency	Percent
Sporting and recreational facilities	52	31.0
Business uses, shopping uses, banks, postal services, offices, personal	45	26.8
Educational uses : crèches, schools, tertiary facilities	42	25.0
Community facilities	31	18.5
Transport infrastructure (robots, speed humps, public transport, road	27	16.1
Convenience, accessibility, diversity, design and maintenance	27	16.1
Cultural, heritage, religious sites and buildings	22	13.1
Safety and protection uses: police stations, mobile stations, security	14	8.3
Strictly residential uses	8	4.8
Employment - generating uses: companies, factories, workshops	6	3.6
Restaurants and entertainment	6	3.6
Institutional structures that promote neighbourliness and friendliness, not use or building specific factor	6	3.6
Agricultural and livestock	3	1.8
Low Income Housing	1	0.6

Uses that should not be tolerated resulting from particular types of development: Uses that cause pollution, noise and negative social impacts within a residential neighbourhood were

identified by respondents as inappropriate for a residential neighbourhood, As reflected in Table 8.25 to follow. The most unwanted uses (60.6%) were associated with negative social problems, such as casinos, shebeens, bottle stores, clubs, music venues, taverns and bars. These were then followed by general industry-related uses (17.8%) that cause pollution impacts within a neighbourhood, such as truck yards, workshops and factories.

It is interesting to note that there was a range of non-residential uses did not receive a high mention as uses that should not be allowed within a residential neighbourhood. Respondents were also very calculated on what they mentioned as uses that are problematic within a residential neighbourhood, as reflected in Table 8.25, to follow.

Table 8.25: Land uses that should not be allowed in a residential neighbourhood (n=168) (multiple responses)

Land uses	Frequency	Percent
Socially problematic facilities e.g. clubs, adult shops, casinos, gambling premises, music venues, taverns and shebeens	102	60.6
Industries generating pollution e.g. factories, truck yards workshops	30	17.8
Public uses that create nuisance and health and safety concerns such as military uses, sewerage plants, unmanaged parks, unmanaged environmental areas, public transport facilities	7	4.2
Non-residential uses	6	3.6
Religious uses	5	3.0
Uses that generate noise	3	1.8
Shops and business uses	3	1.8
Livestock	3	1.8
Informal settlements	3	1.8
Informal trading and hawking and unregistered businesses	2	1.2
No response	2	1.2
Traffic generating uses, uses that cannot cater for parking on site	1	.6
Poorly designed areas not in use	1	.6

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The respondents were asked for their opinion on what the municipality should promote, prevent or protect within neighbourhoods when assessing planning applications. The most dominant land uses to be prevented or excluded from residential neighbourhood were pollution-related uses (29.2%), followed by uses that create traffic congestion (26.2%), as explained in Table 8.26 to follow. The land uses that respondents believe the municipality should protect included parks (25%), education, and community and heritage facilities (23.8%).

Given that this was a convenience sample and a multiple response question, which was later categorised and post coded, further analysis remain limited.

Table 8.26: Perceptions regarding what the municipality should promote, prevent or protect within neighbourhoods when assessing applications (n=168) (multiple responses)

Perceptions of Municipality	Frequency	Percent
Pollution	49.0	29.2
Prevent traffic congestion	44.0	26.2
Parks	42.0	25.0
School, community, heritage/cultural building sites	40.0	23.8
Look and feel of residential area	30.0	17.9
Pavements	29.0	17.3
Prevent noise	24.0	14.3
Community requests and needs	15.0	8.9
Engage community on what is important	9.0	5.4
Social problems and nuisances e.g. drugs and alcohol	7.0	4.2
No low income houses in well-off areas	3.0	1.8

Theme Six: Summary of findings for non-negotiables to making places and neighbourhoods experiences and expectations from residents

This theme revealed that the respondents considered urban management, public realm, convenience, environmental health, design of an area and engagement with communities as

important for dealing with development matters in local areas. The separation of what is public and private was considered less important, and in fact many residents felt that the public areas needed more attention than private areas. The notion of 'public bads' was very limited within an overall context of what planning should prevent. The 'public bads' were focused on pollution, uses of properties that caused social impacts and unsafe living conditions. What does emerge from the findings of this theme is that the traditional role of municipal planning, across the geographical areas used in this study, is being challenged and confronted from the perspectives and everyday lived experiences of residents. These geographical areas also represent the wider municipality and are typical of areas found in cities across South Africa. However, being a non-probability sample, this study still remains limited in terms of making any wider claims.

8.5   An alignment between community activist stories and community interviews

The community interviews and community activist stories showed substantial alignment, suggesting a layering of data or data triangulation. The ideas and insights for planning knowledge emerging from activist stories and community interviews supported each other based on lived experiences, personal circumstances and context. Without trying to be comprehensive and run the risk of repeating anything further, the following themes emerged as connecting points between the activist stories and the community/resident interviews.

A time to organise communities to be engaged in governance matters
The community activist stories and the practical responses from the community interviews – identified the importance of a diverse community to engage with planning, both as policy making and in the decision-making of development applications. This can be read from the overall support for engaging with different forms of community structures and community meetings and not simply those established through legislation or the municipality.

Land use planning is shared responsibility
It was very evident from the resident interviews that the municipality is given moderate responsibility for planning together with neighbours, thus representing shared responsibility for planning. This view was also shared by the development activists.

Managing conflicts
The use of mediation and conflict resolution structures set up independently and/or as part of government structures was seen as important in resolving conflicts. The use of community

meetings to engage and to resolve conflicts remains invaluable and undisputable as good planning practice.

The resourcefulness and role of local councillors also came through as important, both from councillors and the residents interviewed. However, they were also mixed reactions to the power and alliances councillors brought with them. Nonetheless councillors remain important resources and are regarded as an integral connector between members of society and between the municipality, practitioners and communities. It also emerged that current planning practice remains ineffective in resolving conflicts, dealing with the local through formal notification mechanisms such as in advertisements in newspapers.

Community views and insights into planning knowledge and practice

The insights across stakeholders, and in particular from the community activists and the resident interviews, reflected a very different ideology for planning knowledge as identified and practiced by practitioners. It is very evident that by not engaging with wider stakeholders, this form of local knowledge, practical knowledge, and 'peoples own planning knowledge and action' remains absent from planning practice. The acceptance and already working notions of tolerance and flexibility continue to be ignored. The ability of people to contribute, to engage and to resolve conflicts remains a loss to the way planning knowledge is being constructed and practiced. At a practical level, what emerged is a vast propensity and desire for flexibility and the efficient and functional use of land and buildings and an ability to consider and prioritise real impacts based on lived experienced within a shared space. Planning was often viewed as that which should promote new opportunities to assess and help resolve what uses fits in as 'neighbourly' within the receiving environment, and which is not based on the abstract coding of space, the current practice of planning. The factors that residents identified as important to protect and enhance local place-making was something that remains distant from planning practices. In essence, the traditional roles of municipal planning were challenged through the lived experiences and views shared by the stakeholders engaged in this research.

Participation is compliance driven

The lack of municipal commitment and the ineffectiveness of participation was shared across the community interviews and the activist interviews. Face-to-face meetings or engagement were the preferred mechanism to engage on planning matters and to resolve conflicts and find solutions. This finding is very different to the way that planning engages, which remains

administrative, formal, technical and legally driven. A more intimate and open engagement is required, which can also work together with the formal and the legal side of public engagement.

8.6 Response from practitioners to the community/resident interview findings and development activists stories

In keeping with the nature of this research, the importance of inclusivity and the value to be derived from multiple knowledge actors throughout the research process, I involved various practitioners to engage with the research. In this regard, a brown bag session was held to discuss the research findings and interpretations emanating from the development activist and the community/residents interviews. The 'focus group' was convened by MILE[11] on 1 September 2015. One of MILE's key focus areas is to inform and provoke new ideas for local practitioners to consider in practice. MILE utilises several methodologies to share, probe and enhance capacity development among practitioners, internally and externally. The concept of a brown bag session is widely used especially at a departmental or inter-departmental level to enable practitioners to come together during lunch time to discuss a topic of interest to the profession.

A brown bag session was convened for the practitioners from the Development Planning Department: some 60 practitioners were invited. In addition, a selection of practitioners from the Environmental Department, the Housing Unit, the Economic Unit and the IDP Strategy and Planning Office were also invited (see Appendix 6E). A total of 28 practitioners attended the session. Many of the practitioners attending the brown bag session were the practitioners that participated in the research and included the regional coordinators, the branch managers, and practitioners from these branches. The turnout was adequate given that the direct audience for this research was present at the brown bag session. However, the turnout was still disappointing given the low attendance as an overall factor but in particular from the planning practitioners across all three branches engaged in regulatory and spatial planning, as drafters and as implementers. Only one of the three town planning students that assisted in the fieldwork was available to attend the session, accompanied by another planning student from DUT. A visiting professor in Development Studies from Ohio State University also accompanied one of the invitees to the brown bag seminar.

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[11] See www.mile.org.za for more details on MILE.

The themes probed at the brown bag session emanated from the community development activists' stories and the community interviews. The intention of this session was firstly to share views, experiences and expectations from planning. A number of practitioners that participated in the research had requested that I present the community interview findings to them as this aspect of the research was seen as interesting and important for several reasons. Firstly, this was the most practical side of the research and could be easily accessible and understood by practitioners in an applied manner. Part of the attraction of this sub-question was that research findings presented were seen as 'measurable' as opposed to the results obtained and interpreted from observations and interviews. Secondly, many of practitioners interviewed for this research said they did not know how to access community information or were at loss as to why people did not respect and work with the planning knowledge (see research sub-question one and two).

However, for me as the researcher, although the brown bag session was seen as a useful forum to share the results, it was more important to provoke the (re)thinking of the knowledge and practice. I wanted to demonstrate the role/s of community knowledge that can confront, expand and deepen views on key constructs of planning knowledge for the future, from the people expected to work and respect such policy and knowledge.

The results were shared with participants through a power point presentation. The town planning student also provided feedback from his experience in undertaking the interviews. In particular, he noted that many of the respondents raised general service provision as a problem and a priority. He also explained that the most negative land uses identified by respondents were those that caused social problems within neighbourhoods, such as taverns and shebeens, and yet planning seemed unable to engage with such uses.

8.6.1 Feedback from practitioners on the emerging results

Explaining trends observed

Regarding questions of clarity on the research findings, there were no concerns regarding the interpretations I made for the patterns observed. In particular, participants also supported my finding of certain historical racial areas being better located and serviced as a possible explanation for responses, as well as access to private vehicles and more disposable. On the other hand, a lack of mobility and conveniences in an area also supported trends or results. It was noted that the experiences of the residents of the different areas also shaped how they responded.

Assessing if results were surprising or not to practitioners

When I enquired if the results presented any surprises to the practitioners, it was acknowledged that some of the results were surprising and some expected, but now confirmed through the research. As an example the levels of flexibility or intolerance regarding mixed uses and typologies across all the respondents was surprising to them given the high levels of flexibility emerging. However, when drilling deeper into the data, in particular using factors of race, class and place of residence, some of the results were less surprising. Some of the themes that stood out as surprises to the practitioners were the levels of control and involvement people wanted from the municipality and their neighbours and the nuances this took regarding place of residence and race groups.

The role of councillors as important resources and points of contact came through as surprise for practitioners, especially as a reliable source of information and to unblock conflicts. Practitioners were equally surprised that some of the existing planning procedures used to invite comment on applications and policy making compared less favourably to alternatives such as community meetings and the involvement of ward councillors. They were surprised that planning practice was so out of touch with how people wanted conflicts to be resolved.

They were surprised about certain mixed uses attracting less support than others, such as offices located in neighbourhood receiving less support then shops. Certain typologies of buildings such as flats and apartment blocks received less support for being located in a residential neighbourhood compared to businesses, shops and community facilities.

Whilst there was an expectation that certain racially-based geographic areas would respond in a particular way, the practitioners were equally surprised about some of the responses, such as the greater KwaMashu area scoring the lowest on integration regarding income and race. Other surprises reported on were the notion that office uses were less acceptable across the race groups and more so for Africans, and that the White race group was most accepting of the mixed use option.

One of the turning moments within the brown bag session was when a participant (not a practitioner from Development Planning Department) enquired why the community activists and the community interviews represented such a major departure from current planning knowledge and practice. This participant provocatively asked if there is an alternative planning system waiting to happen or happening already, but is reluctant to be recognised, defined and practiced by practitioners. This participant asked whether planners are holding

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back the tide on this alternative approach. A short discussion ensued, during which one of the practitioners indicated that as planners they are afraid of losing control and allowing chaos and disorder to prevail, and would rather stick to the knowledge and practice they know, even when it is ineffective.

The discussion also centred on the diverse views of planning within the profession and in the municipality. In this regard, practitioners wanted safety, agreement and direction as to how planning should be transformed. Planners and planning came across as being reluctant to deal with transformation, as well as not knowing where to start, what it could look like and whether it something that would be supported institutionally. A discussion also ensued about how planning responds to trends, that is what has already taken place in the city, then trying to develop planning knowledge to work with such trends and to curb other 'undesirable' changes. In essence, this confirms that planning and its ideology is reactive and conservative, always trying to catch up with the flexibilities and innovations of society.

One of the practitioners also described the planning taking place within the municipality, including spatial plans and TPS, as 'armchair planning' and that which is severely lacking in participation, thus prompting a wider discussion on public participation. This discussion troubled me as it took the angle that more participation will validate current planning practices rather than critically questioning the knowledge being generated and used within practice. In many ways I was expecting more engagement on the consciousness of planners, that is, seeing the role of planning knowledge beyond expert knowledge, the ideology of such knowledge, how representation, diversity, practical knowledge and construction of knowledge remains important to planning. These concepts and ideas of policy making communities, multiple knowledge actors, co-production and co-users for now seemed very far from the wider planning agenda within the municipality.

However, the discussion did also pick up on how the municipality engages with participation. One of the participants very boldly stated that to date public participation by the municipality often comes with a hidden agenda. In the circumstances when public participation is sincere, open, and transparent, the outcomes of participation can speak for themselves. Public engagement in the redesign and use of Bulwer Park on the Berea was quoted as good example. The visiting professor raised a concern that the municipality expects citizens to engage in planning matters, yet this is taking place without any investment into building capacity and activism for planning across the municipal area. This is a problem affecting local governance and democracy making. Wrong assumptions are made that everybody has

the same resources, time, capacity and interest to engage in planning, yet the critical history of South African urbanism denied people access to planning and current planning practices reinforce the past. The participant reiterated the need and importance to build capacity and work with those like community activists to enable greater access to planning.

The most concerning comment came from a practitioner involved in the regulatory side of planning who said the information was insightful but added to his confusion of what he should be doing, what is right. He also remarked that in any given day he feels ashamed of being planner, but on occasion he celebrates being a planner. He also found that the information presented was giving him more alternatives, but not answers to what he should be doing. Current planning practice does not satisfy all potential parties and in his view this is was what planning should be doing. As a planner he found that the economic requirements and arguments were so strong and often it is difficult to reach a decision that considers local concerns and economic interests equally. His concern was that the planning tools are wrong for the time we are in and often the changes that are made are so small that they shift very little in planning.

These comments started a discussion that planning is not something with answers, but rather about capacitating, enhancing and equipping citizens to engage in planning and thus ensuring some balance in planning. One of the participants indicated that if planning is about answers, there would be no problem with planning, but sometimes as planners, decisions also need to be made. My response to him (borrowing from Forester and Flyvbjerg) was that he needs to be aware and decide what kind of planner he wants to be and to bring this into the work that he does. Mostly he needs to be aware and make a choice of what kind of planning he is engaged in, as being in denial, ignoring his own integrity is what will make him feel ashamed. I also indicated that sometimes, no matter what you do, certain decisions will still prevail. As long as you have lived up to the planner you wanted to be that is sometimes the most you can do. I also made the point that a lot of what this individual planner was experiencing, the need to change but being anxious about a lack of support, can be achieved through planning knowledge being (re)developed that brings in collective transformation to planning practice. I also raised additional findings from my research that in the (re)development of planning knowledge (research sub-question two) it was clear that some practitioners are included, some are excluded and some are not interested. Essentially this is the work that they should contest to be involved in, given how important planning knowledge is in practice (research sub-question one).

The final comment was an enquiry about how global is this 'planning practice' as reflected in the research. My response was that practice varies in different places, but similar concerns do come up such as dominant economic interests that planning supports, social relations and power and politics involved in planning. However, what was also clear was that there is this overwhelming positive light in the way planning and planners are being discussed about in practice. Simply put, I indicated that I found a very different story of practice, in many ways a sad account of planning practice as opposed to what the many readings of planning practice suggest. However, this should also be seen in the context that for now there were limited studies in Africa with which to compare my findings.

Limitations of the feedback session
I was grateful to be able to present aspects of my research and for the lively discussion that took pace. However, I was also hoping for more engagement based on the data presented. I also had to temper my anxiety with the fact that I only had a two hour session with participants. They did not receive the presentation prior to the MILE session as I had to limit access to my research until it is submitted and finalised.

The presentation of results was both dense and comprehensive and this could explain why engagement was limited in certain aspects. I also only presented data findings from one out of the five questions and the picture of the research findings were not seen in context. However, I made a conscious decision to limit the presentation of other aspects of the research, in particular that which revealed the alliances, power, and social relations. This could have been more contentious and awkward than useful. In particular, time constraints and not being able to have series of small meetings to prepare groups for the results may have been more damaging and irresponsible for me as the researcher and also a close colleague of the Development Planning Department.

I also had to recognise that the deeper philosophical discussion I was hoping to have was ambitious and too soon in a mixed context of practitioners. Often practitioners from various sections of the Department preferred to speak more honestly in person rather than in an open discussion with other planners, even if they are from the same department. The facilitation of the session was also unstructured and was not geared to the research focus I wanted to explore.

Potential for a pilot
At the end of the session, a couple of the practitioners approached me and said they wanted to do more with the information and would like to engage in a pilot study regarding how to

explore the research further. Here the strength of practitioners being action-orientated and wanting to try something showed its positive side. In this regard, we spoke about working with an existing activist group in the Berea as an example. However, what did come across was a concern as to whether the municipality would lend support to such a pilot in particular for the Berea area. The concern articulated was if the municipality will compromise, and share policy making with citizens, in particular those from a so-called 'white', vocal and affluent areas, such as the Berea. I must admit that at this point in time, I missed my previous position as Head of Planning, as I would have been in a position to support a pilot project/s that explored the development of planning knowledge not only because it would add value and follow-through to my research, but more because it will be useful for practice.

In thinking about how the brown bag discussion went, I think in many ways the practitioners responded from what was possible and comfortable from a practitioner point of view and not from a conceptual, theoretical or ideological perspective. Perhaps in engaging more theoretically in future, the response to this work will be different.

8.6.2   Feedback from development activist on the emerging results

A follow-up interview was held with one of the development activists interviewed for the research to provide feedback on the main research findings. The first finding was to discuss the importance of planning knowledge in directing and informing planning action. I wanted to share with the activist that the nature and frequency of conflicts can be limited, if the activists engaged with the (re)development of such knowledge during the formal process of knowledge development. I also alerted the activist that the engagement with planning knowledge can happen outside of formal processes and take the form of advocacy and activism for (re) development of such knowledges that have an impact on local areas. Whilst there was interest and obvious gains to be made in engaging and contesting planning policy and planning knowledge, the activist indicated that the main concerns were time and capacity. Often activists need more visible projects to ensure that their viewpoints are heard. To some extent policy making activism is not where they developed their interest and skills, so while it may gain momentum in the future, it remains limited for now. It was also explained to me that much of the activism work being done is to make residents aware of the importance of being involved and to act on the things that matter to them. Residents' mindsets need to change from thinking that the municipality must do everything. The SOB organisation is promoting involvement, partnership and activism.

I was also interested to establish whether a local communicative planning approach that unfolded through this research was possible, given the diverse interests and deep conflicts that reside in planning. I was relieved when the activist indicated that this is the only way to go and in fact it is an approach that is being used, gaining interest and showing success. I was informed of the first mosque to be constructed on the Berea in the vicinity of several churches and a synagogue that has been in the area since the late 1800s. Through recognising different organised groups and interests, the developers and sponsors of the mosque voluntarily decided to engage up-front and outside of a formal planning process to reach agreement on the specifics and conditionality for the mosque to be constructed in the local neighbourhood.

It was through engagement and dialogue, and recognising change while also fitting in with the local environment, between the residents involved in Save Our Berea (SOB), the local councillor and the sponsors and professional team for the mosque that certain agreements were reached. This included extra parking, and to not use a loud hailer when conducting the call for prayer. If anything this is a good story to tell, where engagement, organised citizenship, collective rationality and practicality resulted in the consensus on the conditions for a mosque. This story was covered in the Berea Mail (2016: 3).

It was also mentioned that if the application was made to the municipality, in all probability it would have met the TPS requirements and would have been approved and then probably attracted several objectors and possibly several appeals. However, what has emerged in the last year or so is that SOB is increasingly being consulted and engaged with prior to an application being submitted. Developers and community members are finding it more useful to engage and resolve possible matters prior to submitting a formal planning application and being caught up in the formalities of planning. The activist indicated that even the officials within the municipality are encouraging certain developers to engage first with SOB prior to submitting an application. This may lead to concerns in the future that SOB can become a gatekeeper, but for now some form of activism within the planning field remains encouraging for new possibilities in planning.

8.7   Emerging insights from the empirical data

What emerged from engaging with a variety of stakeholders' perspectives and lived experiences concerning sharing, producing and using space was most revealing. These perspectives certainly confronted current planning ideology and the planning knowledge

being constructed and used in planning practice. These ideas, shared and informed by many types of stakeholders, represented a big departure from what practitioners considered as important in the (re)development of planning knowledge for practice. This also offered a huge opportunity for (re)thinking the underpinning principles for planning knowledge within a context of being practical in relation to what is taking place spatially, daily, and by people themselves. Some of the important insights emerging from engaging with a multiplicity of stakeholders and their knowledges on planning are summarised as follows.

Alignment between community activists and resident interviews - dominant storylines emerge

- *It's a time to organise communities to be involved and active in governance matters:* Different forms of community structures are important to engage society on governance matters such a planning and to hold the municipality accountable. However, there are also many barriers, including the way the planning profession and planning legislation respond by crowding out public engagement. The research reflected on the institutional arrangements within the municipality and the 'hijacking' of democracy through democratic platforms such as municipal committees and ward committees. Engagement and gatekeeping happens across areas but also varies between former township areas and more suburban and affluent areas. The barriers to engage with the municipality and to participate in local government matters were seen to be more constrained within former township areas as compared to other geographical areas.

- *Managing conflicts cannot happen without meetings, discussion and dialogue:* Recognition needs to be given to independent structures to deal with conflicts arising through local authority actions or inactions. Across the spectrum of stakeholders engaged in this research, traditional methods of meetings, targeted meetings, building capacity, dialogue and discussion is what is required to engage in planning as an opportunity and solution-finding activity.

Community views and insights into planning knowledge and practice

- *Different lived experiences and what an improved environment means differed from the core function of planning as currently undertaken:* What emerged through this research were very different understandings of concepts such as certainty, livelihoods and what an improved living environment means. Stakeholder views (even though they varied) all contrasted with planning and the practice of planning. Despite the differences between

stakeholders, and not to underestimate different values and conflicts, it was surprising to establish a coherent stakeholder appreciation of what planning should support. The levels of flexibility and thinking about solutions, alternatives and context start to suggest a new emerging ideology for planning.

- *There is a bigger ideology for planning:* In the interviews conducted, that covered a wide range and diversity of stakeholders, what came through was that new ideology for planning is required for the current context. The community interviews and responses from the many types of stakeholders engaged in this research established real concerns and extremely valuable insights as to what a new ideology of planning should begin to support. This included more engagement and involvement in planning knowledge and decision-making, less control and rules-based planning knowledge. Such a planning process and planning knowledge would support finding solutions, mediation and conflict resolution. A planning knowledge that is simple, easy to understand and accessible to its expected users came through clearly. Lastly, such a planning ideology emerges as one based on simplicity, dealing with priorities only, the 'public bads' and leaving everything else to possibilities and solution-finding.

- The 168 resident interviews explored the following six themes and the main findings emerging are summarised below. Whilst race, income and historically racial geographical places could explain differences in opinions and experiences, the findings do present the municipality and planning with trade-offs and choices to make in terms of how to intervene in planning for the future. Put simply, with more research and engagement some conscious choices about planning knowledge can and should be made. This should also be an ongoing project in searching for and inserting relevance into planning.

  o *Theme One: Land use planning knowledge - flexibility and tolerances:* Residents revealed high tolerance for mixed uses and intolerance for a limited number of what constitutes 'public bads'. This certainly helps to re-focus the concerns and energies of planning practice.

  o *Theme Two: Land use planning knowledge – integration:* Integration or diversity expressed in terms of race, income, culture, religion and age seems less of an issue than what is often expected and shied away from within planning. However, more intervention and support for mixed income neighbourhoods requires attention.

  o *Theme Three: Land use planning knowledge – control, awareness and effectiveness of planning practice:* Moderate rules, engagement and control from the municipality and engagement with neighbours came through as a preferred and balanced

approach for planning. Planning is seen as shared responsibility with 'others', the municipality and its professionals. What did emerge from this theme was that there is an expectation and desire that the municipality should pay attention to both private and public property, both spatial and non-spatial interventions expected from planning. The refocus of planning priorities, planning knowledge and municipal planning comes through as a future research agenda.

o *Theme Four: Land use planning knowledge – addressing conflicts, experiences and expectations:* The traditional methods used in planning represented a major departure from what people identified as important mechanisms to address planning-related conflicts. In particular mediation and conflict resolution came through as extremely important approaches to addressing conflicts. The basic importance of community meetings resonated across the spectrum of residents and development activists. This view was also shared with the legal, business, councillor and rural representatives. The role of local ward councillors came through as an important aspect of planning practice with respect to resolving conflicts. Current planning approaches such as newspaper advertisements, notification letters and appeals were regarded as inadequate mechanism to promote engagement with planning.

o *Theme Five: Land use planning knowledge - notions of compliance and illegality:* The overwhelming support for compliance should be viewed as an opportunity in the (re)development and implementation of planning knowledge where issues of relevance, merit, flexibility and practicality can be used in future.

o *Theme Six: Land use planning knowledge – what makes a local place and neighbourhood and what detracts and prevents the local places from being made:* What emerged was that planning is out of touch with the issues it is expected to address, and this calls for a different form of planning. One that integrates with other disciplines that helps to engage with local place making, the public realm, public facilities, management of the area, engagement and involvement of local residents and dealing with social issues is what makes places and neighbourhoods liveable. These research findings question the traditional and current planning focus and in this context municipal planning.

8.8 Conclusions

As contended in this research, planning knowledge remains uncontested, unclaimed, unengaged, and without alternatives in the way it is being (re)developed, yet it is this knowledge that directs daily planning practice. This planning knowledge can serve as a point of engagement and transformation of planning practice to become more relevant for the context it is expected to work within. The resident interviews and development activist interviews certainly demonstrated the difficulty people experienced with planning knowledge and practice in their everyday lives. More importantly it evidenced the importance and value of a locally adapted version of communicative planning theory as an approach that can be considered in the construction of planning knowledge for the future. The findings from this chapter have convincingly demonstrated the need for an alternative planning ideology that can emerge from multiple stakeholders, different knowledges and everyday practices. This this will be further explored in Chapter Ten.

Having undertaken this aspect of the research, and providing evidence for the possibility and alternatives in the (re)development of planning knowledge and implementation, one is left with the question of whether an institution like the eThekwini Municipality, its politicians and practitioners would explore, broaden and give recognition to a wider policy making community that resides inside and outside the municipality.

CHAPTER NINE: HOW IS LAND USE PLANNING LEGISLATION BEING DEVELOPED/REDEVELOPED WITHIN AND FOR THE ETHEKWINI MUNICIPALITY?

9.1   Introduction

The previous three chapters examined how land use planning knowledge is being used in practice and how it is being (re)constructed in the eThekwini Municipality, followed by an exploration of stakeholders' experiences and perspectives on planning knowledge, in response to the first three research sub-questions. This chapter now turns to a key aspect of planning knowledge, land use planning legislation. Research sub-question four considers how planning legislation is being developed and redeveloped in and for the eThekwini Municipality and how it impacts on planning knowledge in action.

The consideration of this research sub-question was undertaken at an opportune time when SPLUMA was being discussed across the province to ensure compliance and readiness for its implementation. The municipal planning by-law was also under construction at the time, so the research delved into how the by-law process unfolded in the municipality. Finally the research looks into what took place when SLPUMA was implemented in July 2015. Since it was expected that this legislation would play a huge role in the transformation of spatial and land use outcomes within South Africa, it was important to get a sense of whether any shifts in planning practice have yet emerged and what these are.

A simple, perhaps oversimplified, connection is made in this research between the (re)development of planning legislation which informs the (re)development of planning knowledge within municipalities, which together with planning legislation directs the (re)development of planning implementation or practice. In posing this sub-question, the intention was to understand how planning legislation comes about, what and who influences it, and drives it at a national and city context level, given the emergence of a municipal planning by-law within the municipality. Through the use of institutional ethnography and key informant interviews, the social relations and standpoints present in the (re)construction of planning legislation is further explored. Within the province of KwaZulu-Natal, the national Department of Rural Development and Land Reform (DRDLR), the custodians of SPLUMA, in conjunction with the provincial department COGTA, held joint meetings to discuss draft regulations for SPLUMA and to prepare municipalities for the implementation of SPLUMA. These meetings were locally referred to as the SPLUMA Forum meetings and provided a rich

context in appreciating the behind-the-scenes aspects of 'legislation in the making' for planning.

Again being a municipal planner and invited to SPLUMA meetings and observing the meetings in action, the questions, comments and conversations within and outside the formal proceedings of such meetings revealed the messy, subjective, power, territorial and personality conflicts at play in the construction of planning legislation. This demonstrated that legislation is socially constructed. Notwithstanding the social construction of planning legislation, it will become sacrosanct, legal, and the legislative environment for planning practice within eThekwini and other municipalities across the country. The observations from meetings were also augmented and supported by in-depth informant interviews across a variety of stakeholders, including interviews with the legal sector and key practitioners from the provincial and municipal level involved in drafting planning legislation. The dominant themes that emerged are discussed in sections 9.2 to 9.6, summarised below:

- The making of legislation and it is not so upright
- Social relations had their role in influencing SPLUMA
- The beginnings of a planning by-law for the eThekwini Municipality - an opportunity or missed opportunity to transform planning knowledge for action
- So what happened when SPLUMA was finally implemented?
- What's wrong in learning from each other and 'others'?
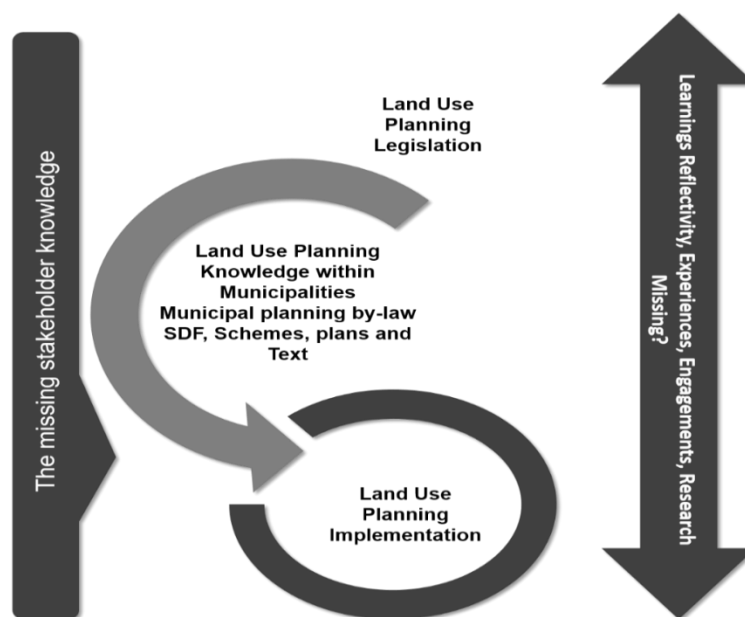
Figure 9.1: Conceptual relationships between land use planning legislation, planning knowledge and implementation. Source: Author.

9.2 The making of legislation and it is not so upright

9.2.1 It was 20 years too late!

It took almost 20 years before the arrival of national legislation for spatial planning and land use management, which was under construction for at least the last ten years (Van Wyk, 2012; South African Cities Network (SACN), 2015). Given the long wait, the activity generated in getting ready to implement SPLUMA was not surprising, but the excitement was jaded, perhaps because it was years too late. However in the intervening time only two provinces had enacted post-apartheid provincial planning legislation, the province of KwaZulu-Natal and the Western Cape (Van Wyk, 2012). Provincial planning legislation also took a long time to finalise and the 2008 PDA was only implemented in 2010 (SACN, 2012). Thus in a short space of time, municipalities within the province had to brace themselves for two major legislative changes within the planning environment, one in 2010 and one in 2015.

The legal sector stakeholders engaged in this research often expressed that the promulgation of SPLUMA was born out of desperation. Undue pressure was placed on the DRDLR, when the City of Johannesburg, joined by others including the eThekwini Municipality, contested the constitutionality of the Development Facilitation Act, 67 of 1995 (DFA) as interfering with the mandate of municipal planning. This resulted in a judgement that declared parts of the DFA unconstitutional (Van Wyk, 2012; SACN, 2015). The Constitutional Court gave DRDLR two years to develop national legislation. Whilst the legislation had already been in the drafting process for some time, given this ultimatum, it was then rushed to meet the deadline.

In many ways SPLUMA was too late to guide and, more importantly, transform spatial planning in the country. This delay led to several sectors such as Environment and Housing exercising their own legislation or continuing to use existing and old legislation. In several cases SPLUMA has to run in parallel with other legislation (SACN, 2012). In addition, sectors with huge implementation budgets, programmes and political clout, such as transport and housing, have led and continue to lead the spatial outcomes of cities. It is also late because since 2000, and despite many challenges, municipalities have already made progress with integrated development planning and SDFs, in terms of the Municipal System Act, 2000, which continue to seek to influence post-apartheid spatial outcomes. Municipal planning initiatives are further supported and incentivised by the several grants available through the national Treasury Department (Division of Revenue Bill, 2016).

So it is not surprising that many of the provincial officials, municipal planners, legal experts and consultants present at the SPLUMA Forum meetings had the view that SPLUMA is 'much of the same' and remained sceptical about how it will transform planning in the country. Often SPLUMA was referred to as nothing more than meeting a constitutional mandate to legislate.

However, the legal sector was clear that the most important change SPLUMA brought about was to provide clarity and elevate the importance of municipal planning. What was noted in the interviews with the legal sector was that if SPLUMA had been enacted some years ago and prior to the Constitutional Court cases[12], municipal planning would have been more constrained within national legislation (Van Wyk, 2012). In some way the delays in passing SPLUMA were to the benefit of municipalities, given case law that has conferred a broader interpretation of what constitutes municipal planning, as reflected on by a municipal legal advisor below.

> *"Before municipal planning was not certain, it always had the capacity but through case law and SPLUMA, this gave voice to municipal planning. Municipal planning we determine the content, province oversight and compliance and national sets principles." (Respondent 27)*

9.2.2   SPLUMA misses an opportunity to transform spatial planning

One of the legal interviewees indicated that SPLUMA misdiagnosed the problem, thinking that only legislation can change planning practice; legislation is important but limited in what it can change. Meanwhile, some interviewees felt that the application of the five principles reflected in Chapter Two of SPLUMA, sections 7(a-f), will lead to the transformation in planning, a transformation not seen before in South Africa. However, when probing further, the difficulty in giving these principles meaning and translation for implementation in the (re)development of planning knowledge was evident. The principle most easily translated into practice is spatial justice, interpreted as requiring planning knowledge to be extended throughout a municipal area. In fact the development principles section in the draft municipal planning by-law dated February 2015, circulated internally within the Planning Unit for comment, was incomplete or under construction (eThekwini Municipality, 2015b). The revised version of the draft planning by-law removed the principles section altogether (eThekwini Municipality, 2015c). In an interview with a practitioner involved in the by-law drafting process, the concern was that this would require a wider discussion within the

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[12] In particular the Johannesburg Metropolitan Municipality v Gauteng Development Tribunal and Others; and Maccsand (Pty) Ltd v City of Cape Town and Others, and other important case law.

municipality on how to interpret what these principles mean and as practitioners they were at a loss as to how to give meaning to such principles.

The inclusion of the five principles brings in a particular theoretical and ideological stance to the legislation, which is not carried throughout the legislation. For example the principles of governance and participation do not talk to each other. In many ways participation and citizen involvement lack a presence in SPLUMA. The legal and community activist views were in unison that SPLUMA is a developer-friendly piece of legislation, once again ignoring the need for balanced decision-making and community engagement in planning. This represents a missed opportunity for making planning more accessible to a diverse public.

The business sector was equally negative about SPLUMA. However, they were pleased that SPLUMA required a national and provincial SDF, with which municipalities must comply. The municipalities are expected to consider national and provincial priorities, thus making a municipality less parochial about what development to allow within municipal areas. The trade-offs negotiated in creating such plans across spheres of government, providing a particular context to municipalities was seen as useful and important to contribute to spatial transformation in planning (SACN, 2015).

In trying to appreciate if SPLUMA has and will transform the planning landscape, the many informant interviews across stakeholders indicated that the legislation has failed to ignite the much awaited changes in planning knowledge that can start to shift planning practice. The community activists shared a similar concern that the legislation forgot to give communities a role in planning. The legislation made the assumption that having councillors involved in policy development would represent communities, but this is not good enough. Access to information, simplifying planning, measures to encourage community education and community meetings are some of the basics missing from SPLUMA.

It also appears that SPLUMA missed an opportunity to integrate procedurally with environmental legislation, for those cases where a particular development triggers both pieces of legislation. SPLUMA does not even indicate the sequencing of environmental and planning decisions and whether this matters; in essence whether the environmental decision should precede the planning decision (SACN, 2012; SACN, 2015). SPLUMA could have indicated that where a development triggers both applications, the municipality should resolve internal conflicts prior to finalising an environmental and/or planning decision. According to the business sector, development activists and the councillors engaged in the research, mitigation and trade-offs at municipal level should have been encouraged within

SPLUMA. What SPLUMA has done, however, is to leave the burden of integration, similar to a project management role, to reside at municipal level. This entails the practitioner having to track and obtain environmental authorisation, and other authorisations if required, in order to process a planning application.

SPLUMA did not achieve collaboration with other important and parallel pieces of legislation involved in planning matters. This has a particular bearing on municipalities that are expected to implement sector legislation, but at the same time have not had the opportunity to work through conflicts based on the separateness of such legislation. Sector and interest based conflicts are rife within municipalities and often between different sector professionals. What came through in the informal discussions regarding SPLUMA was that DRDLR was unable to collaborate with key national departments responsible for legislation that impacted on planning, such as the environmental legislation and human settlements/housing.

Environmental practitioners present at the SPLUMA Forum meetings also raised concerns that many municipalities do not have the resources to employ environmental specialists to prepare necessary environmental plans. Therefore the inclusion of environmental plans in SPLUMA was regarded as important but also limited in practice. The retention and separateness of the environmental legislation therefore remains important.

However, representatives from the legal sector did caution that SPLUMA is framework legislation and it is up to the provinces and cities to address municipal planning in the way that best responds to their specific contexts, as reflected in the quote below from a legal expert.

> *"I think new legislation like SPLUMA will not change the way planning is actually happening on the ground, it is a national legislation but much of the same. It is here because the Constitution gives recognition to it. Issues like participation, practicality, accessibility will not necessarily change with SPLUMA." (Respondent 25)*

SPLUMA provides for municipalities to prepare municipal planning by-laws. This is an ideal opportunity for municipalities to be more directive about what is important at a municipal level. A legal expert expressed concern that, given the history of planning legislation and the planning's role in the establishment and maintenance of apartheid, some clear planning outcomes beyond principles were expected from SPLUMA as national legislation. The example of Brazil and its use of legislation in directing change was often referred to as a good example of planning legislation. This interviewee was of the view that although SPLUMA had the potential as post-apartheid legislation to respond to the post-apartheid

spatial legacy, it lacks the required legal boldness that could have had a positive impact on intervening in the spatial outcomes expected from the legislation.

The legal expert expressed the view that constitutionally SPLUMA will be challenged in time. DRDLR is aware of this and therefore has given municipalities additional support to undertake municipal planning by-laws, structured around the SPLUMA's development principles, thus creating mini–SPLUMAs. So in the event of SPLUMA being challenged, there would have been enough time to advance certain national priorities, and municipalities will be left with their own legislation in terms of the municipal planning by-laws that will be SPLUMA-compliant.

9.2.3   SPLUMA confers technical power to planning and planning professionals

What was mentioned as useful and important in SPLUMA is the spatial coverage it provides for and the repealing of several apartheid-based laws, even though no longer in use. Many of the practitioners, including the environmental sector practitioners attending the SPLUMA Forum meetings, seemed pleased about wall-to-wall scheme provision, even though this already existed before within the PDA. The requirement for wall-to-wall schemes was welcomed by technical sectors, as a technical mandate to manage unwarranted and unsustainable development.   However, it was felt that the legislation did not go far enough to ensure traditional authority participation and compliance with SPLUMA in meeting this requirement. Instead the role of traditional councils is vague, as reflected in section 23(2) of SPLUMA, as follows:

> "Role of executive authority
> 23. (2) Subject to section 81 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), a municipality, in the performance of its duties in terms of this Chapter must allow the participation of a traditional council."
> (SPLUMA, 2013: 34)

The provision for the inclusion of traditional authorities was viewed as weak and unhelpful to municipalities that are required to include traditional areas in the rule and order of planning. This was regarded as a challenge to municipalities that prevents traditional authorities from enjoying the benefits of, and being compliant with, planning knowledge and its implementation in traditional areas. A big concern is that certain legislation has equal importance as planning legislation and has to be adhered to in parallel to planning legislation, such as the Subdivision of Agricultural Land, Act 70 of 1970 that protects agricultural land and the KwaZulu-Natal Ingonyama Trust Act, 1994 which allows for land held by the

Ingonyama, the Zulu king, in trust for traditional communities to be managed in terms of traditional land tenure systems.

However, a more critical view of wall-to-wall schemes came from business, some councillors and representatives of the Ingonyama Trust Board, which administers the Ingonyama Trust, or traditional, land mainly through formalising land lease agreements in traditional areas. These stakeholders questioned the benefits versus the burdens and impacts of wall-to-wall schemes in traditional areas. The stakeholders were of the view that schemes should be for urban areas and not for rural and traditional areas where traditional use rights apply. Councillors within the dominant political party expressed concerns about using the same technical and legal approach for planning across the municipal area, in particular for rural areas, as reflected in the statement below.

> *"…town planning schemes are for urban areas and for white areas only and that*
> *should not put it in other areas in particular traditional areas as they have other ways*
> *in which traditional authorities have allocated land uses and managed conflicts."*
> *(Respondent 34)*

Given the differentiation of land tenure models, due to the social and cultural history of land in South Africa, it is somewhat surprising and disappointing that national legislation relating to spatial planning and land use planning management did not consider the realities of different forms and practices of tenure and land use systems, in particular the differences between the urban, rural and traditional systems. What remains a contentious point is that whilst the traditional community and leadership are expected to be consulted, the control and decision-making shifts to the municipality, in the interest of health, safety and the environment, as explained by a municipal legal expert below.

> *"The way forward is a "scheme" that manages health and safety impacts, with the*
> *engagement of the Amakhosi, but they are not the decision- makers." (Respondent*
> *27)*

This then also raises the question of how traditional knowledge and practice, that has been in existence well before legislation and managed without plans, schemes and planners, is given consideration and importance in SPLUMA.

9.2.4 The practitioners find innovative ways to continue with the technical in planning decision-making

The main point of contention raised by practitioners was the impracticality of the application processing timeframes and the different decision-making roles assigned to potentially three

types of decision-making authorities (the municipality, the MPT and the delegated official/s) stipulated in SPLUMA. Regarding decision-making structures, essentially the political in the form of a municipal committee will approve planning knowledge in the form of the preparation, adoption and amendment of the SDF under section 20(1), and the preparation, adoption and amendment of town planning schemes under section 23 (1) of SPLUMA. Practically this means scheme reviews, scheme amendments and scheme extensions.

The MPT approves applications that are consistent with the SDF and TPS. However, under certain circumstances SPLUMA, under sections 22(2), allows for the MPT to deviate from the approved planning knowledge in use. Municipal practitioners and provincial and legal officials were critical of section 22(2), regarding it as similar to the DFA whereby the DFA Tribunal was vested with sweeping powers over municipal planning. However, in this case it is constitutionally compliant given that the MPT would be appointed by the municipality. The relevant sections in SPLUMA are detailed as follows:

> "Status of spatial development frameworks
> 22. (1) A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework.
> (2) Subject to section 42, a Municipal Planning Tribunal or any other authority required or mandated to make a land development decision, may depart from the provisions of a municipal spatial development framework only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework." (SPLUMA, 2013: 34)

> "Legal effect of land use scheme
> 26. (1) An adopted and approved land use scheme -
> (a) has the force of law, and all land owners and users of land, including a municipality, a state-owned enterprise and organs of state within the municipal areas are bound by the provisions of such a land use scheme;
> (4) A permitted land use may, despite any other law to the contrary, be changed with the approval of a Municipal Planning Tribunal in terms of this Act." (SPLUMA, 2013: 37-38)

The third decision-making authority in terms section 35 of SPLUMA provides for the categorisation of land use applications to be considered by authorised official/s, detailed as follows.

> "Establishment of Municipal Planning Tribunals
>
> 35. (1) A municipality must, in order to determine land use and development applications within its municipal area, establish a Municipal Planning Tribunal.
>
> (2) Despite subsection (1), a municipality may authorise that certain land use and land development applications may be considered and determined by an official in the employ of the municipality.

(3) A municipality must, in order to determine land use and land development applications within its municipal area, categories development applications to be considered by an official and those to be referred to the Municipal Planning Tribunal." (SPLUMA, 2013: 44).

In an interview with a key practitioner involved in the drafting of the eThekwini municipal planning by-law, the management and splitting of applications based on different decision-making powers in terms of the legislation was seen as problematic and a potential for delays and confusion. The practitioner and management were also of the view that the involvement and costs as associated with the MPT should be reduced as far as possible, and therefore the applications going to the MPT should be limited. Management's preference was for the consideration of the regular but important applications such as special consent and rezoning applications, under certain conditions, through delegated official authority. This re-categorisation of applications will allow the same system as before to continue where officials make a recommendation through JAC and the Unit Head has delegated authority to approve or refuse applications. In essence, the re-categorisation of applications will retain the authority, knowledge and power in planning in favour of the municipal officials and the technical.

9.2.5 The technical celebrates the limitation of councillors in the adjudication of development applications

A discussion that often took place in informal discussions at the SPLUMA Forum meetings was the restricted role of the political from making decisions on applications. This was probably one of the most supported aspects of SPLUMA, across sectors representing municipalities, not just the planning sector (the provincial officials, consultants and legal expertise that attended these meetings), as reflected in this statement below from one of the planning officials interviewed.

"I have high hopes for SPLUMA to take away politics from planning." (Respondent 2)

The interviews conducted with provincial, municipal, and legal practitioners, academics and planning consultants also confirmed their support for the exclusion of councillors from decision-making on applications, as stipulated in section 36 of SPLUMA. As discussed under research sub-question one, councillors interviewed from both the leading political and opposition parties showed more of a mixed reaction to this exclusion, and unanimously saw this as a loss to planning practice.

The development activists were of the view that whilst external experts could be useful in the review of planning applications, it is not helpful if community concerns and conversations are not heard; thus it is expected that councillors take on such a role. It was felt that SPLUMA and the design of the MPT have left out community engagement in planning with the potential to further weaken this important aspect of planning knowledge. The point was made that legislation that leaves out communities, and provides for planning through legislation and procedures only, loses the opportunity for good planning processes and better planning.

SPLUMA is silent on what skills or sectors are required for the appointment to the MPT, as noted in section 36 below.

> *"*Composition of Municipal Planning Tribunals
> 36. (1) A Municipal Planning Tribunal must consist of -
> (a) officials in the full-time service of the municipality; and
> (b) persons appointed by the Municipal Council who are not municipal officials and who have knowledge and experience of spatial planning, land use management and land development or the law related thereto.
> (2) Municipal councillors may not be appointed as members of a Municipal Planning Tribunal." (SPLUMA, 2013: 44)

Provision is made for additional technical and other advisors as contained in section 11 of the SPLUMA Regulations, 2015. However, this does not diminish the views of community activists and the legal sector that SLPUMA does not address community engagement in planning.

The delight of practitioners in councillors being excluded, assumes that political involvement in planning decision-making is only through the political committee and that the technical do not create and maintain their own interests in the approval and refusal of planning applications. As established under research sub-question two, the officialdom and the political have well-established independent and connected points of interest in planning applications. Thus politics in planning does not sit neatly in a box with politicians only.

The separation of the political to policy issues and the technical to implementation makes certain assumptions about the commitment of officials to engage and open the policy environment to politicians. It also assumes there is political interest and that the politicians will have the capacity, interest and time to engage in the policy environment. As discussed under research sub-question two, this was not the case.

9.2.6 Community participation minimised in post-apartheid planning legislation

How participation was addressed in the legislation did not attract much discussion from participants at these SPLUMA Forum meetings (participants representing municipalities not just the planning sector, the provincial officials, consultants and legal expertise). However, the community activists interviewed reflected concerns about the basic administrative and governance principles that were absent or silent in SPLUMA. In particular the lack of principles pertaining to participation, including criteria and promotion of community meetings, access to documentation, appeal rights, and the development of community capacity to engage in planning-related matters were identified as missed opportunities for making planning more socially responsive through SPLUMA.

However, one of the senior provincial officials was a lonely voice that questioned the limitation on appeal rights, in terms of section 45 of SPLUMA. This official made the point that the number of planning application decisions that go on appeal is less than 2% within the province and the eThekwini Municipality makes up the bulk of such appeals. Since such a low number of appeals emerged from a more open approach to appeals in terms of the PDA, the point of constraining appeals further, as contained in SPLUMA, was questioned. In a further interview with a provincial legislator, restricting appeal rights was seen as important to advance national projects without being unnecessarily delayed by appeals and objections.

The lead political party viewed the limitations on appeals, in the context of promoting development and growing the economy. Councillors from the lead political party argued that appeals are generally undertaken by those who are conservative and that a limitation on who can appeal was supported. However the lead opposition party saw this as a means to steamroll development within the perceived interests of growing the economy. Many of the stakeholders interviewed from outside of the municipality, found that dismissing planning objections because they are seen as racist or coming from non-Africans was a dangerous and limited approach to planning, as more and more planning decisions are being appealed by objectors that cut across the race spectrum, as reflected in the statement below.

> *"Sooner or later more and more black people will be coming to meetings and they would also have issues regarding planning knowledge and how areas are being developed or changed, and this is a process of social awareness and getting involved. Then in such circumstances, how will particular class and race issues be used as a city's defence." (Respondent 30)*

Interviewees concerned about participation in planning also found that SPLUMA lacks innovation in encouraging more access and involvement of the public, despite so much of

planning knowledge revolving around the social, about the legitimacy and acceptability of planning. It was expected that SPLUMA would have been more innovative, using some well-tested community participation approaches. The use of community planners, social media, access to documentation, public hearings, conciliation mechanisms, and options to find alternatives, as used by the environmental sector, were examples given that SPLUMA should have appropriately considered.

SPLUMA seems to depart from past legislation, in particular that which responded to a post-apartheid context. Such new post-apartheid legislation often strongly represented conflict management, stakeholder engagement, community empowerment and participation. Maybe more than 20 years later, the South African legislative environment has shifted from a pre-occupation with how legislation must involve people across the social divides, to a new context that is pro-development, focusing on large projects, efficiencies and 'national priorities'.

The provision for conflict resolution mechanisms received attention, but only between spheres of government. This was not extended to allow municipalities to put in place conflict resolution mechanisms. In fact the constitution of the members of the MPT is silent on mediators or facilitators, an important aspect of planning. Several stakeholders sectors, in particular the legal, development activists and political, supported provision for mediation and negotiation as part of a planning process, and argued that such provisions should have been made within SPLUMA. Mediation was seen to be an option or preference within a planning process, rather than being conflated with an appeal process. One of the legal sector interviewee described mediation as extremely important in municipal planning and indicated this is one of few occasions where legislation should be more directive or prescriptive, as reflected in the quotation to follow.

> *"Planning knowledge for action must actually write mediation in as an expected process. In fact this is a case where a 'must' can be used in land use planning knowledge for action." (Respondent 25)*

9.2.7. Social relations had its role in influencing SPLUMA

Despite the long wait for this legislation, concerns were raised about the lack of engagement with various stakeholders including provinces, municipalities and sector departments, and the rushed timelines for commenting on the then Spatial Planning and Land Use Management Bill (SPLUMB) and its draft regulations. In particular, the provincial planning

legislation (PDA) was affected as it should have been re-drafted in parallel, but this did not happen because of the delays in completing the SPLUMA regulations.

In discussions taking place at such meetings, the tensions were around which spheres of government should prepare detailed legislation for municipalities, notwithstanding that municipalities can also draft their own planning by-laws. It was also clear that the provincial government was of the view that SPLUMA is not a framework piece of legislation only, but is often detailed and prescriptive. Interviewees raised issues concerning the practicality of SPLUMA. For example, approving applications within the SDF was seen as concern, as SDFs are not as regularly reviewed as schemes (through scheme amendments), thus creating more delays in planning as the SDFs need to be updated more regularly and with greater levels of detail. The reviews of SDFs will also require more resources and capacity from the municipalities. It was often indicated that in order to change anything in SPLUMA will require a legal process to be pursued which is unlikely. Thus planning legislation as it now stands is fairly entrenched and static for a long time to come.

The particular tension with the KZN provincial planning sector needs to be considered in this context, as this province has often been recognised for its capabilities in drafting and implementing planning legislation. Given the criticism of a lack of engagement and negative comments received on SPLUMB, what emerged from the DRDLR was a formation of strategic alliances with vocal municipalities and certain personalities within the KZN province, to curb critics and to give support for the Bill to be passed as an Act.

The approach was to co-opt persons within municipalities to lend practical and visible support for the legislation. This was clearly seen in the eThekwini case, where the comments on the draft SPLUMA regulations were centralised from within the legal department. Many of the practitioners involved in different types of planning and from different sectors raised concerns within this research that their comments did not even get to the legal department, since they were truncated or filtered by certain officials within the Development Planning Department. Strangely enough another source, undertaking independent research on SPLUMA, found eThekwini to be extremely positive about the act as compared to other major municipalities within the country. What also came through from the process of SPLUMB becoming a legislated act, was that constructive criticism was dealt with through more consultation, relationship-building and through exerting pressure on critics and other role players to be patriotic and to support a national process. Given that this was the first

sweeping post-apartheid spatial planning and land use management legislation, any negative comment was viewed as being unpatriotic.

This national support for SPLUMA was more evident with municipal representatives as opposed to provincial representatives. It was evident that the provincial legislators were of the view that they had more experience with legislation and a better handle on what was required, as was evident in the SLPUMA Forum meetings. One of the presentations made by a provincial official indicated that the SPLUMA required 26 new capacities (internal and external) which could be obtained and reclassified using existing staff but in smaller municipalities this would become a capacity problem. One of the interviewees remarked on this tension as follows:

> *"When I go to meetings held on SPLUMA with national and provincial officials, it's like a cold war between province and national regarding planning legislation." (Respondent 25)*

9.2.8   SPLUMA crowds out provincial legislation

In the meetings that followed, there were fewer tensions visible between the national DRDLR and KZN provincial government. Perhaps the shift in attitude was the realisation that each sphere is able to legislate, provided it is constitutional and compliant with national legislation. A well-placed official also confirmed that a certain 'talking to' took place between the provincial and national officials, to ensure that they were perceived as aligned in supporting the legislation. In an interview with a provincial official the concern was that personalities promoting SPLUMA took offence to any negative comments received. It was expected that only certain types of officials should comment, especially if comments were contentious, as reflected in the comments below from a legal planning practitioner, involved at a provincial level.

> *"It's not what you saying but who you associate with, the rank and file." (Respondent 53)*

> *"SPLUMA could be completely different if the process was different." (Respondent 53)*

The interviewee also confirmed that other colleagues diluted their comments on SPLUMA, as being critical could be seen as a career-limiting move. As time progressed it was evident that the SPLUMA Forum meetings became more congenial between the provinces, municipality and national officials. The recurring message expressed at the SPLUMA Forum meetings, was that both pieces of legislation are needed (national and provincial). The ideal would be

to have everything covered in one act, but the reality is that there are certain aspects of planning that provincial government addresses, and the same applies to national government.

What also shifted over time was that KZN provincial planning legislation was kept on hold. The focus shifted towards the municipal planning by-laws to bring into operation those aspects of planning which SPLUMA did not address. There also seems to have been an agreement politically that planning legislation will sit nationally and with municipalities. An interviewee did note concerns about how this will impact across municipal planning boundaries, as sub-regional and regional planning will be affected if the role of provinces in planning is neglected. Incidentally, draft provincial planning and development legislation has already been prepared but depends on the necessary political mobilisation to advance further; this was the situation at the time this interview was undertaken in 2015.

The point of this discussion is that the planning legislation being (re)developed fails to talk across spheres and sectors in order to reach compromise and understanding; it fails to appreciate capacity difficulties and practicalities. Sadly planning will need to adjust to this environment. What was observed and the discussions revealed was a legislative process, a legal exercise, which should have paid more attention to the realities, the practicalities and the socio-political in planning. The short video that promoted SPLUMA seemed to be the only suggestion that in all of this, the social-spatial is central to planning legislation, given its dark history with apartheid. In Interviews with representatives from SAPI, SACN, legal experts, development activists and developers, these sectors unanimously expressed their concern that the opportunities for rethinking planning will not be in legislation and certainly not with national or provincial legislation. The challenges and opportunities reside in cities. It is the municipalities that must lead in transforming planning knowledge and its implementation, in particular given the space for municipalities to prepare their own planning by-laws.

9.3   The beginnings of a planning by-law for the eThekwini Municipality - an opportunity or missed opportunity to transform planning knowledge for action

9.3.1   The municipal planning by-law - shaped by social relations and entrusted to the technical

In trying to appreciate the philosophy and approach that the eThekwini planning by-law will take, only two interviews were held, with the manager and the legal advisor running this process. The other municipal officials involved in drafting the planning by-law could not talk

to me, as they were required to sign a confidentiality agreement and could not be interviewed. The role of regional coordinators and other key land use implementers were limited to providing comment only on the draft by-law. In enquiring why such a process was followed, the response was that regional coordinators are seen as too busy and would not have enough time to be part of a drafting team. They were also seen as a group of mid-level managers with vested interests, and this could have the potential of preventing the by-law from being what it should be.

The point of departure expressed at the interviews was that the municipal planning by-law is the responsibility of planning and for its use. Thus integrating any of the other sectors into the formulation of the by-law should be limited. The by-law remains a planning product informed by a selected and invited set of planning practitioners and later on comments will be invited from the wider municipality and the public.

One of the interviewees further indicated that the draft by-law had been circulated internally within the Planning Unit for comments. It was also 'discussed' at a Town Planning Sub-Committee meeting and at the Deputy City Managers Forum (DCM). The nature of the discussion at these meetings was limited to promoting the municipality to be more development-friendly. The executive leadership also wanted a by-law that was clearer than the provincial legislation, so that litigation on interpretation could be reduced. The language and simplicity of the draft by-law reflects this, as it comes across as easy to read.

Rethinking planning legislatively within the context of SPLUMA was constrained in the municipality. The by-law drafting process was entrusted once again to the technical and the legal. The culture of engagement is still marred by a lack of time and commitment capacity from within the municipality and in particular from political and executive level to appreciate the importance of policy or by-law making.

The point of reference for the planning by-law was seen in the context of the Constitution that provides for municipal planning legislation. This was seen in the same context as the national and provincial, where a constitutional view was taken that they have a mandate to legislate for planning and should be able to exercise this mandate. Some practitioners were of the view that this was a 'power-hungry' process for the municipality, that it was constructing a by-law just because it could, being influenced by certain personalities within the municipality. Other practitioners were equally unsure of the benefits but hoped that the by-law would help to deal with planning challenges within the municipality, given that the national and provincial cannot respond to the specifics of a metropolitan municipality such as eThekwini. However,

in time many practitioners became less sceptical about the by-law, once it was realised that it should and can lead to legislation constructed for the municipal context. Strategic imperatives for municipal planning were included in the by-law such as the package of plans and D'MOSS. The categorisation of applications was reconsidered to allow most of the applications to continue to be considered at a technical and municipal official level. Other aspects were also considered and included in the by-law to respond to difficulties experienced in implementing and enforcing planning, such as definitions that would make planning implementation and enforcement more practical. This included an expansion of who can be served with a non-compliance notice to include the owner and/or the user of the property. These details also gave more clarity and clout to enforcement action, to ensure that once a notice to stop an illegal use is issued, it must cease immediately and cannot continue based on an application being submitted, thus reducing frustrations in the enforcement system.

Provincial officials also had their own concerns about municipal by-laws since in one province there could be several by-laws in operation. This could impact on government service delivery roll-out, such as school infrastructure and energy projects, as there would no longer be municipal planning uniformity based on provincial planning legislation. For the planning industry municipal by-laws mean that planning has become more fragmented as opposed to having a uniform set of legislation from which to work that makes it easier for the industry.

9.3.2   A new planning by-law - efficiencies and pro-development first

A glaring omission in the eThekwini by-law is the limited attention paid to the social in planning and which did not move deeper and beyond what was provided for in terms of SPLUMA. This is likely related to the narrow involvement of policy making communities within and outside of the municipality in drafting the municipal planning by-law. In the interviews with the lead legal advisor and the manager involved in constructing the municipal planning by-law, the interviewees indicated that the areas of focus of the planning by-law related to several improvements that will enhance planning within the municipality through an efficient, development-friendly process and maintaining the technical expertise in planning.

Efficient processes and procedures
The planning by-law aims to reduce the amount of time an application is regarded as active and within the planning system. This is achieved through ensuring that authorisations and

supportive documentation for a planning application to be considered are obtained prior to the submission of the application to the municipality. In this regard, it was explained that this is being modelled on the DFA concept of how applications should be submitted to speed up processing of such applications. Currently it takes on average 360 days to process an application, assuming authorisations such as an environmental authorisation are approved. If environmental approvals are not included in the application it can take much longer for the planning application to be considered, since the process will be waiting for approvals from other sectors' legislation. However, with obtaining such authorisations before a planning application is made, the timelines can then be reduced to approximately 146 days. The planning by-law will also make it incumbent on sectors and other spheres of government that need to comment on applications to do so within a prescribed time, failing which the application will be considered without such input.

The pre-scrutiny process that the municipality will put in place will allow for a complete application to be submitted with a 50% payment off the application fee. In 7 (seven) days' time the municipality will advance a comment as to whether all information is in order or if information is outstanding. In the event of information being outstanding, the applicant will have 30 days to augment the planning application. On the 30th day, if information is not forthcoming, the applicant will be advised to withdraw the application.

Certain applications, namely sub-divisions and consolidations, will be adjudicated in fewer days, as these applications will be excluded from advertising and the public comment process (eThekwini Municipality, 2015c).

Re-classification of types of applications and decision-making in accordance with SPLUMA, section 35

SPLUMA makes provision for three types of applications that will be adjudicated - by the municipality (political committee), the MPT and the delegated official/s. In the draft planning by-law this has been further detailed to reduce the type and number of applications that will serve before the MPT to save on time and costs associated with making planning decisions.

The JAC has been retained and will continue to recommend decisions that are adjudicated by the Head of the Planning Unit, the MPT and Town Planning Sub-Committee. The approach to categorise applications respects SPLUMA, but has taken a practical approach to improve efficiencies and to ensure that the technical remains highly involved in planning decisions. What does appear striking is that despite an important selling point of SPLUMA being the establishment of a MPT, the technical still dominates in the development and

implementation of planning. It is also interesting to observe how the technical has retro-fitted this new planning act to match the existing technical provisions, responsibilities and power vested in the technical and at the executive political management level.

Development charges on infrastructure services

The imposition of development charges for the provision of services such as roads, storm water, electricity and sanitation have been recognised as infrastructure benefiting a development that should be charged for in terms of SPLUMA. However, the benefits provided by the environment, namely environmental services such as flood attenuation especially in the less built-up areas, are not recognised as a benefit to attract a development surcharge. The municipality recognises the important role of environmental goods and services provided by the environmental assets in its jurisdiction, and to this effect in the past it has levied for environmental goods and services as part of a development levy agreement (Outer West Development Agreement, 2004). The by-law therefore missed an opportunity to factor in environment services as part of development costs. However, this relates to a bigger conflict between environmental management and planning, in the context of wanting to make the municipality cost-effective and development-friendly. This conflict is also between environmental practitioners and the practitioners driving the by-law process, where it is regarded largely as a planning by-law and not a place for other sectors' issues, in particular the environmental sector, to be included.

9.3.3   Enhancing participation within the municipal planning by-law

An expanded approach to public participation

For a change in land use, the draft by-law requires the applicant to notify adjoining owners. The manager overseeing the drafting of the by-law explained that the public notice will be larger in size (that is affixed to the road frontages of the property) to allow for more information regarding the application. The community activists interviewed expressed concerns about the lack of appropriate information and understandable information, to inform the public if a matter is important to them or not, on current public notices. It is hoped that the type of information to be included in the notice will be improved for public consumption. The participation process has also been expanded beyond the provincial and national legislation to allow for the application to be advertised for public comment in a local community newspaper if it is freely available (eThekwini Municipality, 2015c).

Access to the key documentation and the development proposal to third parties

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Matters such as access to documentation remain unchanged in terms of SPLUMA's stipulations and the municipality's practice that third parties must make an application in terms the Promotion of Access to Information Act, 2000. The community development activists will remain disappointed if the by-law is approved in the current format that limits access to information.

Retention of the restricted appeal process for the public

The restriction of appeal status is carried through into the by-law, similar to that provided for in SPLUMA, thus further questioning accessibility to planning matters from interested and affected parties. The appeal process remains a barrier to the public to participate freely, especially if they are doing so without the assistance of a town planning or legal consultant. The appeal process continues to be administratively burdensome to the public who rarely engage with planning and often compromises their rights to an appeal due to the way it is submitted or lodged. This was observed at the appeal hearings and further clarified through an interview with the appeal registrar.

The municipal planning by-law allows for the Executive Authority/Committee as the appeal authority for decisions made by Town Planning Sub-Committee and/or MPT and not an external appeal authority. So despite councillors being excluded from SPLUMA, councillor involvement is still maintained within the municipality. However, representatives from the legal sector, some politicians and the development activists, see the involvement or non-involvement of councillors as less of an issue in this regard. What came through as important was the transparency and independence of the MPT.

9.3.4   Potential gaps within the municipal planning by-law

It is hoped that the municipal by-law will be enhanced over time and through more research, engagement with a variety of stakeholders, reflection and learning. One aspect that emerged as important for a municipal planning by-law is to include a municipal mediation structure, prior to an appeal being heard and with some level of criteria as what applications are submitted for mediation. This came through strongly from stakeholders external to the municipality.

Bringing the social into planning, including the role, solutions and involvement of communities in planning, through deepened and extended participatory processes inclusive of capacity development, access to information and a review of who can appeal would be a

necessary amendment to the by-law. A by-law that involves a wider development community can only serve to improve the acceptance and legitimacy of planning.

A by-law that fosters engagement and collaboration within the municipality in implementing and enforcing planning decisions remains important, but the current draft lacks this collaboration. Often enforcement processes are splintered between planning, the NBR, health, safety, transport and the environmental sectors. How this comes together to support enforcement within the built environment remains important for an effective property management system.

9.4 So what happened when SPLUMA was finally implemented?

The implementation of SPLUMA across all municipalities came into effect on 1 July 2015[13]. As predicted, the early stages of SPLUMA culminated in three pieces of legislation running concurrently. The TPO is still in operation to enable sub-division, consolidation and special consent applications to be processed. At the time of developing the PDA, these aspects of planning were not accommodated in the PDA. Certain types of planning applications were also omitted from SPLUMA and given the absence of associated regulations, reliance on old legislation for specific categories of planning applications still continue. With the introduction of SPLUMA, the delegations for adjudicating different types of planning applications are being finalised for approval. The delay in approving the delegations is linked to the municipality finalising and approving its municipal planning by-law. Hence in the current context all applications that attract an advertisement or public notice serve before the MPT.

To complicate matters a little more, the Provincial Planning and Development Appeal Authority was found to be unconstitutional and no longer sits to hear appeals, even for applications being appealed under the PDA. Furthermore, the municipality has not yet established an appeal authority in terms of SPLUMA, resulting in appeals being delayed and unable to be heard. However, in the circumstance where the application had to follow the TPO route, the appeal authority as established by provincial government can still hear such appeals.

SPLUMA also resulted in the splitting of the consideration of aspects of applications into those that are undertaken by officials through delegated authority, those that will serve

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[13] This write up was based on interviews, observation of the MPT and JAC and the assessment of planning reports in October 2015, post SPLUMA implementation. It can be expected that additional changes have occurred since the finalising of this thesis.

before the MPT, and policy related planning applications, such as an amendment to a TPS clause, that will be submitted to the political committee, in this case the Town Planning Sub-Committee. Splitting applications has proved to be confusing and out of context, since only a particular aspect of an application is seen and heard by the delegated decision-maker in terms of SPLUMA. Thus a decision has been made for the full application to serve before the different decision-makers to provide an overall context. However, the recommendation will be framed in the context of only the decision required to be made by a particular decision-maker.

It was also decided that one decision notice will be prepared for a combined application in respect of the same site, but making a clear reference to the different pieces of legislation that remain applicable for the approvals sought. This does demonstrate how practitioners managed to navigate through parallel legislation and find interim measures to make reference to the three pieces of legislation that run concurrently. This administrative alignment of planning stands out as the hallmark of planning being very capable in being able to respond to the requirements of legislation, even if though only administrative. Certainly, the visible aspects of planning instruments, guidelines and standard operating procedures have started changing to reflect SPLUMA requirements. However, the planning knowledge remains the same and the assessment process has not changed. The much talked about SPLUMA principles are inserted into an amended planning report and practitioners are requested to simply indicate which of these principles apply to the application with a short motivation (see Appendix 6.G).

The observations made at the JAC meeting held on 20 October 2015, which was now operating under a new legislative environment, also confirmed the importance of ensuring that the procedures, rules and formatting of reports are compliant with SPLUMA. The short presentations made for each applications and presented at JAC focused on the adverts used, the display of advert boards on frontages of the relevant properties, the confirmation that the necessary letters of notification had been served, showing how these administrative aspects remained all important. It was clear that a particular emphasis and effort was being made to satisfy the procedures of undertaking planning. This overemphasis could also be related to a recently lost court case where a planning consultant was found to have insufficiently notified the interested and affected parties and the municipality was found to be complacent as the custodian of planning legislation. The judge found this to be an ongoing problem, a 'blurry' relationship between the municipality and developers that did not give due

consideration to planning procedure and the impact of this development on the affected parties. The judge further issued a court order to demolish the offending components of the structure (The Mercury, 15 May 2015).

The report headings for each type of application also ensure that the reasoning for an approval is substantiated with the necessary connection to approved policies, spatial plans and the TPS, making a more direct substantiation between planning knowledge and planning decisions. It was also established through the LUM Manager that the MPT wanted a more independent evaluation of an application from planning practitioners, and not to simply use the consultant's report to provide supportive reasons for approving an application. In the 'new' report format practitioners were reminded to use their own words and not simply cut and paste from the consultant's report. The new report format with the track changes to alert practitioners to the changes expected from SPLUMA and the MPT is reflected in Appendix 6G.

As observed in the JAC meeting (20 October 2015) and through enquiry with the managers and the regional coordinators, SPLUMA's development principles have not been central in structuring a discussion around an application. In fact of the 22 applications observed, only one application regarding the approval of a worship site (a smaller version of a mosque) used the principle of cultural diversity to lend support for approving the application. In this particular application, the applicant is using the site without planning approval and the application attracted a number of objectors, thus increasing the chances that this approved decision will go on appeal. In order to make a convincing case to the MPT and should it go on appeal, the principle of cultural diversity was seen as an important motivation to approve the application.

However, on further inquiry with regional coordinators and the LUM Manager, it was raised that certain principles were difficult to translate at application level, such as spatial justice or good governance. It was also confirmed that the development principles did not shift or change how an application was assessed but planners were encouraged to reference the principles in a general manner. The Manager indicated that in time developing and using the development principles to discuss and review planning applications is likely to improve. There were several applications that made reference to the 'need and desirability' of planning applications being assessed. The Manager requested the removal of references to old TPO assessment requirements and to reference development principles as contained in SPLUMA.

In addition, the different planning branches that commented on the application were included under one heading in the planning report – 'Development Planning Comments' - to limit mixed messages and conflict between the planning branches. More importantly the regulatory planners were given the authority to summarise and provide an overall comment on behalf of the Development Planning Department. In enquiring how conflicts between the types of planning are addressed, it was confirmed that the Deputy Head would be the final arbitrator in how the planning comments are finalised. The attendance at the JAC meeting also included a member from the Environment Department and the Strategic Spatial Planning Branch. On several applications there were visible tensions between the Strategic Spatial Planning representative and the Manager: Land Use Management. However, in part this tension was seen as necessary to enable clarity on the conflicting viewpoints to be discussed and finalised at this meeting or to be taken up with the Deputy Head as required.

The LUM Manager was also clear and assertive that if another municipal department is not being reasonable in the context of what planning considers as reasonable, as the custodians of planning applications they can still make a decision that overrides such comment. This was aimed in particular at departments like eThekwini Water and Sanitation and the Transport Authority that simply provided a policy statement and remained unwilling to mitigate and find alternatives. Should an application go on appeal, it was also worth noting that these departments would then have to come to appeal to defend their non-support of an application. This was the current management view taken by the Development Planning Department, with sufficient senior leadership and political support. The pro-development stance of planning was more evident in this JAC meeting observed, that was after the implementation of SPLUMA.

The regional coordinators and the LUM Manager were also pleased with how the MPT was operating. It was seen as technically proficient making it easier and more rewarding to discuss planning applications with the MPT, as compared to discussing applications with the councillors in the Town Planning Sub-Committee. Given that the delegations are still to be approved, all the special consent applications are in the interim being adjudicated by the MPT. The LUM Manager was of the view that whilst this has resulted in more work, it was an improvement in the quality of planning application reports drafted and the decisions taken.

Observations of the Municipal Planning Tribunal at work

The MPT was observed on the 29 October 2015, where I found it to be more technical and well-read regarding planning matters as compared to the Town Planning Sub-Committee. There was a big difference between the way councillors discussed an application versus professionals. The practitioners were far more relaxed and appreciative of how the MPT worked, since it has given recognition to the knowledge in use and not everything has to be approved for the MPT. The MPT also engaged technically and understood technical limitations of planning. The technical knowledge of the MPT was well aligned with the practitioners and this worked well as compared to the working relationship between practitioners and councillors. In a sense the technical in planning is once again being recognised, which also reduces risks and non-technical decisions in planning outcomes. This was not the case when councillors were involved in adjudicating rezoning applications. Thanks to SPLUMA, the role of technical in planning has been restored. The MPT also ensured that the timelines were adhered to and wanted more detail from practitioners for any delay in an application being processed. In addition, it was observed that one of the MPT members had to remind the practitioners they should provide a short statement on the application's response to the development principles, and in so doing give recognition to SPLUMA.

9.5 What's wrong in learning from each other and others?

The legal sector spoke of learnings, that which is working well and that which is not but could have informed SPLUMA, planning in general and the municipal planning by-law differently. In particular NEMA and its focus on participation, appeal rights and exploring alternative options would have been useful to think of in SPLUMA. The role of community involvement in catchment-based fora, as part of the National Water Act, 36 of 1998, was also quoted as a good example of enabling community engagement and involvement in the sustainable use of water for all types of users.

The legal practitioners were also critical of SPLUMA not learning from what works in existing legislation, not learning from appeal authorities and what makes planning accessible, administratively fair and how to deepen the democracy in planning. Whilst municipalities and provinces commented on SPLUMA, legislation drafting should have explored lessons learnt from implementers, a variety of stakeholders, and informed by a research agenda that would have enriched the process of making legislation. The legal sector interviewees also

expressed concern that within the appeal authority, feedback, learning and sharing with other appeal panellists, other appeal authorities, municipalities, legislators, consultants and the general public does not happen.

The legal expertise interviewed for this research had mixed views about flexibility in planning knowledge. However, what did come through strongly as a standpoint from the legal sector was that where a planning system that demonstrates planning competence, planning discussions, evidence and records of decision-making, and where decisions are not dependent on one person or happens informally and outside decision-making structures, flexibility can and should prevail. This is also based on the assumption that planning knowledge allows for such flexibility. Flexibility was expressed as a capacitated local government that also supports capacitated planning departments and support departments that can work responsibly with planning knowledge allowing for greater discretion and flexibility. It was further expressed that under such circumstances, precedent cases should not be feared or seen as problem as each case becomes well-reasoned and based on its unique circumstances.

9.6   Emerging insights from the empirical data

The making of legislation and it is not so upright

- *It was 20 years too late!:* SPLUMA is more than 20 years too late and in that time other sectors have and continue to influence the post-apartheid spatial context, such as housing, transport and the environmental sectors. SPLUMA was a long time in the making and then rushed because of a Constitutional court ruling, where parts of the DFA were declared unconstitutional. New national planning legislation was required that respected the constitutional requirements of municipal and provincial planning roles. It is often argued by the legal sector that SPLUMA missed an opportunity to deal with the post–apartheid context and from the lessons being learnt over the last 20 years. However, the most important aspect of SPLUMA is that it re-affirms the role of municipal planning, and this delay has worked in favour of municipalities. It was through these constitutional court cases that municipal planning became clearer and had to be respected by SPLUMA.

- *SPLUMA misses an opportunity to transform spatial planning:* The five development principles in SPLUMA are intended to transform planning, give it direction, purpose and reconciliation for a South African context. Unfortunately these principles (spatial justice,

spatial sustainability, efficiency, spatial resilience and good administration) are seen as disconnected from the remainder of the legislation. They are not carried through in shaping the legislation. More importantly, the municipality post-SPLUMA implementation, seems to continue with planning as before, relating to SPLUMA principles as another checkbox activity. This reinforces the findings that legislation can be overrated and seen more as an artefact in planning as opposed to challenging planning. However, there were views that a more intervening legislation would have been the way to go, but in the time it took for SPLUMA to be finalised this urgency to shape planning and deal with the social and economic of land was compromised. The legislation has also failed to give clarity and certainty and does not integrate with other sectors such as the environment, housing and transport. The legislation assumed a comprehensive planning system and not all of the country requires such a system, thus burdening municipal resources and the general public. It was hoped that some separation for a rural/traditional planning system also should have prevailed. There is a strong sense, especially from the legal sector and development activists, that SPLUMA forgot about communities. Perhaps this is what happens when legislation takes place some 20 years too late; the people-centred approach to policy making and governance has moved on.

- *SPLUMA confers technical power to planning and planning professionals:* SPLUMA provided 'more of the same'. A comprehensive planning system, wall-to-wall planning and town planning schemes reaffirmed the importance of the technical in planning. SPLUMA did not break with the planning ideology, but simply reinforced the continuation of current planning ideology and planning knowledge, but hoping for a different outcome. This was well demonstrated in the municipality when current planning knowledge, assessments and processes continued as before, despite SPLUMA being implemented.

- *The practitioners find innovative ways to continue with the technical in planning decision-making:* Despite the much awaited notion of a MPT, practitioners and the power of the technical have managed to navigate around SPLUMA to ensure that the MPT serves the technical. In addition, the alliance between the technical and the political executive have also redefined how the MPT will work and in doing so the political interests of planning remain secured.

- *The technical celebrates the limitation of councillors in the adjudication of development applications:* Whilst the professionals celebrated the removal of the political, the alliances between the professional and the political have continued whilst still being SPLUMA compliant, and perhaps the technical have not even realised this. SPLUMA also assumed

that the professional and the administration, represented by political executives and political appointees do not engage in their own interest and politics of planning. In addition to excluding the political, the positives of the political have also being taken away from planning practice. There was an assumption that the political has the capacity and the space to influence policy and that the professional will give up this power and space and let the political take charge of the planning policy environment. The research found this to be highly contested and for now untenable, without a wider institutional and professional shift within the municipality.

- *Community and participation minimised in post-apartheid planning legislation:* SPLUMA may be constitutionally compliant but it remains constitutionally unprogressive, in particular the way it has narrowed public engagement within planning. Its lack of clarity around giving access to community meetings, documentation, training, and limiting appeal rights are some examples that constrain public engagement in planning, which has been condoned by SPLUMA.

Social relations had a role in influencing SPLUMA

- *Alliances with municipal and provincial personalities helped SPLUMA to become a reality:* SPLUMA was constructed through social relations, alliances, power, subjugation and a misuse of patriotism. In particular DRDLR made all forms of criticism seem as unpatriotic and used municipalities to give support to SPLUMA, thus gaining political, technical and professional support. On the other hand, provinces were co-opted or key personalities were advised to 'toe the line'. What emerged from this research was that the many critics from the legal sector, planning organisations and the provinces had their concerns but preferred to be silent as this would bring undue attention to them and their organisations. It was often said that if SPLUMA pursued a different process, the outcome would be a very different piece of planning legislation.

- *The municipal planning by-law - shaped by social relations and entrusted to the technical:* Like SPLUMA, the municipal planning by-law was shaped by alliances, social relations, discipline and power - (Realpolitik) was evidenced.

- *A new planning by-law - efficiencies and pro-development first:* The planning by-law is modelled on pro-development notions and efficiencies contained in the former DFA. The direction from the political, legal and the executive to the technical was about supporting development and reducing timelines as far as possible.

- *Re-classification of types of applications and decision-making in accordance with SPLUMA, section 35:* The by-law and the way applications were (re)categorised also reduced the role of planners, regional offices and the MPT, leaving planning decision-making in the control of certain delegated officials and keeping the centre of power together.

Enhancing participation within the municipal planning by-law

The approach to public participation within the municipal planning by-law remains equally constrained to that which SPLUMA condones. Even though the municipality has the rights to deepen participation, this was not forthcoming. However, a concession was made where the size of the notice board on properties will be larger than before and now an advertisement for an application will also appear in a local newspaper that circulates in the area of the application. This does come across as a strange offering to advance public participation in planning.

9.7   Conclusions

A simple and perhaps oversimplified connection was made between the (re)development of planning legislation that gives legality to the (re)development of planning knowledge, which together with legislation directs the (re)development of planning practice. However, notwithstanding the importance of these components individually, the learnings and the feedback and integration between these three components remain unexplored and non-existent. Furthermore, the legislative process remained limited to professional and expert knowledge, with little or no attention being paid to real experiences, learnings and other knowledge actors that are important and necessary for the development of effective and practical planning legislation.

CHAPTER TEN: INTEGRATION OF EMPIRICAL FINDINGS WITH THEORETICAL FRAMEWORK AND LITERATURE

10.1   Introduction

The integration between the conceptual framework, the literature reviewed and the empirical findings was deliberately <u>not</u> discussed in Chapters Six to Nine. The research was designed to allow the findings, the 'minute' and 'thick' descriptions emerging from the empirical study, to be taken for what they are. It is only in this chapter that the empirical findings are integrated with the selected and engaged theoretical ideas and the literature reviewed for a joint discussion. Structuring the thesis in this way enabled the empirical findings to have its own importance, but at the same time recognises the role of theory and previous research within the field to inform the findings of this study (Saldana, 2009; Creswell, 2009).

This chapter is divided into three parts. The first section commences with connecting the empirical findings with the literature reviewed, to determine how the findings correlate with other similar studies. At times the empirical findings deepen and/or expand on ideas within the literature reviewed, thus contributing to the existing body of knowledge. The second part of this chapter delves into the theoretical framework and how the research findings relate to the multi-conceptual theoretical framework engaged for this research. In particular it nuances the relevance of communicative planning theory for an African context. It offers additional perspectives on the asymmetrical relationship between power and rationality. The final part of this chapter contributes to the building of planning theory and theorising for practice. An emerging theoretical framework for land use planning is presented in this chapter.

10.2   Discussion of empirical findings and the literature reviewed

10.2.1 Legislation is important but overrated in explaining planning knowledge, practice and outcomes

Planning legislation is important, but overemphasised in its role and influence on practice (Othengrafen and Reimer, 2013). This empirical study also supported this view, revealing that planning legislation is viewed by practitioners and stakeholders as the main factor that blocks change in planning practice. Planning legislation is developed at the national and provincial spheres of government. Consequently, practitioners consider national and provincial legislation to define planning law without considering the realities of local

government. In this study the role of legislation is not disputed as important but the research confirmed that it is overemphasised in its role and relationship to practice. This study nuanced the role of legislation by also considering the role of agency in uncovering how planning unfolds in practice. More specifically, the importance of agency, in the form of planning practitioners (re)constructing planning knowledge for practice, is recognised as an important 'space' for change. The legislation gives recognition to the importance of this knowledge - it imbues it legally, it becomes legal knowledge, but the construction of this knowledge resides within the professional domain of planning and how policy making unfolds institutionally.

To some extent the literature reviewed also tends to overemphasise the role of planning legislation as the only or most important aspect in shaping planning practice. In fact some research even refers to the IDP as fixed. Yet again this is determined within a municipality and largely by professionals. In this study the legal sector was clear that the planners need to grapple with the knowledge used in planning, to make sense of it, for it to be practical, flexible and acceptable for the context within which planning takes place. This is not constructed by the legal sector, but is undertaken by the planning sector and related professionals or sector specialists.

In taking a cultural and institutional perspective on planning practice, legislation is seen as an artefact or planning technology. This was evidenced in this research in that, despite its importance, SPLUMA has only created superficial changes in planning practice. The planning knowledge in use and planning practice has continued unchanged. In fact SPLUMA's development principles are simply responded to as a checkbox, another administrative exercise in planning.

10.2.2 'Bureaucratic ethics' – performability crowds out planning as an intervening practice

The study confirmed the role of 'performability' or *'bureaucratic ethics'* that has become so important in practice that planning is being prevented from being practiced (Vigar et al., 2000; Gunder, 2003; Gunder and Hillier, 2007). More importantly the institution, in its political diversity is led by and compliant to 'bureaucratic ethics'. This takes on a trans-ideological role, uniting conflicting interest groups and stakeholders to be target driven, adhering to the many procedural checkboxes and, in doing so, becoming *'bureaucratically ethical'*, but without engaging with the opportunities and challenges in, and finding solutions for, planning. This research has evidenced how time constraints prevent planning from engaging with

conflict. There is no time for participation, for community meetings and engagement within council committees, as this will delay decision-making and transgress the established legislative and council targets that manage performance. This is so well embedded in the institutional discourses of being efficient and pro-development that even opposition political parties pay attention to these forms of performance criteria that are seen in the context of good governance, but neglect to engage with the unintended consequences. The newly appointed MPT is now doing the same. Attention is on the 'bureaucratic ethics', on how long it takes to finalise an application, where it gets delayed and who delayed it. Being efficient is not a problem in itself, but it does become a problem when efficiencies are used to crowd out and deny problem solving in planning. Planning then becomes administrative rather than engaging with the conflicts and seeking solutions as expected from planning. It no longer intervenes for a preferred future (Fainstein and Campbell, 2012).

10.2.3 The problem of land use planning is in the problematisation of planning

Whilst the dominant planning literature reviewed remained silent on the resilience and continuation of rational planning, this was still found to be the knowledge used in practice. There are clearly spatial ordering assumptions being made about what is good for the diverse public, and this is supported by the means and knowledge specifically constructed and implemented to achieve such end goals. The coding of space remains detailed, control-based, solely determined by expert knowledge of what planning and social-spatial relationships should be, rather than what they actually are and could be, based on a more diverse set of views and inputs from multiple knowledge actors. These codes were borrowed, transported and imposed, and had their own timelines, purpose and history from a colonial and apartheid past. The historical problematisation of planning within the municipality that emanates from the empirical results is one of citizens being ignorant of planning and its benefits and who for far too long have been left to their own devices without spatial governance. The solution is seen as the continuation and extension of planning knowledge so that over time, with more education and some enforcement, people will accept and will want the implementation of planning, as it will be of benefit to them. The passing of planning legislation, SPLUMA, has also given importance to the continuation of this form of planning and further re-enforces this framing of the problem and how to deal with it. SPLUMA legislated the continuation of an existing planning system that could easily depend on existing planning knowledge, ways of doing planning, with some incremental changes that do not require a change in the thinking and practice of planning. This finding is supportive of the

literature that remains critical of how, and by who, planning is problematised, which then shapes the ideas, concepts and solutions used within planning practice (Huxley, 2013).

10.2.4 Complexity and conflicts involved in setting local city planning discourses and agendas - but the local remains important

The research confirms the work and findings of Robinson (2011) that contends that urban planning approaches are complex and conflictual and demand new theorisation for African cities. The empirical study aligns with the many ways of internationalising planning ideas and practice such as through global best practice approaches and city mentorship and twinning relationships, promoted by organisations such as the World Bank and the United Cities of Local Government. Planning schools, educators and associations play an active role in mainstreaming planning ideas for planning practice. The importance of planning consultants and development agencies continue to influence planning ideas, discourses and agendas (St Clair, 2006; UN–Habitat, 2009; Healey, 2013; Watson, 2012).

This study concurs with the literature that complexity, conflicts and the role of the local remain important in determining city agendas, discourses and planning knowledge and practice. Social relations and social actors, those active and those absent and excluded, create a particular environment for the emergence of certain planning knowledges and discourses and not others. In fact it can be argued that the local professional and political actors are just as important and active as the international actors in enabling the acceptance of planning knowledge, ideas, concepts, discourses and agenda-setting for cities in Africa.

10.2.5 Still in denial about 'grey' as part of the urban and part of planning

The literature confirms planning legislation and spatial planning policy as being dismissive of the changes happening around it. There is also a sense of professional denial of people's own innovative, socially-constructed knowledge, which is in use daily and remains an active process in producing and using space (Yiftachel, 2009; Berrisford, 2011c; Pieterse, 2011a, 2011b). This research confirms a growing and creeping urban apartheid, apartheid based on the acceptance of what is legal and what is not. This notion of legal categorisation through planning knowledge creates further exclusion, despite the many opportunities to rethink, to theorise and to (re)develop planning knowledge for practice that may lead to acceptance and inclusion. This empirical study also confirms that planning goals and the means to arrive at such outcomes continue to be shaped by colonial knowledge, a north-centric knowledge,

which is applied within a very different African urban context. Planning practitioners remain inflexible and in denial about the 'grey' in African urbanism, which is not informal or formal but simply urban. Practitioners continue to rely on an unchanging planning ideology of comprehensiveness, inflexibility, micro-planning and social control using a particular spatial-social ordering code of how space should be produced and used. The vast majority of African households will remain illegal and unacceptable as planning legislation promotes the uncritical extension of 'old' planning knowledge, though processes of rationalisation and extension across the municipality.

The empirical research nuanced the role of planners in refusing to recognise and acknowledge African urbanism. In particular, planning practitioners continue to ignore the call to accept particular characteristics of African urbanism, 'grey' areas, informality, survival and opportunity-making as part of planning knowledge that gives recognition to innovation, efficiencies and varying material conditions. Instead the planning practitioners adhered to what they know, continuing with a planning approach and planning knowledge that has failed. In part this is linked to planning knowledge being unrealised and unrecognised as an important place to rethink planning practice in the context of current situated realities. In part, this is also linked to planning theory failing to theorise for practice and the everydayness of planning. Then there is also the part of planning that remains vested in power and alliances, serving particular class and elite interests which planners are most comfortable with and willing to satisfy. Therefore planning remains dependent on what is known and is reluctant to change.

10.2.6 Planners have the sole right and responsibility for planning knowledge

What was unconfirmed and silent in the literature was the belief that planners have a particular job reservation, epistemic authority, conferred by qualification and supported through legislation, such as the Professional Planning Act, 36 of 2002. The research established that planning practitioners remain unwilling to share a planning policy environment with 'other' knowledge actors including that of non-experts. Planning practitioners were also reluctant to share the policy making environment with politicians and 'other' sector departments. The construction of planning knowledge was seen as the sole space and prerogative of planning practitioners.

The literature on policy making is increasingly recognising collaboration, co-generation, inclusivity and multiple and diverse knowledge actors and knowledges as a necessity in the making of public policy. Scientific and professional knowledge is increasingly being seen as limited and unable to develop policy that considers lived experiences of a diverse public (Cetina, 2007; Pieterse, 2011a, 2014; Erwin, 2015). The literature reviewed is pointing towards creating an environment that allows for epistemic cultures to flourish within public policy making organisations and research environments (St Clair, 2006; Cetina, 2007). It supports co-generation, co-users, policy making communities and policy making arenas in the development of public policy to ensure relevance, acceptability, and legitimacy.

However, this research found that the wider planning community engaged within the municipality, including practitioners engaged in strategy and policy making for the municipality, seemed unaware of new cutting-edge initiatives and the role of social sciences in engaging with public policy. This lack of awareness about policy development for planning also extended to a wider planning community inclusive of representatives from academia, private planning consultants, SAPI and SACPLAN. Discussions with the wider planning community were stuck on participation, suggesting that perhaps more participation, 'more of the same' is what is needed. However, the policy making environment has moved on from participation to thinking about epistemic cultures, boundary organisations, boundary work and perhaps boundary 'disciplines'. What did emerge from this research was that the political, business, legal and community representatives engaged in this study were more in tune with the notion that public policy matters, such as planning, are a shared responsibility.

10.2.7 Power-knowledge relationships structure the (re)development of land use planning knowledge for practice

The literature confirmed the importance of relationships, social networks, alliances and social webs in constructing knowledge, including that of scientific and expert knowledge (Flyvbjerg, 2001; Saarikoski, 2002; Cetina, 2007). These power-knowledge-relations are often well embedded within institutions and invisible to those contributing, reinforcing and reproducing such knowledge and practice that serves particular interests (Smith, 2005). In part this is linked to alliances and individuals that have informal and formal power over others (Foucault, 1984c). The role of dominating personalities, entrusted with formal power and enlarged through informal power, played an important role in rewarding, influencing, disciplining and subjugating other practitioners in accepting, being included or excluded from policy making

initiatives such as the (re)development of the TPS. This empirical study revealed the complex web of socio-political relations that gave rise to the TPS and the municipal planning by-law, soon to be approved by the municipal council, imbued legally and implemented as 'fixed and objective' knowledge for practice.

The power-knowledge-relationship between experts and the political is reported in the literature as blurred lines, where both parties mutually support each other (Boswell, 2008). This empirical study also demonstrated a professional and political relationship, as a knowledge-power relationship between councillors and planning professionals. The practitioners saw this as a non-existent relationship that would be seen as unprofessional if it were to take place. However, the councillors saw this as a relationship and in fact one which has improved in the recent past.

The empirical study also aligned with the literature in that there is a reciprocal and conflictual relationship between the political and sector experts such as planning. This would be demonstrated in the political support afforded to planning knowledge that gives political mobilisation, status or power to such knowledge. In this empirical study it was not surprising to see the dominant political party override the opposition political parties to have certain planning policy supported, even when such policy had no real benefits to the lead political party.

In the study of a practice environment power-knowledge relationships are exposed and in a practice environment power-knowledge relationships converge. Thus the study of power and knowledge provides a valuable opportunity as transformational research, even if it simply creates awareness and makes the invisible visible (Smith, 2005). Perhaps studying power-knowledge relationships within practice may also provoke and unsettle existing power alliances and relationships, and in doing so challenge and give rise to new power-knowledge relationships (Foucault, 1984d; Smith, 2005).

10.2.8 Institutional discourses subjugates the practitioners through persuasion, myth and discipline

The literature projected institutional discourses as a power-knowledge and hierarchical relationship that persuaded, subjugated and created a myth and belief in a certain discourse (Cornwall, 2007; Huxley, 2013). The empirical study evidenced the role/s of discourses within the municipality that have often become trans-ideological. It was also revealed that planning

practitioners were persuaded by myth, social acceptance, subjugation and hierarchy to comply with institutional discourses. Situations were exposed where planning practitioners changed their practice and the knowledge they used in support of dominant discourses, when instructed to do so by those in 'power'.

10.2.9 Local political culture enables or disenables participation

The empirical research findings revealed a planning sector and institutional setting that did not see the value, or try to establish value, in engaging with stakeholders, to inform the (re)development of planning knowledge. The findings did not support the dominant views emerging from the literature and the conceptual framework that planning and planning practitioners valued participation. However, the political, business, legal and community sectors engaged in this research were more aligned and supportive of the literature, where participation was regarded as a necessity in policy making. What also emerged from this set of stakeholders was support for something more than participation in policy making, moving into the realm of co-generation for planning knowledge.

The literature was equally critical about participation, the fact that it is an elusive concept, misused and one of those concepts that has travelled and is used differently in different places and contexts simply as legal compliance and nothing more (Healey, 2011; Huxley, 2013). In this regard, the empirical findings aligned with the literature that participation has become nothing more than legal compliance.

The importance of a local political culture that invariably plays a major role in how participation unfolds was demonstrated in this empirical study. The role of legislated participatory arenas or platforms was seen more as threatening to democracy as opposed to enabling democracy. The 'legislated spaces' for engagement such as ward committees and council committees were seen as contested spaces that allowed the dominant political party to influence and control such space for engagement. This further crowds out democracy, even though such platforms for engagement have been constitutionally and legally created to enhance democracy.

The literature alluded to the importance of a 'local political culture' that plays a dominant role in enabling or disenabling participation within the local policy making environment. This presence of a 'local political culture' emerged as a barrier to participation within the municipality. The eThekwini political environment was regarded as a very fragmented one,

where the lead political party was in conflict with itself. This further justified why participatory approaches in local government in general, and planning in particular, was constrained as this would create the space and opportunity for disagreement and confrontation. This could lead to new voices, new factions and giving space to oppositional political parties and organised civil groupings to 'capture' and dominate public engagement platforms. This could have a direct bearing on local government matters such as planning policy.

Whilst participation is designed and modelled on plural democracy, the micro and macro processes of power exploit and dominate public participation structures designed to promote democracy. The empirical findings also concurred with the literature reviewed that despite a progressive Constitution, local and dominant political culture can dilute participation to simply mean 'constitutional compliance'.

The literature reviewed was silent on how the policy making environment is largely seen as the prerogative of experts and professionals, in particular in matters such as planning, which is perceived and received as technical and too difficult for 'others' to participate. Planning practitioners in particular, more than any other stakeholder engaged in this research, were most doubtful and scathing about the role of participation in the (re)development of planning knowledge and involvement in planning practice. This was justified on the basis that stakeholders and councillors in particular are essentially non-experts.

10.3 Discussion of empirical findings and the conceptual framework - nuancing, expanding and deepening existing theory

10.3.1 Theoretical (in)correctness!

I failed to come across a theory that is dominant or influential in practice, which was expected, given the concerns of theorising for practice, the complexity, regional dynamics and influence of culture on practice (Watson, 2008). But I did find aspects of the chosen theory or theoretical thoughts applicable to the empirical research. However, from my own findings, rational planning theory remained present, stubborn and well-utilised by planners in making sense of planning and the knowledge being (re)developed for planning and implementation. My surprise was that most of the literature on planning theory and practice makes either passing comment or no mention at all of rational planning as a mode of theory that remains embedded in practice. This again made me wonder about my research, whether it was so peculiar that the literature on planning even fails to identify this practice as ongoing

and present within certain places or context. However, theorists such as Richardson (2005), Berrisford (2013), Todes (2011), Watson (2009b) and Hoch (2011) were some of the few that recognised the ongoing resilience of rational planning within planning practice. My other thought was that perhaps rational planning is so demonised that to even suggest that planning practice is still linked to this mode of theory would be a serious charge on planning, a history that planning has distanced itself from and therefore unlikely to be published.

Flyvbjerg (2013) raised the suppression of uncomfortable knowledge about planning mainly because there are various interests in planning to protect and in order to present planning in a positive light. Watson (2013) also voiced concerns regarding planning ethics and in particular how organisational bodies of planning including journals play a role to suppress the findings of controversial studies, and simply choose to project planning as a moral and socially responsible practice. However, the mention of rational planning needs to be seen in context, and not simply shied away from because it is now perceived as wrong. In coming back to my own empirical study and context, the challenges of planning are so vast and diverse. Basic infrastructure is lacking for both planned and existing settlements that the reliance on rational planning models becomes inevitable, especially in the context when planning is tied to infrastructure, transport and more recently to environmental planning (Todes, 2011, 2012). Healey (1998) once argued that the way government operates at a point in time can be justified as required for that period of time, when control and exclusivity is seen as an important and efficient delivery trait of government to recover from particular effects of the past. Perhaps this to some extent is what is being witnessed in South Africa, a post-apartheid response and period marked by government intervention coming to the forefront.

Hoch (2011) argued that the teaching of planning practice still remains dominated by rational planning. The academic institutions involved in this research also confirmed that planning practice is best taught by practitioners as this is what makes planning real. So if practice is still embedded in rational planning models, the new graduates entrusted to learn from practice would simply reinforce what is happening in practice.

In this research it was found that planning is very dependent on the transport, infrastructure and, more recently the environmental sectors. The way in which these sectors plan and develop sector knowledge and determine rules and policy is independent of planning and planning knowledge. These sectors are also detached from diverse societal needs, lived

experiences, political perspectives and realities on the ground (Richardson, 2005). Sector knowledge suffers from the same levels of narrow ideas as planning knowledge. However, there remains an important dependency, an expectation, in addition to institutional, professional and legal requirements, that planning and planners are to implement sector knowledge and mandates without questioning.

I found that communicative planning theory seemed to be so far away from my research as a normative and practicing planning approach. I wondered again about what type of planning I was researching. In fact to be honest, despite the critiques of communicative planning theory, it would have been a welcome sign to come across such examples in practice. I found that the literature shied away from communicative planning theory (CPT), with some literature suggesting that CPT is not likely to travel across a different context (Lauria and Wagner, 2006). However, is theory expected to travel without adaptation to a local context? Richardson (2005) also raised concerns that whilst there are many critiques of planning theory, there is serious lack of empirical testing of the theory in practice. In my research what did emerge are elements, concepts and leanings towards CPT, a theory to assist in the (re)development of planning knowledge for planning practice. What emerged was a request for an adapted, local form of CPT that is being called for from a variety of stakeholders, in particular the political, legal and community representatives engaged in this research. This will be unpacked further in section 10.3.3.

I was surprised to see that issues of race and class, which still have a particular relevance in a South African context, were absent from the published theory and studies on planning practice. Once again I wondered if race is really an irrelevant factor despite its historical importance within planning. I was interested in whether race has a bearing on public policy making, whether it constrains shared lived experiences in shared space, and what this means for the making of collective rationality, for public policy such as planning knowledge (Dryzek, 1990). Perhaps race should be set aside and the focus should be on dealing with poverty, services, safety and quality environments across the landscape, rather than thinking about it in terms of race and class. However, I questioned whether the bigger concerns about race, how it factors into generating ideas and theory for practice, was sufficiently covered when theorists refer to difference, conflicting rationalities and the informal as a representing race and class. The question of institutional racism was also a concern, whether it is present in planning and if so, how it manifests itself and impacts on planning policy and practice (Lung-Amam, 2013). Fortunately, other fields and disciplines are engaging with the

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relationship between race, class and policy interactions which could further inform planning theory and practice. There is a focus away from the traditional ways of categorising race, in favour of new methodologies and analysis regarding how race as an important factor in society is mediated both from a macro and micro context (Erwin, 2012).

Notwithstanding the difficulties in researching and understanding race as a factor in planning, I wondered whether race is a silent or absent factor from planning literature. Race and ethnicity could be another form of uncomfortable knowledge that planning has managed to avoid for so long and now has become theoretically incorrect to think and/or write about (Yiftachel, 2006; Lung-Amam, 2013). Perhaps future planning research on practice stories from South Africa, which remains a gap, will give more exposure to the day-to-day challenges of community activists and practitioner activists and how they encounter race, class and discrimination within planning (Forester, 2006).

10.3.2 Practice and theory overtly positive

What often comes across in discussions concerning the importance of the practice movement as a contribution to planning theory are the conflicts and difficult situations that planning and planners need to work within, and which always paints the role of planners and planning as positive. What emerges is a practice movement which is noble, worthwhile to learn from, important for teaching and important for informing and building planning theory.

The limitations of planners within wider systems and structures are not in dispute and are well documented in the literature reviewed. However, the different planning theoretical perspectives used in constructing planning theory seem to ignore the fact that there is something before, within and beyond these structural conditions, something else that gives rise to what type of planner will emerge. Gunder and Hillier (2007) refer to this as responsibility, as a primary and core function of subjectivity. It is what you have gained through your personal experiences and nurturing and is something which cannot be transferred; it is essentially personal. Treating planning simply as a moral project, actually blinds one to the thoughts and actions of planners (Pieterse, 2010; Watson, 2013).

It has been a surprise to see only the positive side of planning practice being documented and published. Even in reading the seminal study by Flyvbjerg (2001), where the relationship between power and rationality are explored, the negative side as expected are the politicians and business, not the professionals or specifically the planners. Forester (2015) further

articulates the importance of good planning stories and urges academia to look for these. Forester (2015) encourages alternative research methods to find these good stories, to go beyond planners' accounts of what was good and to evidence the outcomes of the good in planning, to build theory from such good practice and to connect theory and practice. This then also questions what type of theory will emerge. Will it not be skewed as it was built on a search for good stories? Similarly building theory on what to avoid, based on bad practice stories would be equally problematic.

If anything, I am a practitioner and part of the planning practice I researched. Thus I was disappointed with what I found, but I have to be honest in my research. I did not go out looking for good or bad stories, but simply reported on and made sense of practice as I found it. I hope that this honesty can help move planning practice beyond the municipality, to encourage planning associations, institutions and academia, to engage with practice that is so important but left isolated and within its own world.

My concern is not about new research and practice stories but the pre-occupation with, and the belief, that planning and planners are inherently good. I am not saying that planning and planners are either inherently bad or inherently good and moral, but I am asking for honest accounts and research methodologies that identify the many sides of planning practice (Forester, 1999a). Forester (1999b) argues for empirical planning research to make a distinction between better and worse practices and how these responds to power. I raise this point explicitly and with concerns emanating from my own research. This negative and sad account of planning was very observable, with which I was closely involved and part of to a large extent. I was troubled with my research findings when the negative side of planning practice (private and public) came through from so many types and sources of data collected, empirically this demonstrated the triangulation of data, an important consideration in a research process. The research was methodologically strong, but sadly confirmed a planning profession of 'bureaucratic ethics', without passion, empathy and integrity (Barrett, 2001; Watson, 2003; Oranje, 2014). As Sandercock (2003b) contends, it is often stories from stakeholders in different places that depart from the angelic view of planning. In this research these stories came from development activists, informant interviews, the legal sector, councillors and some practitioners, a very diverse grouping of people that reflected the negative side of planning practice.

This made me question whether my research findings on practice were an aberration compared to most practice situations. I then also questioned whether perhaps I found the dark, and disturbing sides of planning practice, because I had 'unlimited and unfiltered' access to what planners did and thought, given the insider status assigned to me by the research participants, and in particular using ethnography as means of inquiry. I wondered if I was overly critical and insensitive about planning practice and at what point this was me being judgemental as opposed to being supportive of planners and the plight in which they (including myself) find themselves; thus where to draw the line of honesty. My anxiety about my own research was fuelled by a lack of publications on planning practice that revealed the negative side of planning, how planners bring their own interests and those of the institutions and clients they work for into practice. I raise this as the literature on practice and planning theory provided mostly a positive account of planning, apart from very limited and mostly dated publications regarding its negative side (Yiftachel, 1998; Yiftachel, 2009; Watson, 2003; Flyvbjerg, 2013; Watson, 2013).

In the South African context, this unpleasant aspect of planning is largely limited to apartheid and the neoliberal agendas of government. It appears that what is published may be sanitised by editors of certain journals to ensure that the membership and readership of planning journals are spared from being associated with negative accounts of planning practice and planning (Flyvbjerg, 2013; Watson, 2013). In response to Flyvbjerg's experience with a particular journal, Watson (2013) recounts how planners and planning institutions aided the then apartheid government and contributed to apartheid planning, under the pretext that planning was not political but simply technical. However, what is clear from literature to date is that, apart from a forgotten and troubled history with apartheid, planning in South Africa has reinvented itself as positive. Planning is projected as positive despite the new urban forms of exclusionary planning. The silences and contributions of planners, including SACPLAN, and SAPI, continue to remain uncritical of the relationships between planning and the post-apartheid state (Yiftachel, 2009; Winkler, 2012; Oranje, 2014).

I also considered the 'unit' of study selected to undertake this research, questioning whether I chose a relevant and useful example, the eThekwini Municipality, a typical metropolitan city in South Africa. The location of my research could be seen as a critical city, an ordinary city or any city anywhere. Therefore the selection of the municipality for my study should not be seen as the problem (Flyvbjerg, 2006; Robinson, 2007; Watson, 2012). Perhaps, I felt anxious of the results from my study as the literature on planning is still dominated by the

north, and it is difficult to make a meaningful comparison since planning in the south is very different (Yiftachel, 2006; Watson, 2002b, 2008, 2009a, 2009b). Nonetheless, planning practice in the north is surely not without negative stories. And while there were a small number of studies regarding practice in the south, surely the negative side of planning would have emerged? Thus, given the lack of literature on this aspect of planning practice, I often questioned my research findings and certainly the interpretations I assigned to such findings. My only solace in this situation was perhaps in learning from practice, reflecting on practice, teaching about practice and certainly building theory for practice, the *unlearning* from practice remains silent, neglected but still important if practice matters. The *unlearning* from practice is not something that is written about but it is certainly an aspect that the practice movement should embrace if practice is to inform situated theory making and the 'worlding' of planning theory.

10.3.3 A role for communicative planning theory in the (re)development of land use planning knowledge

Without needing to re-state its various critiques, communicative planning theory (CPT) is essentially dismissed as a theory that relies on too many *a priori* conditions, assumptions and ideals. In particular its assumptions about civil society being organised and capacitated, that power can be bracketed and the role of planners and planning is one of good intentions and neutrality at best, are all questioned. These are some of the critiques of CPT that have dominated the literature on planning theory since the late 1990s. Furthermore, CPT is critiqued for being developed in the global north where conditions are so different to the global south. Whilst there may be plausible reasons to resist CPT, it is argued in this research that CPT can be adapted for a varying local context (Healey, 2011, 2013). This empirical research had no intentions of testing whether CPT exists in practice or can be applied or not, as a retroductive study would entail (Lauria and Wagner, 2006). However, various sources of information confirmed some leanings towards a 'local version' of CPT, again diverging to some extent from the Lauria and Wagner (2006) study. The searching for CPT in practice was not an objective of the research, but it emerged from this study as a useful form of theory to adapt and apply in (re)constructing planning knowledge for practice. However, for clarification purposes I did not find the presence of CPT in its 'pure' form, resembling and adhering to CPT based on a set of *a priori* assumptions. As posited by Healey (2011, 2013) there is an expectation that CPT can be situated and contextualised to

local conditions. If this is the point of departure, then it can be argued that elements of CPT, a local version of CPT, were found in this empirical research.

More specifically, this local version of CPT was not found in the practice environment of planning. Suggestions for a form of CPT emerged from a diverse set of stakeholders, concerning how planning knowledge should be constructed within a context of a divided spatial city, with a fragmented and stark history regarding land, race and urbanisation. What was evidenced in this study was the need, the hope and the ideal of people coming together from different places and lived experiences to inform planning knowledge for practice. Stakeholders did not label this as CPT, but certainly dominant elements of CPT were identifiable. A diverse set of local conditions emerged, resulting in a local version of CPT. Perhaps from this small study and surprisingly random outcome there is something to note about Habermas' abstraction of social theory, in particular that people have a propensity to engage with a hope to finding some solution. However, moving away from and adapting pure Harbermasian social theory is also expected. What I do not want to do is confuse the findings that emerged from this study as a need for more participation; this was not the case.

It should not come as a total surprise in reviewing planning in a South African context, despite vast differences with the UK, some similarities of context do come through that would support a form of contextualised CPT for South African planning, together with other forms planning theory. In particular, the welfare and labour approach to local government and planning within the UK changed with Thatcherism. The pro-development approach at local government level in the UK, which is less interventionist, shed a coordinating role of planning; this resonates with planning in a current South African context (Winkler, 2012). This shift ensured that local government and planning as a function became supportive of development almost anywhere, and thinking about the long-term quality of a local place and people was seen as disruptive to pro-development goals (Vigar et al., 2000; Healey, 2006b). These complexities of government, interests, the private sector and growing local conflicts are very evident in the South African urban environment. There is not just one neo-liberal agenda of planning in a South African city context, but contested and multiple agendas as evidenced in the eThekwini Municipality and other examples of South African cities (Robinson, 2011; Winkler, 2011; Oranje, 2012).

It is in this context that I find CPT as a theoretical approach useful to a South African context in challenging the local change of place, as it was once undertaken in the UK. Current social

initiatives in the eThekwini Municipality are also demonstrating resistance to not being involved in the development of policy and implementation that brings about change to local places, such as densification and mixed use development policies, housing and public transport projects. Through this research it was established that local citizens requested and demanded a different form of engagement with planning practice. The mobilisation of local residents through social media, the local print media, supported by activists and retired professionals, to emerge within the greater Berea area as Save Our Berea (SOB) is one example of local community activism taking a stance against planning practiced within the municipality (see Appendix 6B). The difference in the UK was that local government and its citizens were resisting centralised changes. However, in the eThekwini context this call to be engaged in planning policy and planning decisions is coming from a diverse geographical grouping of local residents resisting not being involved in the major changes taking place within a local neighbourhood and at city level. The coming together of varying community networks and groups of interests are also diverse, often both in agreement and in conflict with each other, but united in demanding more dialogue, public engagement and public transparency in constructing and implementing planning knowledge because of its impacts on local places (interviews with Respondents 30 and 33).

Returning to my research, I would think that not all types of planning and planning situations can look to CPT as a guideline. However, certainly in the bigger projects, CPT could be useful. I say this simply because there are limited skills and time available to engage CPT within planning practice. In addition, CPT has a particular value for the construction of policy, such as planning knowledge. I would support a form of CPT in a policy environment since it is still close to people and their interests but far enough not to have a particular bearing on individual properties. In addition exploring and finding alternatives within planning knowledge can be a planning project free of tight legal timelines, where planners can take on facilitative and advocacy roles.

The policy environment for planning knowledge can become less narrowly defined through engagement with different life worlds, interests, power and conflicts. This will not only increase the involvement of different stakeholders, but also different knowledges can influence planning. The outcome or conclusion of planning knowledge as policy making can also be politically influenced. It can take on political trade-offs as opposed to simply being developed technically and encountering such trade-offs when implementation takes place. The space currently occupied by planning practitioners can gain more from diversity, different

knowledge, different places and experiences and where the better argument or the 'better' planning knowledge in this case could prevail. It must be clear that a local version of CPT allows for a practical and not an ideal response to planning knowledge.

However, the potential use of CPT also assumes that the profession, the planners, are willing to fight for engagement and also to give up their power in constructing planning knowledge for action. The empirical study revealed many opportunities where communicative (collaborative and deliberative) planning could inform planning knowledge and practice differently. But this does not mean that planning practitioners take on a facilitative role only, as 'friends' or the listening role expected of planning and planners that CPT advances (Fainstein, 2000; Allmendinger and Tewdwr-Jones, 2002). A local version of CPT requires a practitioner that is engaging, conscious and passionate, not ideologically neutral.

It is in this context that I find CPT relevant as an appropriate starting place to interpret and make sense of planning practice, and how the users or the recipients experience planning practice and would want to be involved in shaping planning knowledge for implementation. I find CPT useful with adaptation and selective use, in finding new aggregates of planning knowledge. A local version of CPT allows for a collective, political, socially developed and practical response to planning knowledge (Innes, 1996, 2004; Healey, 1997, 2003, 2006a; Sager, 2005; Forester, 1989, 2004, 2012). This knowledge is not without conflicts, power or selective interests, but it's an ongoing tension and process that works towards collective rationality and change. Based on the emerging findings, a set of emerging local principles can be identified from the research that can inform and starts to shape what planning knowledge could look like, based on a local version of CPT.

Emerging principles to inform land use planning knowledge based on a local version of CPT, derived from the empirical study

▪ *Property*

Local knowledge expands on the functional, financial and social value and use of property: The municipality and its planners cannot think of all the possible uses and values of property in different locations. Often property takes on many functional and economic values that cannot be understood and mainstreamed into, and controlled by, planning systems. Increasingly civil society is more flexible than what planning allows for or considers. The

mixing of uses is considered important and should be part of the opportunities that planning allows for. The notions of 'public interest' and tolerance are complex and best understood through local engagement. There are some uses that require special treatment or may be excluded from neighbourhoods, but the extent and nature of 'public bads' are limited in the context of flexibility, dialogue, negotiation and shared responsibilities for how space is constructed and utilised.

Simple and generic rules for property: A simple rule should be that land use should improve an area or not to make an area worse off or create a nuisance that cannot be resolved. Important basic rules and codes of conduct are suggested, such as to protect property boundaries, both public and private, and in doing so secure public spaces and utilities such as roads, pavements, parks, environmental areas and the general safety of the area. Local knowledge in planning needs flexibility, understanding, compromise and finding solutions and opportunities.

Society is flexible and development is flexible, but planning lacks flexibility and creates winners and losers: All development, big and small, comes with opportunities. Generally very little is not acceptable and is able to be accommodated after some form of mitigation. The current planning system does not work with this form of flexibility that seeks alternatives. Planning systems and practice remain rigid and in doing so create winners and losers. Planning needs to change to allow for opportunities and alternatives to surface; this can be achieved through dialogue and engagement.

Local areas and the city remain close to community interests and passion: Where local people live and the city they use and access are extremely important to them. This is where the interests, the commitment, the passion and resistance will come from. Stakeholders have to shape the neighbourhoods they live in and engage with the changes taking place in their local areas and the city. Where people live and the city they use are special places that are too important for the citizenry to be excluded from the changes, including the policy and the decision-making taking place within the context of planning.

- *Civil society*

Social capital may be underdeveloped and unorganised, but it is always present and wanting to be engaged: Even in the poorest areas, there are groups of people that are interested, who will want to make time to be involved. This should be seen as catalytic, an opportunity to

bring on board more citizens. There are several incidences where municipal initiatives such as policy development or a contentious development started off with a handful of people but over time, the areas of interest and the number of engaged people grew. In essence civil society engagement starts off small and has potential to shift, change and grow over time and should be viewed in a long-term context.

Planning should capacitate and enable civil society engagement: This resource of engagement and committed citizens, however many or few, should not be underestimated, but rather enabled and assisted by planning and the municipality. A small group of capacitated and engaged citizens across geographical places can start to develop and inform others and bring local citizen needs and knowledges to policy making and planning practice. There are different resources and capacity within and between communities, but there are always social and capital assets available and willing to be educated, capacitated and engaged.

Conflicts are prevalent and consensus requires work - discussion, debate, negotiation and mediation: Discussions amongst stakeholders are important to find compromises, not simply between civil society and the municipality as there are many viewpoints and conflicting spatial interests within civil society. Engagements between stakeholders are important to voice different views, values, and experiences and to help form a shared and mediated understanding of what spatial policy is required. Whilst discussion helps to shift stakeholder views from being predetermined, culturally bound and static to become more open, engaging and understating, there will be times when negotiation and mediation should also be used to assist in finding alternatives and to conclude such processes.

Local areas are changing, society should too: Technology, the economy, and social relations are changing; so too are the city and local places. People are not resisting change but resisting not being involved in contributing to such changes. What comes through wider engagement with stakeholders is a high propensity to accept this change, but involvement in defining, negotiating this change is important and people and groups of organisations want to be involved. Civil society needs to take responsibility to make time to organise and to engage differently, and this too requires change. In the current context, councillors and the municipality are made up of many representations. This is not like previously when a councillor would ensure that the city responds to his/her constituency. City-making, political systems and 'society' are now very open and complex. This means that citizens need to be

organised and capacitated if they want to engage seriously amongst themselves and with the municipality, investors and other interest groups.

Discussion and debate as 'mini constitutions' remain all important: Areas are different, historically, materially and socially, so there is a need to understand this as 'mini constitutions' and then connecting and making sense of these for city planning. This will require trade-offs compromises, conflict resolution and negotiation. Stakeholders were very clear that policy making is a not just for the public sphere but requires political and technical knowledge to come together.

- *Multiple role/s for planners*

Capacity development is required to understand legislation, plans, and the language and formats typical of planning, as planning knowledge still remains technically disengaging and a challenge to participation. Apart from making planning more accessible, stakeholders also need to gain basic planning skills to be better able to engage and clarify points of views with other stakeholders, planners, decision-makers and investors. This capacity does not resolve but assists the power relations and imbalances between stakeholders and planners, and the municipality, stakeholders and investors. A similar language and format helps stakeholders to enter the dialogue of planning, voice their concerns and share opportunities and solutions. A key role would be for planners to capacitate and to advise stakeholders. Planners are also expected to be experts and make decisions that may not always satisfy communities or developers, and therefore planners are not just 'friends' of planning stakeholders.

- *Conflicts and power*

A starting point to resolve conflicts as articulated through the community interviews and engagement with a variety of stakeholders engaged in this research was to meet and discuss the issues. The role of meetings, small meetings and focused meetings with relevant parties cannot be overestimated as the preferred way of dealing with non-consensus and conflicts. Stakeholders felt that they need to meet and discuss points of differences and not simply rely on the municipality and planning to solve these problems. The research participants acknowledged that planning, given the subject it deals with and the decisions being made will always come with conflicts. However, what is acceptable is a transparent, structured and confident process that allows for conflict resolution and where people can trust and accept such outcomes.

- *Beyond participation to co-generation*

Participation should allow for ongoing engagement, debating and dialogue not just when there is an application or a policy that is calling for public comment. Ongoing engagement between stakeholders and the municipality planners is expected. New forms, formats and methodologies are required to engage the community and stakeholders. Community and political respondents engaged in this research were very vocal about the many opportunities and methodologies available to make planning more accessible and to enhance engagement, such as social media, the internet, smaller meetings, the universities, civic associations and activist groups. A clear message coming through is that if citizens are expected to comply with policy, then they must be involved in co-developing such policy, as acceptance and legitimacy and relevance are important for local policy making such as planning.

10.3.4 An extension to the analysis of power and rationality in context of land use planning

In this research, the relationships between power and rationality and rationality and power were explored. Rationality refers to municipal officials, professionals and, specifically in this case, planning practitioners. Power encapsulates the political executives and politicians. The main aim of exploring this relationship was to reveal the nature of the power and rationality nexus and its influence on planning practice. What emerged from the empirical study and the literature reviewed was that the relationship between power and rationality is complex, sometimes good and sometimes bad, at times dominating and often reciprocal.

The research established and acknowledged that the relationship between power and rationality are not only confined to politicians, which is often the narrative that defines power relationships as one that is simply political, within the South African context. What emerged is a very definite power-alliance relationship taking place amongst planning officials that further defines the roles, use and construction of planning knowledge, a power-knowledge-practice nexus. This can be described as follows: Multiple relationships and alliances exist within the planning practitioner environment (where rationality behaves and acts like the 'political'), where inclusion, exclusion, fear, subjugation, rewarding and disciplining are manifestations of power, which exists everywhere.

A more sophisticated relationship of rationality, knowledge and power was found. This relationship is largely built on how technical knowledge is used to secure technical and professional ideas in plan making and implementation. This alliance of the technical can

often exclude other sector interests in particular those that have a social interest such as housing, and when such a sector comes with a 'politically' backed project that works against the 'expert' plans and ideals established for the city. This alliance thrives on the power of technical knowledge that dominates and subjugates other knowledge and interests within and outside the municipality. This technical alliance of knowledge is confined to technical sectors which include spatial planning, transport planning, environment, infrastructure and financial modelling. It is built partially on networking of personalities but it is more the result of being professional, the notion of superiority of knowledge and what makes for a sustainable city. It is imbued with a strong sense of normative planning ideas.

There is also a particular power alliance within the context of planning practitioners that aligns with and acts on behalf of politically appointed and mobilised executives that (ab)use planning knowledge to achieve particular political and business interests. These relationships thrive on overpowering, subjugation, rewards, such as being involved as opposed to being excluded, and may come with benefits such as access to resources, consultants and travel. In this case the rationality-power-knowledge alliance uses planning knowledge to serve its interests. This is undertaken through reconstructing, ignoring and justifying why planning knowledge supports a particular project. This alliance is the strongest one as it brings together political mobilisation and expert knowledge to support certain policy and project interests.

Van Vuuren Coetzee (2005), in his study of power relations on the transformation of urban planning for the Tshwane municipality, between the years 1992-2002, confirmed the active social webs of power at a planning official level. The study confirmed that in planning practice, the power of rationality is often underestimated. Van Vuuren Coetzee (2005) concluded that political power is overstated in its role in planning.

In unpacking this relationship between power and rationality and rationality and power in the context of planning practice, there are some other questions, or additional patterns about this asymmetrical relationship between power and rationality, which did not emerge from the work undertaken by Flyvbjerg (1998, 2001, 2002, 2004). As expected, every case study would nuance, deepen, expand and find alternative relationships between power and rationality. In this regard the following nuances regarding the uneven relationship between power and rationality within the context of planning and in the context of the study emerged and was evidenced and discussed in Chapters Six to Nine.

- *Power is aware that that rationality will not necessarily deal with the realities of planning, visible evidences of planning and this gives legitimacy to power to intervene in planning practice.*

It was a common finding in the empirical research that planners stuck to the knowledge they used as the approved knowledge, which had approval from the relevant municipal decision making structures and therefore legally acceptable and binding. The plan or knowledge in use could also be that which came with some routine procedure or 'official' instruction or memorandum. It was not unusual for practitioners to confirm that such knowledge could be outdated or irrelevant, but still in use for decision making. The practitioners advocated several reasons for this, including that it was too much effort to update this knowledge, they needed consultants to assist, it was another branch's problem or they did not have the time. The most important reason was that they did not want to create precedents and veer off the knowledge they have and which is in use as this may cause unwanted consequences.

The above mentioned reasons from practitioners gave the councillors, or political power, the justification to intervene, given the realities on the ground and to identify and apply local knowledge to practice. The councillors prided themselves as bringing a new dimension to planning practice - real time knowledge, people's views and experiences, new knowledge and solutions. Thus the political does not only have power to do as it wants but the legitimacy and justification for its involvement, which is often seen by practitioners as interference in planning.

- *Whilst power may respond to the realities of planning, it does so selectively based on what serves power.*

What also emerged was that the political will only use its power and its local knowledge and legitimacy if it serves the interests of power, party political and/or personal. This was evidenced in the research where only certain applications attracted political interest and not others. However, political attention to planning applications was not simply about business and personal interest, it was also about securing votes and securing a political constituency.

- *There is a dominant view held by rationality that the political is power hungry and they have no business in, and value to add to, land use planning knowledge and decision-making.*

Despite the many roles of the political in local governance, including public policy making and the legislative role assigned to the political, the standpoint from planning practitioners was that planning does not need the political. That political knowledge is considered interference at best. From the practitioners' standpoint, political knowledge and involvement in planning provides no value, it comes without education, and it is political and only interested in what it can get out of planning. This view ushered in a new power dimension where professionals saw themselves as superior, qualified and assigned particular rights and responsibilities towards planning knowledge and decision-making. However, what emerged in this research was that the political is aware of how planning (rationality) perceives it and will use its political knowledge and political roles (formal and informal) to intervene in planning. In other words, the political knows that rationality does not think much of it, but it does not really care about this as the political is political and will do what it wants. This then gives a new dimension to power, that power is flexible. It can be constructive with interests and it can be abstract and nonsensical, but still with interests. It simply depends on what power wants and power knows this.

- *There is an opportunity for rationality to become realistic and grounded with greater power sharing with the political in the (re)development of planning knowledge.*

The empirical study revealed an important role that the political plays in bringing realistic ideas, solutions and compromises, simply because the political does not feel compelled to think within the context and limitations of typical planning concepts, standards and rules. This was also confirmed by the community interviews and community activist stories that recognised the role of councillors in finding solutions to planning problems. The non-involvement and/or exclusion of councillors because of the wider interests they have is more of a disadvantage and loss to planning knowledge and decision-making. These were the views expressed by both the lead political and lead opposition councillors. The vision and the political mobilisation of residents and their realities can be an important aspects that political power brings to the (re)development of planning knowledge for action. The exclusion of the political from planning may come with more disadvantages than advantages. Currently this is the view of SPLUMA, to prevent the political from engaging in planning decision-making and to constrain political involvement to policy making only.

The research revealed that interests in planning for personal and other gain is like power - it is everywhere and can be with anyone. The research revealed that planning practitioners

also had their own interests in certain applications and influenced the use of knowledge and decision-making to align with such interests. This further demonstrates that SPLUMA took a misguided view that the profession, its practitioners are neutral, objective, moral and without personal interests.

There is an assumption by power that rationality cannot outsmart power in planning practice. However, what will be the situation if rationality works more with the realities that power faces on a daily basis? Will this not affect the power of the political? Essentially the power of the political will also become part of practice and therefore leave power with less currency, and the need to invoke power because rationality has failed to read and act more locally, practically and perhaps politically.

This is most likely a case when rationality ignores realities and remains closed and sticks to outdated goals and means to achieve such goals. Sometimes it is not so much the goals that are a problem but the means or in some cases both goals and means are problematic for the current society and context in planning. This essentially turns the spotlight back on the use, the roles and the construction of planning knowledge, as a space that can start to engage with many of these conflicts, within and between rationality and rationality and politics and rationality and society. This is further unpacked in section 10.3.5.

10.3.5 Co–production and its limits within the planning practice environment

The literature on co-production assumes the re-distribution of political power, which enables co-production to take place. It recognises that giving up or redistributing political power is a constraint to co-production within public policy making. However, the literature does not speak to officials and professionals as gatekeepers and constraining factors that impact on the co-production of knowledge development for policy making and practice. This empirical study revealed major issues of trust, professional territorial gatekeeping and power alliances within the professional planning sector from the same department, in relation to the (re)development of planning knowledge for action. This power web and contestation for exclusive ownership to planning was further intensified between sectors such as the transport, environmental and economic sectors. In part, this was related to spatial planning as being the sole jurisdiction of planners and that planning education equips and gives a planner the responsibility as well as the rights to charter what is appropriate planning knowledge for practice. Planning practitioners referred to this as the legal context for how planning knowledge was expected to be (re)developed, this was linked to the job reservation

for planning practitioners as the trained professionals to determine the knowledge in use that shapes the production of space. However, sector conflicts and territorial protection was also very present among the professions that shape the built or spatial environment, such as the environmental and transport sectors. These sectors are unwilling to allow planning practitioners to shape knowledge for their respective sectors and likewise planners resist sectoral 'intrusion' into the planning profession.

The lack of trust and recognition of political knowledge in the (re)development of planning knowledge was glaring and disturbing, given the particular policy context within South Africa that expects the political to drive the policy making process. The political agents of knowledge such as councillors saw this gap in policy development as officials ignoring and being 'untrained' to understand local political knowledge in planning. Political knowledge, which can be deemed as practical, negotiated and representative of local interest and politics, is set aside in planning which is dominated by professional knowledge in planning. The politicians also viewed policy making in planning as being technical and as councillors they felt unable to engage technically to take charge and influence planning policy making.

The empirical findings from this research certainly concluded that co-production is a long way from possible within the planning field. This further suggests that epistemic cultures cannot be energised, optimised and sustained within a profession and institutional setting that is lacking trust, sincerity and ability to share power and responsibility in developing knowledge for practice, as evidenced within the planning sector.

10.4 Policy considerations for the (re)development of land use planning knowledge for practice

This section of the thesis responds to research sub-question five: what are the key constructs of an emerging theoretical framework for the development/redevelopment of land use planning knowledge for practice, informed through the study of practice and engaging a multiplicity of stakeholders and knowledge within the eThekwini Municipality? This research sub-question is a culmination of findings and integrates with sub-questions one to four; see Chapter Six to Nine for further discussion. In addition, this sub-question identifies, connects and contextualises the theoretical framework developed and the literature reviewed for this research with the empirical findings, as reflected in Figure 10.1 below.
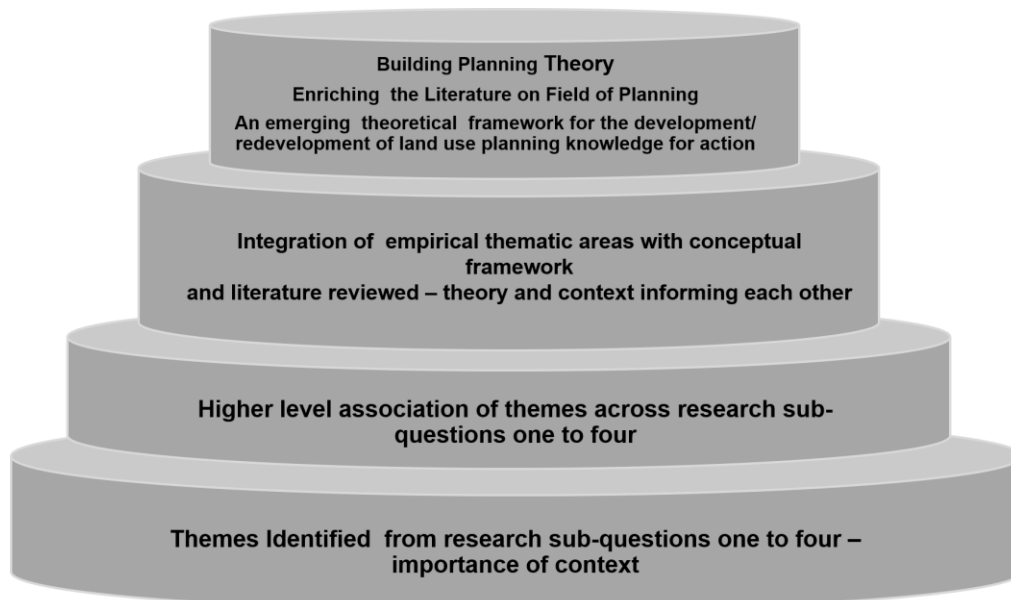
Figure 10.1 Conceptual diagram: showing data strategy analysis for research sub-question five. Source: Author.

What emerges are conceptual ideas theorised from practice in support of theory building for African urbanism, planning theory and situated planning ideas for practice, and which are discussed further under the following headings:

- From planning ideology from elsewhere to planning ideology from within - emerging ideas

- A need to rethink planning ideology before rethinking planning knowledge for practice

- Emerging conceptual ideas for the (re)development of land use planning knowledge for practice

This is the final response to the overall research question posed at the beginning of the study: How does exploring planning knowledges within the eThekwini Municipality (Durban, South Africa), reveal the roles, uses and construction of land use planning knowledge, as a focal point for theorising and transforming practice, within the context of multiple knowledge actors and knowledges?

10.4.1 From planning ideology from elsewhere to planning ideology from within – emerging ideas

Where it all begins - African urbanism

Planning ideology for Africa cannot be thought of outside its history of colonialism, which remains inextricably linked to post-colonialism (Harrison, 2006; Berrisford, 2011c; Pieterse, 2011a, 2011b). There are several spatial-political trends that characterise African urbanism, such as informality, 'greyness', innovation, resilience, traditionalism, modernism, 'collective – individualism' and rural-urban divides. This should be recognised in theorising and developing an alternative theory for African planning systems that identify new knowledge actors, knowledges and practice (Pieterse, 2011a, 2011b).

I would contend that an agenda to build urban theory in the context of African urbanism can start to influence and inform a new planning ideology. It creates an opportunity for a new belief and planning system. It enables planning ideology to be developed from within the current context as opposed to coming from elsewhere, another context (Bisaillon, 2012). A new planning ideology developed contextually and contemporarily creates possibilities to rethink the beliefs, thoughts, purpose and meanings of planning. This creates a connection between urban theory for the global south, planning ideology/theory and local city planning knowledge and practice. Roy (2011b) describes the theoretical idea/s where the call is to study and develop new knowledges, not only as activities in space but also discourses and knowledges that give rise to a particular socio-economic spatiality for what is 'loosely' termed the global south, that remains unmapped and often seen as part of study of urbanization theory of the 'other'. Developing theory for planning which influences practice for the global south cannot happen without engaging the study and theory for urbanisation of the global south, as argued by Roy (2011b: 7):

> "It is our intention to foreground urbanism in the theorization of planning… A planning theory that ignores the question of urbanism is one that remains distant from the materiality of late capitalism and its political closures and openings".

This call to theorise for African urbanism, a theory for the global south, comes across as an academic endeavour and misses what this could mean for planning practice. However, in this research a direct link is made to practice including how African urbanism theory can become a 'macro theory' that begins to influence planning theory/ies, as 'meso theory'. Such linkages can enable the development of a different philosophy and belief that begins to shape planning in the various forms it reproduces itself, including teaching, consulting, knowledge and practice. This research contributes to this debate through identifying the linkages and possibilities for a theoretical framework and process for developing not only African urban theory but its connection to planning theory and then to planning practice for a particular society and context.

What is African urbanism? This is a question that I was asked in finalising this research and perhaps it is a likely question to be asked. *A response would be:* it is unique to Africa; it is not urbanism that is shaped by factors that define urbanisation in the north. It may share similarities and inextricable links, but it is a form of urbanisation that is demanding of its own understanding and theory building, if the urban question is to factor into planning theory and practice. It is that which is visible, seen, lived and experienced daily and simply what it is. This study did not set out to identify and define African urbanism, and it is unlikely that such a study can be so conclusive that it can define and oversimplify such a complex phenomenon for the sake of a definition.

Sometimes to define is less important than to recognise, know and embrace. What is more important than a definition is the willingness to recognise and embrace the manifestations of African urbanism in the planning theory and practice produced. In a small way this study contributes further to the understanding of African urbanism, from a perspective of land use planning knowledges informed by a multiplicity of stakeholders from within an African urban context. In this empirical study, African urbanism as practiced was without differentiation between formal and informal, public and private, legal and illegal, and rich and poor. Everything within and between was counted as being part of an African urban society. It is important to recognise that African urbanism is beyond black and white, poverty and informality, but is a form of urbanism that demonstrates its own and multiple responses to the use of space that responds to different and varying needs within the context of a weakening state. It is situated in a context of multiple actors that socially and politically (re)construct space and its usage. This identification and acceptance of African urban land use planning knowledges certainly presents new possibilities for planning theory and practice.

From 'theory on African urbanism to meso planning theory, to practice'

This rudimentary link of what 'society's values and culture' could mean for planning creates a connection to practice. It intensifies the urgency, the practical responses and collaborative research required to develop theory/ies for African urbanism – 'macro' urban theory

Whilst theory/ies on African urbanism can be more universal than countries and their histories, their people and geographies are also very different and therefore create an opportunity for 'meso' level planning theory/ies, which considers context and the critical disjuncture/s that give rise to particular urban forms. A 'meso' level of planning theory is often called for in the literature reviewed, regarded as a missing aspect of theory that goes beyond the daily and detailed studies of planning practice (Pieterse, 2011a).

The literature is not very clear on how this 'meso' level of planning theory can be developed. However, this empirical research suggests that this 'meso' level of planning theory should be informed by a 'macro' level of theory, namely African urban theory, and from a situated and context-specific 'cityness' that emerges both from below and from wider country and world region perspectives. A 'meso' level of planning theory helps to connect, contextualise, theorise, and make assumptions and abstractions within a wider context from situated planning theory that is emerging from planning practice and from a 'macro' African urban theory. This 'meso' theory can also be referred to as 'world scale theory', giving recognition to the world and regions in particular, which is informed contextually (Watson, 2008; Roy, 2009).

Whilst the importance of situated planning theory remains undisputed and a necessity to understand the factors emerging in the study of practice and the development of situated planning theory, such as this study has demonstrated. It is contended that situated planning theory, does not go far enough to help construct planning theory for a region and country or the 'worlding' of planning. What is missing is the 'meso' level of planning theory that is developed from below (situated planning theories) and from above, macro urban theories embedded in African urbanism, to help construct 'meso' level planning theory/ies. Connecting this rich form of situated planning theory/ies to a 'macro' theory/ies on African urbanism and to a 'meso' planning theory/ideology, creates the much needed context and link to start theorising for practice and for practice to inform theory in a more structured and deliberative way in developing theory. 'Meso' planning theory/ies enable alternate ideology/ies for teaching and practicing planning. This is represented diagrammatically in

Figure 10.2(a-b) to follow as a set of ideas for rethinking planning theory through a practice lens.

The next set of ideas builds on further from theorising for African urbanism – 'macro' urban theory and world scale planning theory – 'meso' theory, as a missing and an important link for the (re)culturisation of planning and practice. However, planning culture is layered and comes from deep within society, before what is visible and what is seen to be the practice artefacts of planning such as plans, codes and legislation (Halleux et al., 2012). The idea of a 'macro' African urban theory, further develops the idea that planning culture is far bigger than what planners do, think and practice, that it is much more important for it to be informed by the culture of wider society and its relationship/s to urbanism. This would include the wider societal views, and values on urbanism, geography, cultures, land rights, the role of institutions and government in planning are some of the factors that make up the wider societal influence on planning culture (Othengrafen and Reimer, 2013). As posited by de Fries (2015) planning outcomes have more to do with society, the practice of urbanisation and a fit with society, and less to do with a planner's culture. In part this explains the deliberate spatial planning interventions by the South African state and the planning sector to restructure the spatial form, which may be regarded as having some impact, but certainly not in the way it was intended (Harrison and Todes, 2015).

The wrong societal culture is influencing planning

This then brings me to the next point in building this 'theoretical set of ideas', that the African 'society' is not informing planning ideology, namely the values and beliefs, acceptances and legitimacy of planning. Instead another society's culture, acceptance and mediation of urbanism has been used as the wider societal environment that provides this deeper meaning to planning culture and planning practiced in Africa. This disjuncture shows up in the complexities and challenges of society that works outside of this planning ideology and practice. The link made in this research is that the societal values that planning considers are in fact another society's values, history and experiences. This was evidenced in the empirical research - the thoughts, ideas, and 'practices' that people seek from planning is not what planning is engaging with; there was a clear disconnection. These perspectives emerging from the 'slice of society', an African society engaged for this research, confronted 'the other society' (that of the global north) that continues to influence planning ideology and planning practice. This conflict of which society influences planning is at the centre of the contestation

of planning knowledge and practice. This is represented diagrammatically in Figure 10.2 (a-b) to below.
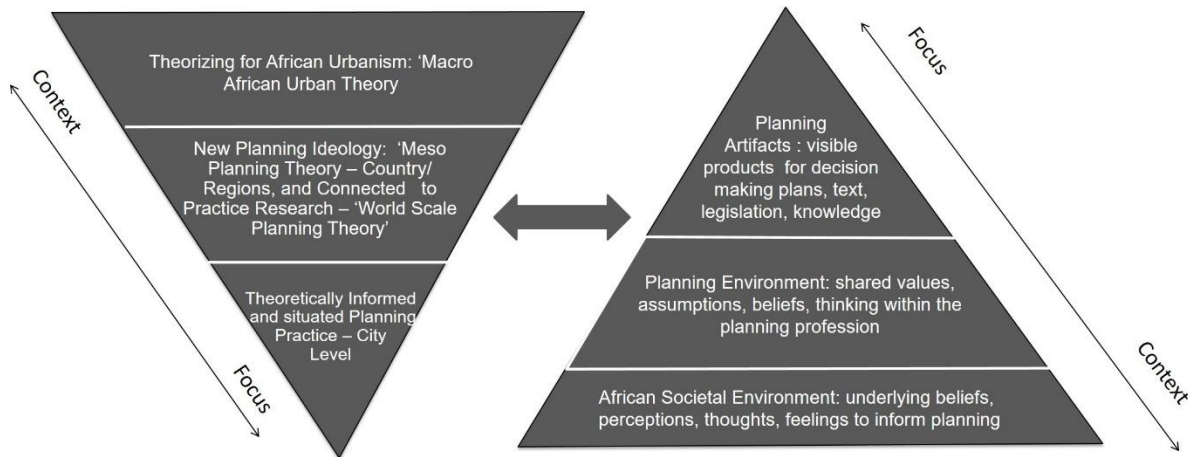
| **Figure: 10.2a Emerging theoretical ideas for the Theorisation of African urbanism and planning theory** | **Figure 10.2b Emerging 'culturised planning model' for an African society** |

Figure 10.2a-b: Theorising for African urbanism and (re)culturisation of planning within and for an African society. Source: Author.

10.4.2 A need to rethink planning ideology before rethinking planning knowledge for practice

Planning knowledge for practice is constantly being challenged to bridge divides between the poor and rich, black and white, and managed and unmanaged urban areas. These divides, as framing the planning problem, still leave planning as a dualistic approach. While these divides are part of the social, political and technical history of planning, they cannot be undervalued or wished away. At the same time working with such divides results in particular ways of problematising what planning should be doing. A technical and incremental response is often the sought-after solution. When alternatives to the current planning ideology and systems are critically reviewed, it is evident that these options do not challenge the main role, purpose and belief that planning is about coordination and control (Moroni, 2010). The divides become bigger, blurrier and more difficult to understand and justify. Questions around whether more control or less control or a process of incrementalism and assimilation are appropriate in this context reflect some of the tensions involved in responding to the problem of planning, within the overall ideology that control and order is needed to avoid chaos (Moroni, 2010).

What comes through in the literature is that there is something specific about urbanism in Africa, and that embracing and working with this form of urbanism is what is required. This form of urbanism means getting beyond the divides to simply to think of it as African urbanism - it is what exists and what planning has to work with. Insights into African urbanism also emerged from this research - how citizens and stakeholders think about it, construct it, socially mediate it and make daily choices regarding their survival and the opportunities derived from producing and using space within the context of this form of urbanism. What emerges is an alternate planning ideology, underpinned by this form of urbanisation that is being framed in the practical thoughts, everyday choices and practices of citizens and the various viewpoints of stakeholders in the production and use of space.

My thinking on how proactive planning could be was challenged by this 'slice of society'. The rich, diverse and positive views for planning and what it could be emerged from engaging with a multiplicity of stakeholders and their knowledge, experience and dreams for planning. However, this is precisely the worth and the surprise of explorative research. In fact it may be a good time to declare that even my own interpretations of the empirical findings are in many ways not critical enough. They are one person's view and experiences versus that of many viewpoints and ways of knowing and expectations of planning. This is what the research participants brought to this study.

The bigger surprise however, was the absence of this level of thinking about ideology, purpose, practicality and getting in touch with African urbanism from the wider planning professional community engaged in this research. What emerged were two separate planning agendas regarding the future of planning knowledge and practice. The dominant planning agenda emanating from the wider planning community (academics engaged within the research, SAPI, SACPLAN and planning practitioners, private and public) remained steeped in older debates. These revolved around the problems that constrain planning practice, such as a lack of priority given to planning, political interference, restrictive legislation, a lack of enforcement, the types of planners attracted to the profession, and the institutions within which planners work in. This contrasted sharply with the broader stakeholders' planning agenda that was not only thinking but in many ways practicing a different ideology of planning within the context of African urbanism. Whether these ideas and actions are legal or illegal remains immaterial. A very particular, specific form of urbanisation was taking place and this was well demonstrated in the ideas offered and the solutions sought from a planning practice embedded in this new planning ideology.

Therefore the argument being made here is that rethinking planning knowledge and practice cannot happen outside of the development of theory for African urbanism, to enable the construction of a new planning ideology, context and purpose for planning. This would be a starting point to reflect on planning from a social, political and everyday situation embracing the current context of African urbanism. Some of the initial ideas and thoughts towards a new 'planning ideology' emerging from the empirical research are briefly identified and described.

A 'new planning ideology' emerges

- *Role of government or institutions*

Planning ideology cannot escape the role of government in planning. The uniqueness of African urbanism is one where the government and its role in planning has been one of political domination and economic and racial exclusion through planning. Furthermore, unlike the north, this urbanism has not occurred in a context of industrialisation, where the role of government and planning was an intervention to manage the demand for housing and improved living conditions. This then also questions the nature of South African state involvement during the colonial period and currently within a post-colonial context, where its policy and practices including that of planning remain mistrusted and lacking the confidence of a vast majority of its citizens. Whilst there is mistrust towards government, there is an acceptance and appreciation that planning's role of managing cities is complex and conflictual. However, it is important for society to be involved in shaping and engaging in the making and changing of local places and the city.

- *Geography and societal views on planning and land*

The role of geography, the availability of land, and a culture of land remains important in determining a wider societal culture towards planning. Is this relationship with land collective, individualistic, traditional, is it influenced by scarcity of land or availability of land, and is it a relationship that is driven by conflicts over land, different land markets and market failures? This also relates to how much private land rights versus collective land rights will be tolerated and how much government intervention is desired or valued and possible or not (Knieling and Othengrafen, 2015). Planning acceptance and legitimacy is embedded in wider societal values, experiences and histories. In certain societies, collective decision-making remains important especially where land is a scarce resource and the use and development of land is much more coordinated and respected with government intervention and planning as a

function of government (Knieling and Othengrafen, 2015). This influences planning ideology in terms of how much coordination, control, prioritisation and flexibility it should consider.

In an African context the relations and control of land for societal uses has always been complex, contested and intertwined with colonialism. This history remains central to creating theory for African urbanism and a new 'planning ideology' (Berrisford, 2011c; Pieterse, 2011a; Harrison, 2006). This includes recognising traditional land authorities and multiple centres of coordination and control and systems of land use (McAuslan, 2011). Then there is a post-colonial system where control and social spatial ordering remain active and it is used as a form of political repression and allegiance-making, but it is unable to cope with the wider phenomenon of urbanisation that takes place in a context of a 'weak' state without an ability to manage the health and social conditions of widespread urbanism (Berrisford, 2011c; Harrison and Todes, 2015). In South Africa, the role of the state in planning, that contributed and aided apartheid, led to a particular form of African urbanism, characterised by a very different societal relationship with land, through legislation, planning systems and the role of the state (Watson, 2013).

- *'Grey' matters to society*

The acceptance that urbanism is neither formal nor informal and simply is, and often this is what makes it 'grey' as argued by Yiftachel (2009), was supported in the empirical study. The recognition and embracing of planning and planning outcomes as 'grey' as places of opportunity, mediated, negotiated and neighbourly is what resonated with the concept of 'grey' as espoused by Yiftachel (2009). This was demonstrated in the empirical study. The expected aversions to multiple uses on residential properties and within neighbourhoods were surprisingly low. Likewise, the acceptance of multiple uses, including informal settlements and lower income housing, was surprisingly high. However, this acceptance of 'grey' areas was not without context. In essence the research participants were concerned less about categorisation and labels such as formal, legal, illegal, informal, residential commercial and mixed use, but wanted a planning response that worked with the community. They wanted a planning system that paid attention to the public and collective spaces, the provision and maintenance of infrastructure, urban management, social engagement, opportunities and solutions to problems facing local areas.

- *Society is flexible*

What emerged across the spectrum of participants representing a 'slice of society' was an appreciation that changes will continue to take place. A willingness and ability to work with such challenges of change came though very clearly. This 'slice of society' saw themselves as capable and flexible; that they can and should work with government in managing such changes. There was a clear belief that government cannot be entrusted nor does it have the capacity, the local knowledge, the resources, the time, the intimacy and the passion to manage this change on its own. Collaboration between society and government is a necessity. Sharing of information, involvement, debate and dialogue was seen as necessary to embrace and work with and embrace the flexibility and resilience of society. Across the range of land markets – formal, informal, individual, traditional ownership - an acceptance of flexibility in planning and a flexible society emerged.

10.4.3 Emerging conceptual ideas for the (re)development of planning knowledge for practice

In thinking and rethinking the production and use of space, in the context of planning, one cannot question the existence and the role of the power-knowledge-action nexus. The relationship between power and knowledge, and knowledge and action, and its benefits to a small component of society at the expense of the wider society remains embedded in this relationship. This is reflected diagrammatically in Figure 10.3 to follow.
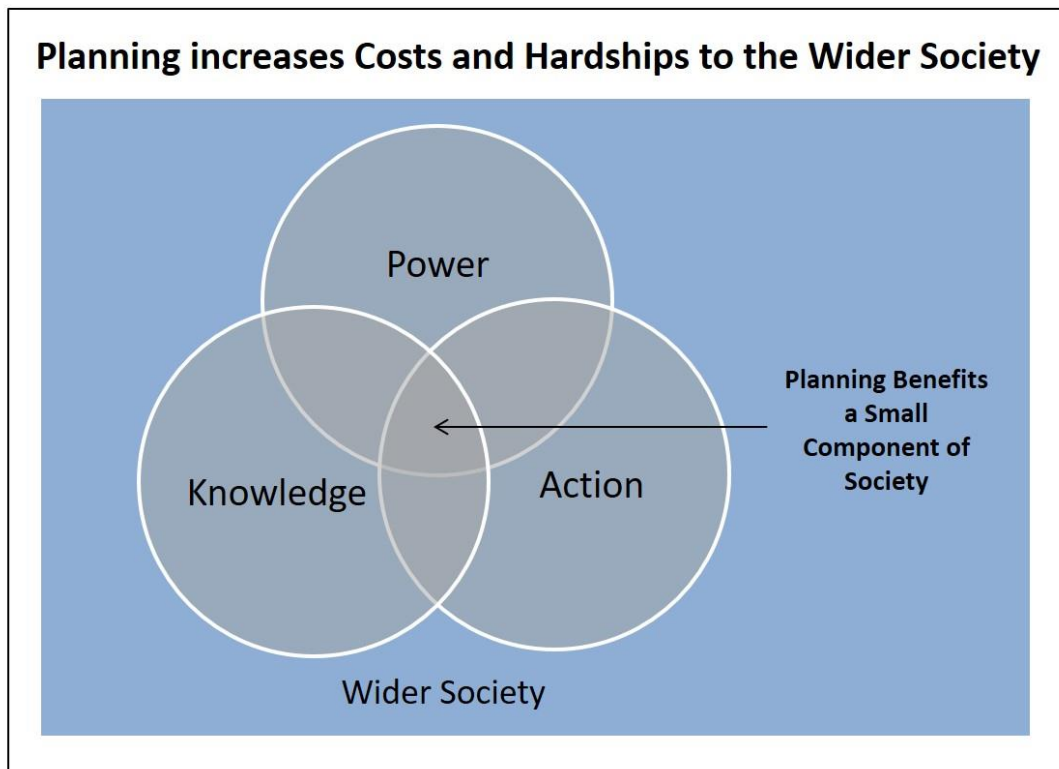
Figure: 10.3 Power–Knowledge–Action Nexus
Source: Author

This power-knowledge-action nexus is alive and well-embedded within the mindsets of planners, external and internal to the municipality. It is part of a planning culture and practice that maintains and reproduces this relationship, often without planners' awareness. Citizens have been designed to be self-subjugating to the self-technologies of government or governmentality and have become self-regulating subjects of such relationships of power-knowledge and the construction and use of space (Foucault, 1984a; Lefebvre, 1991). It is not unusual for citizens and stakeholders to respect and revere the knowledge of experts and authority. The importance of being compliant and respecting 'the rules and regulations' is clearly demonstrated in the empirical findings. Yet, it is this very relationship, power-knowledge-action, that categorises and legalises certain spaces and not others and in so doing (re)categories lives, social activity and livelihoods as acceptable or unacceptable (Lefebvre, 1991; Gaventa and Cornwall, 2006; Yiftachel, 2009; Davoudi and Pendlebury, 2010).

However, what is more pertinent to understanding this power-knowledge-action relationship or practice is the social production of space and social ordering. Engaging with the nexus presents the possibility of rethinking and changing the outcomes of these relationships through the reversibility of power, knowledge and dominant social relationships (Foucault, 1984c; Lefebvre, 1991; Cornwall and Shankland, 2013). In fact the same nexus can be used transformatively as a theoretical framework for planning.

What emerged from the literature are the critical roles of society and social knowledge that remain at the centre for changing planning. Lefebvre (1991) posits that space is socially constructed. It is neither ideal nor unreal, but certainly re-affirms the role of the diverse, conflictual and many forms of social knowledge involved in the creation and use of space. Massey (1991) refers to the flexibility of society and the need for planning to be flexible to further enable the flexibility of society. Moroni (2010) advocates for a nomocratic approach to planning, where this theoretical approach towards planning acknowledges and centres the importance of social knowledge in planning. Socially constructed knowledge remains dispersed, tacit, and patternless and that which cannot be factored into the formalities of planning, but it is equally important to land use systems to ensure efficiency, innovation and spontaneity.

In transforming this power-knowledge-action nexus, effectively reversing the outcome of this relationship, Lefebvre (1991) refers to a 's*uper–code'* that is transformative, that recognises the social knowledge in constructing space, it is practical, cultural, functional but flattened by the state and its system of planning to control and coordinate the production and social ordering of space. Moroni (2010) refers to a shift from urban plans to '*urban codes'* that are designed to be simple, generic, understood and developed so that they are positively responded to by the diverse and many spatial actors involved in planning or in the creation and use of space. The code is based on the big prioritised problems and the real 'public bads', which should be determined through a social, political and collective process - collective problematisation. The focus of this code is to enable, to be flexible, to move away from the micro-control and coordination of space and social control. The role of society in spatial mediation, creating alternatives and opportunities, is what makes the code reciprocal, efficient, self-adapting and beneficial.

Berrisford (2011b, 2011c, 2013) and McAuslan (1991, 2011, 2013) identify basic legal principles that should underpin the development of planning legislation within a particular

planning context. The costs and benefits associated with planning law, simplicity and engagement with wider society remain integral to planning legislation and planning systems that have legitimacy and compliance.

Halleux et al. (2012) consider the institutional adaptive efficiency of planning as a system that consist of the effective coordination across three pillars, resulting in what is referred to as adaptive efficiencies of planning. The first pillar is land coordination - this is based on a beneficial transacting cost to comply with planning, where the costs are marginal to ensure participation and the effectiveness of such a system. The next area for coordination relates to the many spatial actors involved in creating spatial outcomes, including individual property owners and users of property referred to as partners and collaborators in planning. The final pillar for coordination pertains to the authority, the history of government, the confidence in authority and the plans enacted by the authority, and the available resources to ensure the execution and compliance to such plans. A planning system requires all three pillars of coordination to be effective and timely so that it exhibits a high level of adaptive efficiency (Halleux et al., 2012).

In the previous sections (10.4.1 and 10.4.2) a case has already been made for the importance of theorising for African urbanism ('macro' theory) and new planning theory ('meso' theory), and how this then opens up an opportunity for the re(culturisation) of planning for an African society. The identification and connection of the theoretical ideas offered by Lefebvre (1991), Massey (1991, 1994), McAuslan (1991, 2011, 2013), Berrisford (2011c, 2013), Moroni (2010) and Halleux et al. (2012) offers a set of supportive ideas to help reconstruct a contextual approach to planning which can and should be supported and informed though macro, meso and situated theory for planning practice.

What I found was not only how these ideas can come together and how insightful and helpful these ideas are theoretically for land use planning, but more importantly how these ideas have emerged and resonated from within the empirical findings of this study. It is this identification, connection and contextualisation of ideas from the literature reviewed and the empirical findings, that suggests and presents ideas for an emerging theoretical framework to rethink planning within the eThekwini context, but also for a wider African city context. This is represented diagrammatically in in Figure 10.4 to follow.
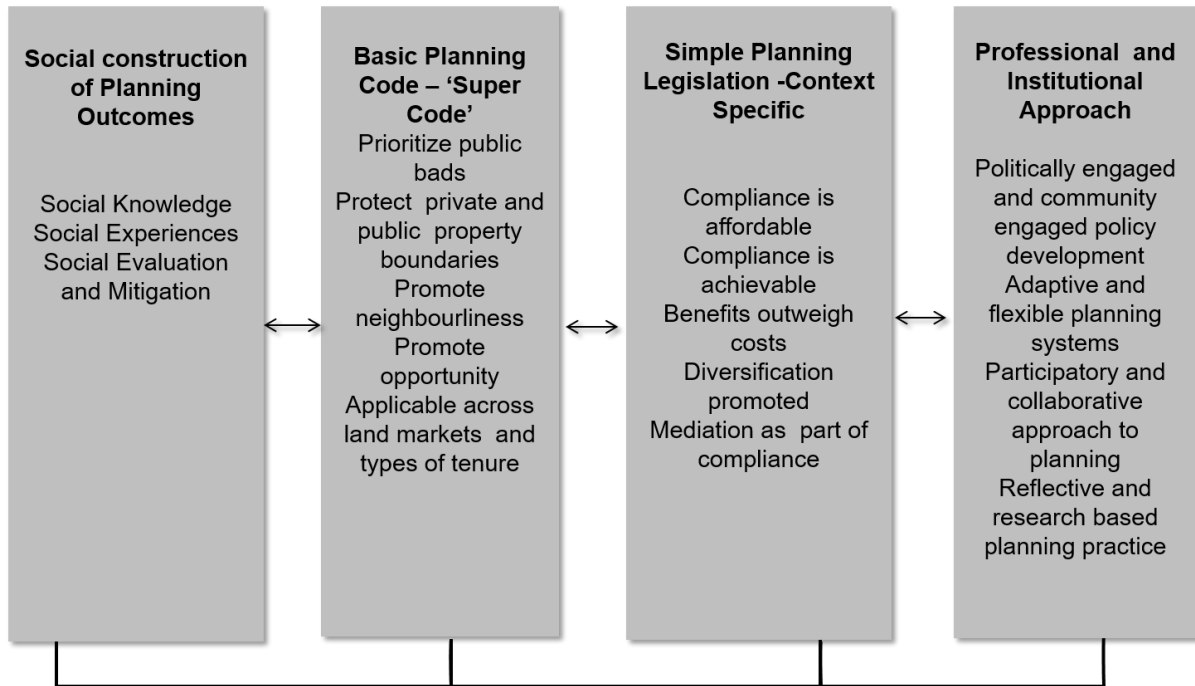
Figure 10.4 Theoretical Land Use Planning Framework

Source: Author, influence by Halleux et al. (2012: 90)

The conceptual framework consists of four interdependent areas of coordination that need to work together and be supportive of each other if planning is to be theoretically and practically effective within a particular society and city. These ideas for conceptualising and theorising for planning are tentative, idea forming and not idea limiting. They are offered as a provocation to conceptually rethink planning, informed theoretically and through practice. Each of the areas of coordination are briefly explained and then supported with some examples and evidence that emerged from the empirical study.

▪ *Social construction of planning outcomes*

Firstly, working for the society that lives in, and experiences, shared space in its many forms is what matters, and recognising and allowing for the *social construction of planning outcomes* remains integral for an effective land use planning framework. There is a vast knowledge base that makes sense of needs, spaces, functionality, economic efficiencies and

sustainability that leads to action and changes in the production and use of space. Hence there are many ways of seeing a situation and making sense of it. This social knowledge remains within society. It is undesirable and impossible for planning practice to constantly try to consider the trends and associated assumptions, with the intension to include or exclude such spatial outcomes in the (re)construction of land use planning knowledges, such as TPS.

Examples from the empirical study: These views were clearly evidenced in the empirical research - the community members and citizens saw themselves as flexible, caring, and compromising in an environment of rapid change since the early 1990s. The old fights about lack of integration and racially dominated conflicts were still present but seen as a lesser problem that planning should be facing. In dealing with matters of densification and social housing, these actions that change local places were not seen as the problem. Rather, the real issues were regarded as a lack of engagement and government intervention without responsibility and attention to the areas undergoing change.

- A *'basic planning code'*

The next area of focus relates to a *'basic planning code'* directed at what to protect, what to caution against and what to sanction. The code should focus on minimising the 'public bads', determined collectively, technically and politically as part of a planning system and vision-building for a place. Its principles should apply across land markets and in all types of areas and should be easy to understand, regarded as achievable and should secure benefits and limit costs and hardships to the wider society. The principle of improving an area, rather than taking away uses and enjoyment from the area, is what should inform the technical and social evaluation and mediation of planning.

Examples from the empirical study: The empirical data certainly supported the need for important basic principles to inform a planning code, such as protecting private and public boundaries, working with what people are already doing as building blocks for such a code. Participants supported a moderate role for the municipality and neighbours to mediate in planning matters. The empirical data highlighted the importance of 'managing out' the big problems in planning, such as limiting industrial and pollution-generating uses within neighbourhoods. The evidence from the empirical study demonstrated that planning should focus on the big issues, and not a long list of the unimportant. The big 'public bads' that emerged from the empirical study, reflected the sentiments across the participants engaged

in the resident interviews and the development activists. The concerns identified were reasonable, practical and manageable for planning and government to achieve.

- *Simple planning legislation* – context specific

The third area of focus and coordination relates to the role of land management, which should be based on *simple planning legislation* – it should be context specific, a system informed by and responsive to the uniqueness of the society, the history and role of the state. The legislative principles should reinforce the social engagement in planning, the negotiated and mediated roles in managing conflicts. The principles of affordability, the different needs, and benefits versus cost of compliance should matter. It is imperative that planning legislation secures and does not dilute, undermine (intentionally or unintentionally) the role of traditional land and traditional land uses and management in planning. This is of particular importance to the global south and for a municipality like eThekwini. Finally, the planning legislation should be easily understood, workable across land markets and should match the role of government, its resources and capacities to make such legislation effective.

Examples from the empirical study: What emerged from the empirical study was that formally planning limited and alienated citizenry engagement to one of legal compliance and participation. However, informally and in places outside the formal management of planning, the involvement and engagement and social mediation of the use and development of space was taking place socially. The community activists, resident interviewees and councillors would often refer to the importance of discussion with each other as the only way and the most effective means to find opportunities together. They expected the same from engagement with investors and the municipality regarding municipality projects and its impacts. This was seen as local knowledge and local interests and passion that cannot be replaced by planning through administrative systems by planning practitioners.

- *Professional and institutional approaches*

The final area for coordination speaks to the importance of the *professional and institutional approaches* – planning professionals, institutions of authority, and the development and implementation of public policy, implemented through plans and texts that have authority. The role of planning, planners and government is not replaced or undervalued in this land use planning theoretical framework. However, the approach is one that fosters partnerships inside and outside of the municipality with wider society and citizens. Within the institutional authority, collaboration across sectors and with politicians remains central to advancing

planning policy. The role of external policy making communities in engaging, discussing, negotiating and building consensus remains central to this theoretical framework. Planning requires much more than the legal compliance of participatory planning. It is clear that the framework demands collaboration and partnerships within and outside of the municipality for an effective planning system. The complexity, the multiple actors involved in coordination, the shared responsibility for land use performance, demands a collaborative approach from institutions, professionals and practice.

Examples from empirical study: The empirical findings voiced something bigger than participation and started venturing into areas of collaboration, policy making communities and co-production as the desired and required approach to planning. The findings from the empirical research indicated the importance of councillors in managing and assisting in mitigating and resolving land use problems, and therefore recognising the political in developing a land use planning framework. The councillors across political parties also made a convincing case for their own involvement, the political and local knowledge that they bring to policy making and planning, and that which cannot be replaced by professional expertise.

10.5   Re-joiner – what is land use planning knowledge for practice?

At the very beginning of this research, in Chapter One, I stated that this research intends to explore land use planning knowledge - what it is, how it is used, the roles it plays and how it is (re)constructed in practice. It was not possible to be definitive but rather to allow the definition of planning knowledge to emerge from appreciating its uses, roles, and presence within the context of practice. Whilst I focussed on the obvious forms of planning knowledges used in practice such as the SDF, the TPS, environmental plans, legislation and standard operating procedures, I also left this process wide open to allow the study of practice and context to further inform what is regarded as important planning knowledge for practice. This exploration led me to find a core frame of planning knowledge which verified that it is composed of spatial and environmental plans, the TPS, institutional discourses and planning legislation. These types of knowledge I loosely referred to as planning knowledge, that which directs practice and decision-making in planning.

The research explored what knowledges could emerge from engaging with a 'slice of society', their lived experiences, social mediation and the construction and use of space. This research has demonstrated that the planning knowledges emerging from the engagement with 'society', challenges and confronts formal planning knowledge used in

practice. More importantly, this social, untapped, tacit knowledge has its own way of knowing and doing. However, engaging with this knowledge from 'society' can be extended and integrated with 'expert' planning knowledge, thus enabling planning knowledge to be real and relevant for practice.

A definition of planning knowledge was not provided but rather alluded to as the knowledge that informs, that is used to direct planning practice and decision-making, leading to action. In essence defining what planning knowledge is as a definitive has limited importance. Planning knowledge remains incomplete but a necessary and important ongoing social-political project of planning, that planners must constantly engage and grapple with. As much as expert knowledge, such as plans, text and legislation remains important, land use planning knowledge includes the knowledge of 'others' as equally important as it leads to action.

10.6   Summary and Conclusions

In this important chapter, the empirical findings from a particular place, - the eThekwini Municipality, an ordinary and an important city within Africa - are juxtaposed with the conceptual framework and the literature reviewed to understand the dynamics that unfold in planning practice, the exploration of land use planning knowledge, its roles, uses and (re)construction. Whilst this study is about a local place of practice, it serves as a contribution to the international agenda of exploring planning knowledge, its roles, uses and construction in planning practice.

This research may be one of a limited number of practice research cases undertaken within an African context, but certainly reconfirms that this context of planning is so very different to the global north. It reaffirms the urgent need to develop planning theory, a planning culture, and theorising for planning practice for a particular African society and African urbanism, which comes with its own set of challenges, conflicts and opportunities. Apart from identifying with the call for a global south theory/ies for urbanism, this research offers theoretical ideas that emanated from the empirical study that can be insightful and practical in thinking through the levels of theory-making required, integrating and connecting theory to practice and practice to the realities of the society. A system of urban theory for an African society that informs planning ideology and planning practice within Africa is presented as emerging ideas for further work.

A surprising finding was the call being made by stakeholders for planning practice that demonstrates a local version of communicative planning theory to enhance planning practice for a very fragmented, diverse African society. More interestingly, this came through clearly from stakeholders outside of the usual planning community.

The research uncovered planning practice that was not overtly positive. Hopefully with more research on planning practice in Africa, the extent to which this is a specific case, or not, can be settled. However, for now the important point to make is that if practice matters and given the types of practice uncovered in this research, then *unlearning from practice* remains important in practice studies and theory building from practice.

Emerging from the empirical study, there were many points of alignment and support between this local case 'study' - the eThekwini Municipality and the international literature reviewed. But there were also areas of variance, questions and nuances on what the empirical study revealed. Whilst this may be specific to the context of eThekwini, more research within the area of planning knowledge and in varying contexts of practice, will help to develop a body of knowledge and comparable studies that start to affirm and build the 'worlding' of practice and situated theory. More importantly this can then affirm or reject the importance of land use planning as a 'space' to theorise for and to transform practice.

Finally as far as the research strategy and design is concerned, this chapter demonstrated that the selected multi-conceptual theoretical framework and the literature reviewed remained relevant and informative in explaining the empirical findings. However, the empirical findings also helped to nuance, expand, deepen and question some of the dominant theoretical ideas as contained in the published literature. In conclusion the relevance of this study (Chapter One), the connection between the theoretical framework (Chapter Two) and the literature reviewed (Chapter Three), the execution of this study (Chapter Four), the empirical data and analysis as discussed in Chapters Six to Nine are well evidenced in this linking chapter.

CHAPTER ELEVEN: CONCLUSIONS

11.1   Introduction

This research started off with my concerns about what I missed in practice, what drives practice and the opportunities to challenge practice to be and think differently. Undertaking this research was an opportunity to go back into practice, without constraints, and with an exploring, open and critical mind to learn from and return to practice (Schön, 1983). Furthermore, I always wanted to contribute to theoretical ideas of planning, but informed through practice.

This research could have taken many angles even from a practice context, but I chose to first explore and focus on what roles planning knowledge plays in practice and then to delve further into how this land use planning knowledge is being (re)developed institutionally. More importantly, I also wanted to establish the opportunities to rethink this knowledge from the many knowledge actors and knowledges as a process of making planning practice contextual, practical and relevant. This helped me frame the overall research question posed at the beginning of this thesis: How does exploring planning knowledges within the eThekwini Municipality (Durban, South Africa) reveal the roles, uses and construction of land use planning knowledge, as a focal point for theorising and transforming practice, within the context of multiple knowledge actors and knowledges? This chapter now reflects on the research journey that commenced in May 2013.

11.2   Reflections on the Research

At this point in time, it will be useful to step back and think about how the research was conceived, developed and executed. Delimiting the research focus also emerged in part from the research process undertaken. Through using ethnography to explore practice and planning knowledge, to appreciate and understand what drives practitioners and practice on a daily and routine basis, the remainder of the research sub-questions were finalised and validated. The research area was also a long-term interest that I had developed over a period of time, around planning knowledge, the role and value of many knowledge actors and their knowledges. The outcomes of this explorative journey confirmed the importance of planning knowledge among other aspects of practice that were revealed, including an overreliance on consultants and planning as an administrative activity, a technically coded and alienated practice from the public. The practice of planning demonstrated that social and

public participation was ignored despite being legislatively compliant. The active roles of power and power alliances and social relations within practice were uncovered in the construction and implementation of planning knowledge. The social relations, power and alliances was evidenced in the (re)development of national planning legislation, SPLUMA. A wider stakeholder engagement also saw major differences in what a multiplicity of stakeholders, their experiences and knowledges expected from planning and what was actually being implemented and continued to be implemented despite the opportunities to (re)develop this knowledge.

Having now completed the research, this section takes a more reflective stance on the overall design of the research. My role as the researcher is also reflected on, given the 'insider' and 'outsider' status that I assumed and which was assigned to me by the research participants.

Choosing the research strategy and research methods

In developing the research proposal there was always a concern that I was trying to do too much and using too many data methods and data sources which may not be essential to complete the study. When I started this research some three years ago, I was prepared to take on as much work as needed to explore this research focus area. With hindsight and reflection as a benefit, I would still use the different data sources and data gathering methods as planned and executed for this study. Arriving at the research design that I used spoke to the research question and my own views about the research area and how to execute it. I was fortunate that when starting this research journey, there were many people that I could go to for advice, including my supervisor and staff from the Town and Regional Planning Department at the University of Pretoria. At the start of this journey, I was advised that there are time and effort limitations, and that if the data gathering process is more than it should be, this compromises the resources available for data analysis and the writing up process for the thesis. The amount of data collection, in particular the informant interviews and holding three as opposed to just one focus group session with planning practitioners, turned out to be more than I needed. I certainly spent much of my time on the empirical side of the research, setting up the interviews, interviewing, transcribing the data and making sense of it. Apart from losing time, this also negatively affected my energy and interests in the research endeavour.

Research Methods, sequencing and timing

On reflection, I would have timed the research data collection process a little differently. The data collection phases and methods are briefly summarised in Table 11.1 below.

Table 11.1 Summary of data methods and data collections phases

Phase 1: Institutional Ethnography (8 ethnography participants); Observation of several decision-making meetings
Phase 2: Informant Interviews (56); Focus Group Sessions (4)
Phase 3: Development Activists In-depth Interviews (4); Community/ Resident Interviews (168)
Phase 4: Feedback to Practitioners and Development Activists

Regarding the timing of the data collection, I should have commenced and concluded the ethnography component, including the analysis of this data before continuing with the next aspects of data collection. This would have sharpened the areas I would have probed in the informant interviews, community interviews and focus group sessions. This could have led to more focused discussions and shorter interviews and perhaps a reduced number of informant interviews.

The amount of time I spent 'in the field' collecting, transcribing, sorting and analysing the data could be equated to 18-20 months of the 42 months invested in undertaking this research. Whilst there are slumps in a research study like this, the research data gathering process could have been more efficient and therefore the use of my time and efforts managed better. However, everything is not about efficiency and calculation. The engagement aspect of this research was personally rewarding, and I saw it as a luxury and privilege to take time out and to be able to communicate with so many different people and to hear their perspectives on planning.

The use of ethnography as the first phase of data collection proved to be invaluable. It helped to define and re-define the research based on what was being found. This approach may lead to a certain amount of uncertainty and risk to a planned research, but the value and authentication of the remainder of the research areas were determined through the ethnography component of the study - 'research defined through research'.

Insider and outsider status

As the researcher I assumed and was assigned both 'insider' and 'outsider' status by the research participants and this varied throughout the research. I always had to be vigilant of my 'insider' status, to be aware and comfortable about the bias I brought not only to the data being collected, analysed and interpreted, but to the entire research process (Tufford and Newman, 2012). There was an ongoing consciousness of my role as the researcher. I respected the research participants and gave recognition to the data for what it was and did not limit its value based on my own views, attitudes and prejudices. I achieved this through utilising several data methods, which allowed for the triangulation of research results and assisted in 'bracketing' me from unduly influencing the research. This meant that similar storylines, views and standpoints would emerge from the various data methods and sources. 'Bracketing' is a mathematical term that denotes 'putting the personal stuff outside of the brackets' (Tufford and Newman, 2012). I reflected on the data I was collecting on a regular basis to ensure that I was honest throughout the process. I engaged in semi-structured interviews and open-ended questions for all the data methods used in this research. This allowed the respondents to lead the data being collected for the research and not for me to direct the questions in order to receive responses that I was looking for or would like. I also used qualitative data in a quantitative manner that supported key findings from the data. Lastly, in reading this thesis it is evident that I often wrote about my concerns regarding the data, the analysis and interpretations I was making. I kept this dialogue open and ongoing throughout the thesis.

Notwithstanding all the efforts and consciousness in 'bracketing' myself as the researcher, preventing my own views, experiences and prejudices from tainting the research, my presence in this research cannot be denied. Whilst this may be regarded as a 'weakness' of qualitative research, it is also the strength of the research, that which makes it contextual, real and connected (Davies and Dodd, 2010). My role as an 'insider' came with its own expected research challenges, but my personal circumstances made my 'insider' status role more complex. I was caught up in the politics of serving under a particular leadership, and now with a change in leadership, I served as a risk to the new administration and my role and position in the municipality was therefore curtailed. The offer of a sabbatical was on condition that I transfer to a new post that was outside of the Planning Unit. This post was one without staff and a budget, and served its purposes of keeping me isolated and 'outside' of the municipality.

Given where I sat within the municipality at the time of undertaking this research, this will impact on how the research is received in particular from the research audience based within the municipality and perhaps the wider planning community. I can only assume it will be received both positively and negatively. Given the limited amount of research available to compare research findings, this also leaves the research findings wide open to various views and perspectives. The way the research could be received is exciting, it could be supported, contentious, liked, disliked. These are certainly the responses that are important for the researcher as it is doing something to provoke a reaction from practitioners. On the other hand, planning practitioners within the municipality and to some extent outside of the municipality may choose to ignore the research findings because I am the researcher. This is when my 'insider' status and my particular circumstance may limit how the research is received.

However, being an insider in this research also allowed me the opportunity to get into the most confined, unfiltered, contentious places within planning practice. Another researcher, an 'insider' or 'outsider', would not have been able to access these spaces. Hence while research validity is often based on replication and revealing similar results, this research would be possible to do again, but it cannot be replicated without me as the researcher who defined this research for what it is, directly and indirectly.

However, more research in this area, undertaken in different municipalities as part of an ongoing research agenda to reveal, reflect on and identify new methods and epistemologies for planning will benefit from a long-term and comparative research agenda. This will also enable new possibilities to theorise for practice and to build theory from practice. A research agenda and theoretical agenda on practice should also focus on what to *unlearn* within practice. A study undertaken by Watson (2002b) on spatial planning in Cape Town under political change in the late 1990s and early 2000s revealed how change can be so alerting, welcoming, contentious and consuming of time and effort, but planners and the plans produced under new dispensations can also simply continue as they did before, but within a new context of transformation. Goedehart (2006) undertook a time study of planning from the 1950s to the 2000s for KwaMashu, a former township within the eThekwini area. The research examines the changes in political administration, political change and the influences this has brought into planning and in particular for the area. The study confirms that this was simply a case of transferring and extending systems from a dominant planning practice to

new areas of jurisdiction, which remains more damaging and unhelpful to the people that reside in the township.

Limiting good research instruments - the value of socio-demographic data

In designing the community interview questions that were administered at the six Sizakala Centres, I was advised that the Faculty Committee for Research and Integrity at the University of Pretoria would be reluctant to approve this as a research instrument, given that I included a section on socio-demographic data. This turned to be correct and the approval from the Committee excluded the socio-demographic data from the questionnaire. I was informed that I could motivate further for the inclusion of such data or continue with the community interviews provided I excluded this section. I was again advised that in the interest of time, it would be more efficient to leave out this research instrument altogether as it is unlikely that Committee would approve an instrument with the socio-demographic data. I decided to make a re-submission and the second time around it was approved. My motivation basically made reference to the fact that the research participants remained anonymous and that even census data collects and publishes such information. On reflection, it is important to engage with the Faculty Committee for Research and Integrity if necessary and provision should be made for this type of engagement. Often based on caution and without wider reference, good research with limited or no risk can be tuned down (Zwanikken and Oosterhoff, 2011). My research efforts definitely would have been limited and constrained if I had omitted the resident interviews from this study.

11.3   Implementing the research findings - possibilities and limitations

This section talks to the findings that emerged from the study and may be possible to implement within practice. There are different responsibilities for implementing the findings; some of the findings can be implemented by practitioners themselves. Other findings require a wider partnership with planning practitioners and planning as a discipline, including SAPI, SACPLAN and planning teaching institutions. There are also findings that rely on the wider political culture of government and this has a bearing on the institution of the eThekwini municipality and on planning as a practice. Then there are findings that cannot be assigned to an implementing 'agent' but remain integral to changing planning practice. Finally, it is also important to note that whilst this section on implementing research findings is provided for in this thesis, it is not a comprehensive response to the research findings. Having included an implementation section of research findings, this does not make the research an investigative

report with a set of findings for implementation. It would probably be more useful for me to exclude this section from the thesis, but this is my bias in being a practitioner - I am writing this section for the planning practitioner audience in particular.

11.3.1 Some practical implementation responses based on the research findings

Arising from this research there are many practical, meaningful, big and some small changes that practitioners can undertake to shift planning practice from what it is to something more positive. This is the leverage of power, in a context where alliances and subjugation matters. A small shift in one or many factors, can allow for a bigger change.

Rethinking what, and who contributes to planning knowledge for practice

Practitioners should consider using and giving recognition to the real and 'on the ground' knowledge and the implications of context in relations to plans and text that give rise to planning decisions. Whilst plans will always lag behind the realities, practitioners are expected to work with the plans and the realities in determining spatial futures. This is a level of flexibility expected of planning and the planning function has a set of tools that can be used more engagingly to make planning practice flexible.

Practitioners should also investigate stakeholder concerns regarding planning applications and planning knowledge. This requires assembling local knowledge of such impacts. Practitioners should not only rely on the reports of consultants, the plans, the TPS and the administrative requirements being met, but to also appreciate what is happening on the ground. Planning practitioners should see the importance of planning knowledge and develop this as a core and ongoing social project on how to draw in new knowledges, that which is not 'formatted' and within plans but socially important for planning. This would also mean that certain plans and applications can be approached based on the context within which they are situated and not only restricted to the approved plans, which often are outdated. Instituting minor scheme reviews, amendments and special consents remain important in such a practice that is context specific. However, developing and writing planning knowledge including the construction of plans in a simple way that is flexible is what will serve planning best within a context that is complex, conflictual and constantly changing.

In addition, concerns from surrounding stakeholders should also be clearly and correctly articulated. Similarly, where impacts occur, it would be ethical for practitioners to state these and allow the appropriate decision-makers to consider a more honest account of the

situation. It is also expected that planning practitioners should look at mitigation and trade-offs to include these in planning reports, so decision-makers can be better informed prior to making a decision and know the consequences of such decisions.

Use the Constitution and legislation positively

Practitioners should use and interpret legislation in its broadest context when it comes to the social in planning. Most aspects of planning legislation have been written with due regard to the Constitution and democracy, where engagement and access to information are some of the fundamental administrative actions for a practice like planning. For example this would mean being less technical and coded regarding how planning policies are advertised for public comment and/or planning applications. In essence planners should think about what is informative to the general public and whether it supports social engagement and transparency or restrict it. Planning notices should include a summary of the application and its changes, and where required a sketch or picture should be used to give a visual sense of what is being proposed. Technology is available to do this and it is fairly accessible to most planning consultants and municipal practitioners. In making planning more accessible, summaries of planning proposals or applications should be received electronically and made available to the public to assess and determine their impacts on people. The interface between what is confidential information and intellectual property versus that which is necessary for public engagement can be managed.

The use of public meetings, smaller meetings, informal and formal engagements are not restricted within the legislation and should be regarded as important points for dialogue, information sharing, generating alternatives and solutions and to voice objections, which all remain equally important to planning. Encouraging investors and communities to find planning solutions and opportunities informally and before a public process commences may be used. This could also be encouraged within and part of the formal process of planning. Public engagement in various formats and arenas of engagement remains underutilised as a potential way to co-construct planning knowledge, to make it socially and practically relevant. The value of vision-building with the political and many other stakeholders remains unexplored in planning and regulatory planning specifically. Vision-building allows for planning practitioners to share this power and the responsibility in developing planning knowledge.

Innovate and commit differently to make planning accessible, to create awareness and to educate

This requires investing in training and educating stakeholders to better engage with planning. It has already has been alluded to by councillors that observing decision-making meetings, going on site visits, and basic planning education would be a useful start to equip councillors to better engage with planning policy. It is also important for academic institutions, local governments, planning organisations and institutions to come together to offer new forms of training for stakeholders, including councillors, to engage in planning.

Review of planning costs/tariffs and application requirements

Engaging the public in planning, which includes obtaining advice and submitting applications is important to make planning acceptable, widely used and beneficial. In this regard it could be argued that most types of applications, those which are not business related (other than home businesses), should attract far lower costs. The current approach to offset the cost of staff or see planning as an income-generating activity based on paying application fees requires a rethink. Planning should be seen as a local government service that should be free or minimal in cost. Perhaps the approach to determining planning application costs should break away from it being a revenue or part revenue generator, as it is not worth the sacrifice of those choosing to stay out of system because of the costs and risks taken, should planning applications be refused. This will require a local and national revenue and legislative shift to encourage planning to become more accessible, and not to use cost as a deterrent to enter the planning system and in particular for smaller types of applications, the voluminous and that which is of interest and of benefit to the general public. This approach should also apply to certain policies being encouraged by the municipality, such as densification on a small but important scale, at the private property level where multiple units should be encouraged.

11.3.2 Encourage learning platforms and research

Practitioners could consider a variety of learning platforms that can be used easily, mainstreamed and scheduled as part of practice. Learning from dialogue and discussion needs to take place regularly, but managed and undertaken in a manner that is quick and effective. Smaller mini-JAC meetings should be encouraged to discuss applications. Site visits in small groups to current and previous application sites would be useful to explore

more collective solutions, alternatives, and realties on the ground and to reflect on decisions made. Reflection should also be encouraged in small groups and between peers so that it is un-intimidating, and should be a regular occurrence, so it becomes part of practice. Learning and learning platforms should be encouraged and supported as a planning practice and this requires an organisational shift to give this importance. Reflection and dialogue should be encouraged to take place between and within varying sectors of planning and between planning and associated functions over time. This requires engaging in appropriate skills to help undertake reflection and to learn from practice in action.

Practitioners should consider practical and action research, that they should be engaging in themselves and not only to rely on formal research projects. Whilst the bigger and formal research initiatives remain important, it is important for planning to be flexible and to consider research to inform decision-making on a daily basis. Whilst such research and plan making remains necessary, local practitioner research, walkabouts, land use surveys, the use of GIS is equally important, but sadly not utilised enough within the municipality. In addition, formal processes that engage consultants have also become drawn-out and inflexible processes. The proposal development stage for the appointment and management of the consulting team/s has become static and inflexible. This means that the opportunities that could have been gained from the research are often lost. It is not unusual for planning projects to have unwarranted time and cost allocated to developing inception and status quo reports, with less time and resources for the empirical, engagement and solution-finding options.

The role of SACPLAN and SAPI in promoting and encouraging learning platforms for planning remains important, but under-explored. The manner in which continued professional development is unfolding is uneven and erratic. When it occurs it is static, technical and does little to shift consciousness and planning practice. It is evident that planning has not taken the opportunity to expand its boundaries and become a boundary(less) discipline that works with many knowledge actors and knowledges to make planning relevant. More importantly, there are many lessons to be learnt on how to work with society, the profession and the political, but ignored. The medical field and of recent the environmental sector are engaging in new forms of knowledge development and practice that planning can learn from.

11.3.3 Difficulties about research that exposes power, alliances, coercion and subjugation - 'it feels like it is incomplete'

In revealing the alliances, the enlarged power of certain personalities, an understanding is built of the nature and impacts of power and subjugation. However much these findings are theoretically and academically interesting, rich, and fashionable, they left me as the researcher at a loss of how to take this further. Perhaps the most I can recommend here is for planning practitioners to become aware, to reflect on and to consider what their roles are in the planning practice they engage in directly and or indirectly. This is a personal and also a collective question. It assumes that practitioners have a view of the practitioners they are and want to be. If there is a mismatch, then this is what may drive a change. There is an assumption that practitioners question themselves, but the findings in this research suggest less thinking about what is being done. Practitioners are either comfortable with what they are doing or alternatively, they do not have the time to think or to change much; thus they avoid such contemplation. This is one area where the implementation of the research findings is so desperately needed but remains restricted in how it is promoted as a research finding. This is the way research on power proceeds - it unravels, it reveals but the actions remain with those in power, those without power and those being subjugated. The hope is for a reversal of power relations and actions to occur that improves the situation (Foucault, 1984c). However, social relations whilst powerful are built on tension points or weak spots, and a focus or one or more of the fissures, however small, can have the potential to shift power relations and its impact on practice (Flyvbjerg et al., 2012). Notwithstanding these difficulties, I started a process of sharing the research findings, through the assistance of MILE, and will over a period of time have smaller and more intimate brown bag sessions facilitated by MILE.

The eThekwini Municipality was not only a challenging environment regarding planning practice and its outcomes, but a place where personal and professional freedoms within the organisation were also intruded on. There was an underlying sense of being afraid to confront anything regarding the practice, the outcomes of planning, the knowledge being produced and used, and the discourses and instructions requiring planning and planners to deliver specific outcomes. The practitioners affected indicated their fears of taking up any matters that may seem to be at odds with management, the executive, senior, middle and lower management levels, and to disrupt newly formed alliances of power and management. Planning practitioners indicated they were scared to take up matters of concerns collectively

and/or individually. Even organised labour felt intimated and vulnerable to pursue certain issues that worked against powerful individuals and alliances. This was often articulated within the research in terms of just needing to survive within the organisation. In such a context being technical and uncritical is what helped.

I questioned my own role when I was part of the planning system. Did I aid such institutional repression and allow certain power alliances to flourish and to repress and subjugate others? I enquired from a variety of practitioners, did the work environment change substantially or was this always present? The answer I received was that certain individuals and personalities that functioned off a base of creating fear, instruction, discipline, favours, rewards and victimisation were not newcomers to the Planning Unit. They were there when I was the Head of the Unit but now have become more entrenched given new personalities and the alliances structured within the Unit. I was reminded that on several occasions staff in their individual capacity and as collectives would escalate the problems they experienced working within the Unit and often I and other levels of the executive management had to resolve these issues. However, now it is perceived that this avenue of recourse is no longer available to take up or question certain discourses, or instructions of practice, or to voice any form of difference. These sentiments also came through from a councillor interview undertaken in 2014, indicating that over the past 18-24 months something has changed and now planning practitioners seem to obey certain instructions and work better with what is expected from planning.

I am aware that I bring my own power and alliances as the previous Unit Head to this research. What I asked, what I was told and what I heard must be tempered with the fact that I am the researcher. This also questions my own role and accounts of this research. I can say that I confronted this research with honesty and integrity, but this does not mean that it is devoid of my own views. What I ask, what I read, what I choose to emphasise, all of this influences this research and brings in a personal story to this research, which cannot be denied.

This study also revealed what can be called sensitive research. The definition of sensitive research can be quite specific and narrow or very general (Dickson-Swift et al., 2007, 2008). Some of the areas that can be covered within a more workable understanding of what constitutes sensitive research include working with vulnerable groups and sensitive topics, which was not the case in this research. However, sensitive research is also seen as

something that cannot be prejudged and pre-planned for and can emerge from the research. Research that reveals the 'political' and vested interests of powerful persons and where coercion and or domination exist, and the fear to talk or voice concerns, qualifies as sensitive research and this is what emerged from this study (Dickson-Swift et al., 2007, 2008).

Whilst planning theory identifies the limitations of agency within the context of structuralism, often spoken about in terms of capital, neo-liberalism, uneven economic systems, the literature remains silent about the crudity of such power relations within a work and organisational environment, when planning practitioners in different positions subjugate each other. This is a case where power and the abuse of power is with agency. This certainly reveals the complex and often dangerous interactions between structural forces and agency within planning practice and confirms the importance of agency, structure, context and local cultural politics. As an example, African planning colleagues reacted to Flyvbjerg's research on Aalborg as something that can get you 'killed' if done in Africa (Flyvbjerg et al., 2012).

11.4   Limitations of the study

There are several important contributions that this research has made to planning practice, exploring planning knowledges, within and outside planning practice. It creates an awareness of what practice is and where and how to transform practice through planning knowledge and challenging the social relations of the of the power-knowledge-action nexus. This research has also contributed to developing urban theory, theory for planning and in particular theory for practice and in this context planning knowledge for a fractured spatial society. However, despite the contributions, the rigour, mindfulness and the use and integration of several data methods and data sources, this study is not without limitations.

The first limitation relates to me as the researcher and researching within a familiar context. Whilst this is the strength of the research, it is also a limitation. Apart from being an 'insider' in the research context, given my own personal work situation, this further complicates my 'insider' and 'outsider' status and how I shaped the research. However, a call is being made for further comparative research into planning practice and also into land use planning knowledge as a socio-political process. Additional research on practice will emerge in time and this research will be further reviewed through such research.

The second area of limitation, as discussed before, refers to the improbable sample method I used for the community interviews and this has limitations on making more generalised

observations. Whilst this data was used as part of several data sources, a probability sample is certainly useful, but not required given the cost, time and the manner in which it was used. Notwithstanding these factors, in research practice improbability samples have a limitation and that is recognised and accepted within this research.

The third limitation to the study is that I did not get to explore planning as a shared, concurrent and intergovernmental practice. This research was informed through practice at a municipal level.

The final limitation to declare is based on important areas that emerged within the research, but cannot be covered in detail and to the extent expected within this research. This is identified for future research as discussed in the next section.

11.5   Future research agendas

As a principle, future research should be practical and engage with various research methods, multiple disciplines, and undertaken as a partnership with practice, policy makers and varying spheres of government. The following are future research thematic areas, emanating from what was uncovered in this empirical research that could benefit planning practice with a more longitudinal, deeper and comparative research agenda.

Research participation within planning practice
A wider appreciation of what participation means, how is it informed and undertaken in planning practice is required. This would be a comparative practice study, and should utilise various methodologies to ascertain the practice, the culture, and the barriers to participation.

This research agenda should also cover the mainstream participation methods in planning and where and how this is informed and structured. This should also link back to the Constitution and legislation that creates a platform for planning legislation and practice and to what extent this lives up to or disappoints and works against the constitutional vision of engaging and involving the general public. This research should transcend a legal research agenda but also take up a citizen and activist approach to undertaking the research.

The research agenda should also be a long-term exploration and assessment of multiple studies in different municipalities, focussed on important planning knowledge (re)construction of spatial development frameworks, town planning schemes and complex planning projects such as inner city redevelopments. These examples of planning and the construction of

planning knowledge may provide a rich context to appreciate the methods, the ideology, the legislative interpretations and restrictions to participation.

Planning knowledge

The next thematic area for future research should delve into world-scale research, across regions, situated within practice, to explore the role of planning knowledge. What constitutes planning knowledge? How is this knowledge being (re)developed, socially, professionally, institutionally and politically? More importantly, how useful is planning knowledge as a point of focus to shift and change planning practice?

Exploring planning knowledge and practice a process of history, problematisation and reconciliation

A research focus on existing planning knowledge used within a South African context will and could also be useful if it takes a trans-disciplinary perspective, one that considers genealogy, given the history of planning in South Africa and the impacts this has on planning practice and citizens (Friedmann, 2008; Vidyarthi et al., 2012). Comparative studies in exploring planning knowledge, the ideology that underpins the construction is important for planning practice, planning outcomes and its impacts on citizens. Such research could also influence the teaching of planning and planning practice, creating consciousness and awareness not only for planning students but planning practitioners. The approach to continual professional development (CPD) within the planning field for South African practitioners remains an area that requires (re)focus. The CPD interventions are restricted to the technical, ignoring the survivalists, the social, historical, critical, and reconciliatory role that planning should also consider. Imagine the usefulness of a CPD course and assignment that forces planning practitioners to recognise the informality within cities, as life stories, pictures, walkabouts and prompting planning to respond appropriately.

I was most moved, and emotionally charged, when reading a report on implementing racial zoning for the then Durban City Council. I lived through apartheid, I read about apartheid, I was schooled in planning that also spoke about apartheid, and I was told stories about apartheid. But this report unsettled me, with its familiar street names, places I knew and visited, that were affected through apartheid and the technical approach to planning. I often saw these streets and places for what they are and not for what were and could be. I thought of these places in terms of city structure, plans, schemes, but not in terms of the role that apartheid and planning played, and continues to influence what planning is today. Thinking,

reflecting, learning, teaching and continued professional development (CPD) surely has to involve an appreciation of ideology, consciousness, truth and critical awareness of the concepts and tools we use so easily, bluntly or sharply as planning knowledge, without appreciating the legacy and the impacts we leave behind. This is not just about the apartheid era and planning, but it is also about the now, and our contributions or lack of it, the spaces we create and allow to be created, directly, indirectly and also through being unaware. Without exposing planning and planning practitioners and students to the past of planning, and the present of planning, planning will remain 'technical' and devoid of advocacy, awareness and activism. We may not necessarily partake in a technical committee that deals with racial zoning and have the pleasure of submitting our work to the town clerk, as reflected in the Figure 11.1 to follow, but as planning practitioners there are many other memoranda we are busy writing.

11.6 Planning as a discipline – stuck at the crossroads

Despite the coercion and fear I identified as part of planning practice, what did come through as concerning was the quietness, the duty-bound approach, and acceptance of what planning practice is. I did not sense an agitation, urgency or crisis from the planning practitioners that participated in the research, including the private sector planning consultants. Perhaps this is not such an issue but rather it is about me and my own anxieties about planning and hoping that these sentiments were shared. Whatever the reason for the quietness, the likely situation is that planning practice will continue as it is, and change only if forced to. It is concerning that planning cannot be proactive and self-defining, without being pushed. Planning as a profession is simply like other professions; it remains stuck at the crossroads as this is where the power, the comfort, the status and the monetary value of planning is secured. To make planning inclusive, acknowledging and working with planning as that which is socially and politically constructed, comes with its own loss of power, purpose and respect that the profession seeks to build and maintain. Yet if it accepts a more social, uncertain, flexible, inclusive process it becomes incomparable to the other major professional disciplines and this can be a strength for planning. Whilst planning has always taken the comfortable role of being technical, expert-driven and 'neutral', planning has and can be critical of the status quo (Watson, 2013). This was the case in the 1980's in South Africa when a minority of planning practitioners, academics and activists took a stand against apartheid and apartheid-aligned planning institutions and organisations. Perhaps the time is right again for planning to challenge its notions of power, knowledge, society and practice.

This challenge has been taken up and developing momentum of its own accord as reflected in the 'new breed' of research institutions such as the research centres and observatories. These 'centres' are questioning and being critical of the methodologies and epistemologies constructed and used in practice and in particular within a context of African cities. Perhaps moving beyond the crossroads will mean the (re)thinking, the contestation and the hope associated with recognising the multiple knowledge actors, new methodologies and epistemologies for a discipline and practice like planning. This will be a next challenge and wave of change that is likely to confront planning and its practitioners. Whilst not new to planning, it is now relevant and necessary.

Figure 11.1: Letter to the Town Clerk for the Corporation of the City of Durban, from the Technical Committee on Race Zoning

Source: Comrie et al. 1951.

11.7   Self-reflections and future contributions to planning practice

Spending time and observing the planning practitioners in their natural work context has been one of the most revealing and reflective experiences in my 23[14] year working history, of which some 12 years involvement with land use planning, the regulatory and the strategic. The institutional ethnography part of this study provided me with invaluable insights into planning practice. I regret not doing this a long time ago and perhaps through knowing and understanding practice, I could have shaped planning knowledge and practice differently. Put simply, I have undertaken planning conventionally and differently. I can be proud of my contributions, and not all decisions I made were popular and well received. This research has shown me, stirred me and helped me to confront the reality that I did not maximise my role as former Unit Head and in a way that should have prompted and inspired a different planning practice.

Moving beyond my regrets, I have had an invaluable opportunity to be reflective, to be inquiring and to be able to explore planning knowledge within practice and as a 'space' for transforming planning practice. I now hope to make my contributions differently to the practice of planning from the insights I gained from this research and from my many years and experiences with planning. In particular, I have and will continue to discuss and share this research and its findings with as many planning practitioners as possible, including engaging with the United Cities of Local Government, SALGA, SAPI, SACPLAN, SACN, and requests from other municipalities. This could take the form of more brown bag seminars and publications. I also intend to have a set of smaller group meetings, within branches and regional offices for planning practitioners within the municipality to discuss some of the findings. Practitioners have asked for more engagement and prefer smaller and more intimate engagements. I will request these meetings to be set up with the MILE office; this will ensure appropriate facilitation and ensure that my role as the 'insider/outsider' is appropriately managed.

I intend where possible to provide guest lectures to planning students and practitioners to be critical of planning practice. Furthermore, I also would like to pursue this research in more than just one municipality and to develop a comparative understanding of planning practice. Apart from engaging planning practitioners on this research, I would like to work with development activists, civics, other organised groups of civil society and councillors to share

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[14] At the time of finalising the thesis, I was just over 23 years employed by the eThekwini Municipality.

the importance of engaging and challenging planning knowledge as tension points for the transformation of practice, and not to simply accept current practice as that which is fixed, legal and that which cannot be changed. I have already had a follow-up discussion with one of the community activists from Save Our Berea to share these findings.

11.8   Conclusion

I came into the municipality with a purpose. It could have been any municipality, but it was at a municipal planning level where I wanted to be. I was so sure of this that I turned down a job employment offer to work in a non-government organisation, so that I could become a planner within the municipality. This stubbornness and young determination at the time resulted in me being unemployed for over a year. With some luck, determination and changes in the country, I was offered a planning post with the City of Durban in 1993. So coming back to this purpose I had in mind, that drove me into unemployment, was that I wanted to work within a municipality so I could become a 'real planner'. I wanted to know what 'real planners do', how, why and what they use to construct decisions, what I could learn about legislation. And in learning about being a 'real planner', I could then influence things differently from inside and outside of planning. I was that young graduate, wanting to be the 'guerrilla in the bureaucracy'.

While it took me some 23 years of being a municipal planner, very seldom did I get a chance to be a 'real planner'. In that time, I got caught up in being a good municipal planner. I often forgot my purpose - why I wanted to be a planner and a municipal planner in particular. I followed legislation, I led a Unit, but I was not a 'real' planner. I now can say that I am to some extent a 'real' planner, but more importantly I hope that I have accomplished my journey and purpose that I started 23 years ago - to know municipal planning, to become a 'real' planner, and to challenge the everyday thinking of planning, which is part of us, what we take for granted, and accept that this is how planning should be. Little did I know that it would be this journey that would lead me to confront the 'nuts and bolts of planning'. I hope in some small measure, planning and planning practitioners will see my long journey as a sign to recognise the urgency and to become unstuck at the crossroads. Don't waste more time and certainly do not take 23 years to do this!

Madness is the absolute break with the work of art; it forms the constitutive moment of abolition, which dissolves in time the truth of the work of art (Michel Foucault)

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Appendices

Appendix 4.1	Approval of sabbatical
Appendix 4.2	Completed ethical clearance
Appendix 4.3	Approval to access eThekwini Municipality as the site for research
Appendix 4.4 A- 4.4 G	Guideline questions for informant interviews
Appendix 4.5	Community interview questions
Appendix 4.6	Focus group guideline questions – Brown Bag session
Appendix 4.7	Sample frame of respondents
Appendix 6A	Section 12, KwaZulu-Natal Planning and Development Act, 2008
Appendix 6B	Community activists' stories
Appendix 6C	Advert dated 2014/01/31 Durban Town Planning Scheme
Appendix 6D	Example of a zone within the Scheme, Development Facilitation Table Durban Town Planning Scheme
Appendix 6E:	Invitation - Brown Bag Seminar - 1 September 2015
Appendix 6F	(Removed): Resident interview results, covered in Chapter 8.
Appendix 6G	Municipal Planning Tribunal Report Pro Forma 2015
Appendix 6.4	Cross Tabulations (separate electronic file)

Note: The appendices are included as additional information, as evidence of the researcher's records. Therefore these appendices are often written in an informal or abbreviated manner.

Appendix 4.1: Approval of sabbatical

Economic Development and Planning

70 Masabalala Yengwa Avenue
Loram House
Durban
4001

Phone: 031 311 4720
Fax: 031 368 3450
Naledi.moyo@durban.gov.za

ETHEKWINI MUNICIPALITY

11th November 2013

Ms S T Moonsamy
Head: Development Planning, Environment and Management unit
DURBAN

Dear Ms Moonsamy

SABBATICAL REQUEST : REDEPLOYMENT

Recent discussions and correspondence in the above regard refers. A copy of the memorandum approved by the City Manager in this regard is attached for ease of reference. In terms of this memorandum:

1. Your request for a sabbatical has been approved on the basis of a 12 month's continuous period. The 12 month period will start upon the expiry of your leave in February 2014.
2. The amendment to the organogram in the DCM's office has been approved and you are hereby transferred into the supernumerary post of Programme Manager (Urban Renewal & Inner City Regeneration), Post ID 21001228 S.
3. The transfer is effective 1 October 2013
4. Your current conditions of service will apply, but the Municipality is in the process of negotiating new Conditions of Service which will be applicable to all employees including yourself.
5. Your salary, benefits and perquisites remain personal to yourself.
6. The duties and responsibilities of the post 2 above, and the structure within which this post will function, will be finalised upon your return from your sabbatical.
7. The post of Head (Development Planning, Environment and Management), Post ID 21000000 will be advertised for permanent filling in due course.

May I take this opportunity of wishing you well with your further studies and we look forward to your continued contribution and support to the Cluster and the Municipality upon your return.

Yours faithfully

11/11/13

Dr Naledi Moyo
DCM: Economic Development and Planning

Having read and understood the contents referred to above, I hereby accept / do not accept the transfer.

Signature... Date...
Soobs Moonsamy

ETHEKWINI MUNICIPALITY

MEMORANDUM

To :   City Manager

From :   Deputy City Manager (Economic Development and Planning)

Date :   16 September 2013

REQUEST FOR SABBATICAL : HEAD (DEVELOPMENT PLANNING, ENVIRONMENT AND MANAGEMENT) : MS S T MOONSAMMY (08887-02).

Ms Soobs Moonsammy has submitted a request for a sabbatical in order to pursue her PHD. The motivation in essence suggests that the Council will benefit from the research as it will be undertaken in the context of the eThekwini municipality.
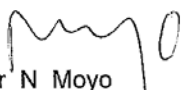
The provisional title being " Bridging the divide in land use policy and practice in South African Cities – The context of eThekwini Municipality ". A copy of an overview of the research proposal is attached for ease of reference.

IN THE CIRCUMSTANCES IT IS THEREFORE RECOMMENDED THAT :

1. The request for sabbatical be considered and approved on the basis of special leave on full pay for a period of 12 months. See attached Policy on Special Leave.
2. That a supernumerary post of Programme Manager (Urban Renewal and Inner City Regeneration) be created in the office of the Deputy City Manager (Economic Development and Planning) as a matter of urgency and that Ms Moonsammy be placed in this post.
3. That following the placement of Ms Moonsammy in the supernumerary post referred to in 2 above, the substantive post of Head (Development Planning, Environment and Management), Post Id 210000000 be advertised and filled in a permanent capacity.

The current approved and proposed amended organogram for the office of the Deputy City Manager is attached as well.

Yours faithfully

Dr N Moyo

16/September 2013

Approved / Not approved :

City Manager
Mr S Sithole

Date : 25/09/2013

UNIVERSITY OF PRETORIA

FACULTY OF ENGINEERING, BUILT ENVIRONMENT

AND INFORMATION TECHNOLOGY

FACULTY COMMITTEE FOR RESEARCH ETHICS AND INTEGRITY

APPLICATION FOR APPROVAL OF A RESEARCH PROJECT

This application form must be read with the Regulations for Research Ethics and Integrity and completed. Important: Each item must be completed.

Date of submission	10 April 2014

1. **DETAILS OF APPLICANT:**
   Note the applicant previously worked for the Development Planning, Environment and Management Unit of eThekwini Municipality. On request by the applicant for a sabbatical to undertake the PHD, the applicant also agreed to a transfer to another Unit within the Municipality. See annexure 1 in this regard.

1.1 Applicant's surname	Moonsammy
1.2 Applicant's initials	ST
1.3 Applicant's title	Ms
1.4 Postal address (where approval is to be sent)	No 2. Montmartre, 160 Montpelier Road, Morningside, Durban, 4001
1.5 E-mail address	Subhatri149@gmail.com
1.6 Telephone	0832888796
1.7 School in Faculty (Engineering, Built Environment or Information Technology)	Faculty Of Engineering, Built Environment and Information Technology
1.8 Department	Town and Regional Planning
1.9 Study leader/promoter (if the applicant is a student) name, address, e-mail address	Professor Mark Oranje
1.10 Names, addresses, e-mail addresses and capacity of co-researchers/ students/ lecturers involved with the project	Not applicable

2. RESEARCH PROJECT DETAILS

2.1 Title of research project	Bridging divides in land use policy and practice in South African cities: the context of eThekwini municipality (working title)
	Final title : an insider-outsider's exploration of planning knowledges, roles, uses and construction in a post 1994 metropolitan setting: eThekwini Municipality

	Yes
2.2 Is a research questionnaire/ survey/interview used? (Yes or No)	

	Yes
2.3 If yes, have you submitted this with your application? (Yes, No or Not Applicable)	

3. RESEARCH SUBJECTS

If the project involves people, either individually or in groups, complete this section

3.1 Does the study involve people as informants, or does it involve people as research subjects? (Tick one)	Informants	**X**	Research subjects	

3.2 Describe possible safety and health implications that participation in project may pose

There are no health or safety issues related to the participation in this research endeavour.

3.3 Expected duration of participation of subjects in the project	The duration of research participant varies.
	The ethnography study will take place over 8 weeks.
	The interviews are expected to range between 1.5 - 2 hours per interviewee.
	The community convenient sample is expected to range between 15-30 minutes per participant.
	The focus groups participants are expect to be engaged between 3-5 hours as a once off.

3.4 Describe the manner in which confidential information will be handled and confidentiality assured

The confidentiality rights of participants will be communicated via the consent form, which is a requirement by the university to be completed by each participant.

No recording devices will be utilized.

No names will be utilized in the publication of the study.

No access to the original empirical data will be allowed.

No personal information such as addresses, phone numbers, and identification numbers will be required for any of the research methods identified above.

Only research information as outlined in this application will be of relevance and recorded by the researcher.

Should any of the participants feel uncomfortable during the research process they hold the right to terminate their involvement in the study.

3.5 Remuneration offered to subjects for participation	No remuneration will be offered to participate in this study.

If the project involves animals, complete this section (Not applicable)

3.6 Describe possible safety and health implications participation in the project may hold

Not applicable

3.7 Expected duration of participation by animals in the project.	Not applicable
3.8 Care/housing/feeding of the animals during the project	Not applicable

4. ENVIRONMENTAL IMPACT

If the project may have a potentially detrimental environmental impact, complete the following (Not applicable)

4.1 Potential impact on the environment	Not applicable
4.2 Expected duration of the impact	Not applicable
4.3 Locality of the project	Not applicable
4.4 Preventive measures	Not applicable

5. DISSEMINATION OF DATA

Method of publishing/application of the results	The completed dissertation is accessible to the public. On completion of the PHD, submission and finalization of the PHD it is envisaged that a summary document will be completed and discussed with the Planning Department of EThekwini and The Planners Forum constituted by the South African Cities Network. It is envisaged at least 3 publishable articles will be obtained from the dissertation to be submitted to reputable journals. The dissemination and publication of data will only take place subject to the approval by the University.

6. SUBMISSION CHECKLIST	
6.1 Have you submitted the Declaration by the Researcher? (See the website for this form)	Yes
6.2 Have you submitted an example of the informed consent form to be completed by each participant? (See the website for an example)	Yes

Appendix 4.2 Informed consent for submission to

EBIT FACULTY'S ETHICAL CLEARANCE COMMITTEE

Informed consent form

(Form for research subject's permission)

(Must be signed by each research subject, and must be kept on record by the researcher)

Bridging divides in land use policy and practice in South African cities: the context of eThekwini municipality (working title)

Final title: an insider-outsider's exploration of planning knowledges, roles, uses and construction in a post 1994 metropolitan setting: eThekwini Municipality

1   I …………………………………………… hereby voluntarily grant my permission for participation in the project as explained to me by
Ms. Subhatri Tholsie Moonsammy

3   The nature, objective, possible safety and health implications have been explained to me and I understand them.

4   I understand my right to choose whether to participate in the project and that the information furnished will be handled confidentially. I am aware that the results of the investigation may be used for the purposes of publication.

6   Upon signature of this form, you will be provided with a copy.

Signed: _____ Date: _____

Witness: _____ Date: _____

Researcher: _____ Date: _____

Appendix 4.2 Letter of Approval

For submission to:

EBIT FACULTY'S ETHICAL CLEARANCE COMMITTEE

UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Engineering, Built Environment and Information Technology
School for the Built Environment
Department of Town and Regional Planning

8 April 2014

Dear Ms Moonsammy,

RE: PHD-STUDY PROPOSAL STATUS AND SUBMISSION TO THE EBIT FACULTY'S ETHICAL CLEARANCE COMMITTEE

I have pleasure in informing you that the Department of Town and Regional Planning is satisfied with your PhD-study proposal, and hereby gives you clearance to submit the documentation as required (and inspected by the Department) to the Faculty's Ethical Committee.

Yours sincerely,

Prof. Mark Oranje
Head of Department: Town and Regional Planning
E-mail: mark.oranje@up.ac.za

UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Reference number: EBIT/11/2014   19 May 2014

Ms ST Moonsammy
No 2 Montmartre
160 Montpelier Road
Morningside
Durban
4001

Dear Ms Moonsammy,

FACULTY COMMITTEE FOR RESEARCH ETHICS AND INTEGRITY
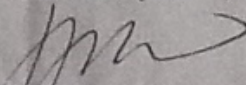
Your recent application to the EBIT Ethics Committee refers.

1.   I hereby wish to inform you that the research project titled "Bridging divides in
      land use policy and practice in SA cities: The context of Ethekwini Municipality"
      has been approved by the Committee.

      This approval does not imply that the researcher, student or lecturer is relieved of
      any accountability in terms of the Codes of Research Ethics of the University of
      Pretoria, if action is taken beyond the approved proposal.

2.   According to the regulations, any relevant problem arising from the study or
      research methodology as well as any amendments or changes, must be brought to
      the attention of any member of the Faculty Committee who will deal with the
      matter.

3.   The Committee must be notified on completion of the project.

The Committee wishes you every success with the research project.

Prof JJ Hanekom
Chair: Faculty Committee for Research Ethics and Integrity
FACULTY OF ENGINEERING, BUILT ENVIRONMENT AND INFORMATION
TECHNOLOGY

SUSTAINABLE DEVELOPMENT & CITY ENTERPRISES
Development Planning, Environment & Management Unit

166 K E Masinga Road, Durban, 4001
P O Box 680, Durban, 4000
Tel: 031 311 1111, Fax: 031 311 7776
www.durban.gov.za

30 April 2014

Re: PhD Research - Bridging Divide in Land Use Policy and Practise in a Post-Apartheid South Africa: A case of eThekwini Municipality

Dear All

Please be advised that I had a meeting with Ms S. T Moonsammy pertaining to the above and she relayed to me all background information and the sabbatical approvals and access to a eThekwini as a research site. It became clear that the findings of this research will significantly improve our decision making process when we do land use planning in the City. Consequently, I approve that support must be given to her research effort along the following lines namely:

1. Availability of a sample of participants during information gathering process of the research.
2. Liaison with other City Units and Departments to avail their facilities and personnel where necessary for the purposes of the above research at their convenience
3. Taking into account that some of the research will be conducted in vernacular (IsiZulu), it is required therefore that support is allocated accordingly. It is proposed that 2 students who speak IsiZulu are availed for this purpose so that the experience is mutually beneficial.
4. Any other support that might be deemed necessary for the purposes of the research from a logistics perspective.

Yours faithfully
Mr T.B. Mbhele   30-10-2014
Head: Development Planning, Management and Environment Unit

UNIVERSITY OF PRETORIA FACULTY OF ENGINEERING, BUILT ENVIRONMENT AND INFORMATION TECHNOLOGY	
APPLICATION FOR APPROVAL TO UNDERTAKE RESEARCH WITHIN ETHEKWINI MUNICIPALITY	
Date of submission	21 April 2014
1. DETAILS OF APPLICANT: **Note the applicant previously worked for the Development Planning, Environment and Management Unit of eThekwini Municipality. On request by the applicant for a sabbatical to undertake the PHD, the applicant also agreed to a transfer to another Unit within the Municipality. See annexure 1 in this regard.**	
1.1 Applicant's surname	Moonsammy
1.2 Applicant's initials	ST
1.3 Applicant's title	Ms
1.4 Postal address (where approval is to be sent)	No 2. Montmartre, 160 Montpelier Road, Morningside, Durban, 4001
1.5 E-mail address	Subhatri149@gmail.com
1.6 Telephone	0832888796
1.7 School in Faculty (Engineering, Built Environment or Information Technology)	Faculty Of Engineering, Built Environment and Information Technology
1.8 Department	Town and Regional Planning
1.9 Study leader/promoter (if the applicant is a student) name, address, e-mail address	Professor Mark Oranje
1.10 Names, addresses, e-mail addresses and capacity of co-researchers/ students/ lecturers involved with the project	Not applicable
2. RESEARCH PROJECT DETAILS	
2.1 Title of research project	Bridging divides in land use policy and practice in South African cities: the context of eThekwini municipality (working title) Final title: an insider-outsider's exploration of planning knowledges, roles, uses and construction in a post 1994 metropolitan setting: eThekwini Municipality.

2.2 Expected duration of participation of subjects in the project	
The duration of research participant varies.

The ethnography study will take place over 8 weeks, observation, following a selected group of planning staff from the central LUMS regional area.

The interviews are expected to range between to 1.5-2 hours per interviewee.

The community convenient sample is expected to range between 15-30 minutes per participant.

The focus groups participants are expect to be engaged between 3-5 hours as a once off. | |
| 2.3 Describe the manner in which confidential information will be handled and confidentiality assured | |
| The confidentiality rights of participants will be communicated via the consent form, which is a requirement by the university to be completed by each participant (see attached as annexure 2).
No recording devices will be utilized.
No names or post identification will be utilized in the publication of the study.
No access to the original participation research will be allowed.
No personal information such as addresses, phone numbers, and identification numbers will be required for any of the research methods identified above.
Should any of the participants feel uncomfortable during the research process they hold the right to terminate their involvement in the study? | |
| 2.4 Remuneration offered to subjects for participation | No remuneration will be offered to participate in this study. |
| **3. DISSEMINATION OF DATA** | |
| Method of publishing/application of the results | The completed dissertation is accessible to the public.
On completion of the PHD, submission and finalization of the PHD, it is envisaged that a summary document will be completed and discussed with the Planning Department of EThekwini and The Planners Forum constituted by the South African Cities Network.
It is envisaged at least 3 publishable articles will be obtained from the dissertation to be submitted to reputable journals.
The dissemination and publication of data will only take place subject to the approval by the University. |

Bridging divides in land use policy and practice in South African cities: the context of eThekwini municipality (working title)

Final title: an insider-outsider's exploration of planning knowledges, roles, uses and construction in a post 1994 metropolitan setting: eThekwini Municipality

UNIVERSITY OF PRETORIA, DEPARTMENT OF TOWN AND REGIONAL PLANNING   MODULE CODE: SSB890 DISSERTATION 890

Informant interview guidelines: senior and executive management, Land Use Management (LUMs) and Strategic Planning Practitioners

Section 1: Interview Introduction

The Discourses and Content of Knowledge Production in Land Use Planning:

Knowledge may be defined as what would be considered important in informing why and how planning is undertaken, how planning is done, how planning should work. Knowledge in and for planning is regarded as important considerations, that gives rise to certain intentions, assumptions that inform decision making and more importantly actions. It is the knowledge in planning that supports how planners do their work. Understanding knowledge in and for planning within a municipality provides a particular lens to access what planners do, what and how important work knowledge is. In short what is the role of planning knowledge in practice?

1. Can you please share your views on the transformation of planning in eThekwini and in particular land use planning and practices (strategic and statutory)?
2. The knowledge used in the creation of knowledge in and for land use planning and practices, how does it reflect the priorities of the council?
3. What is regarded as ethical knowledge and how is it reflected in texts/policies, plans and practice, who does it speak for (whose views)?

Probe:

- How is planning knowledges made accessible?

The Process in Knowledge Production in Land Use Planning:
4. What are the philosophical (theoretical) discussions driving change in knowledge used in land use planning and practices?

5. What are the practical discussions driving change in knowledge used in land use planning and practices?

Probe:

- What is seen as the problem/s and how does the approach aims to address this problem.
- What difference you expecting from this approach on how planning will be used and received and transformed?

6. How is research being used to develop knowledge about, for and in planning?

7. How are stakeholders involved in the creation of knowledge about, for and in land use planning, what types of knowledges are used, how is this validated? How is planning knowledge being validated by the public?

Probe:

- How is common wisdom and practical knowledge (which could be defined as common sense and everyday knowledge) factored into knowledge for planning and land use planning and policy?

8. If you could institutionally describe or map how planning knowledge for eThekwini is being created what would this look like?

9. How does learning from experiences takes place institutionally in eThekwini to inform knowledge being used, developed, changed? How is this done, individually, collaboratively, informally? ,

10. How is knowledge used in planning, to assess applications and to arrive at planning decisions?

Conflicts in Land Use Planning Knowledge:

11. What conflicts arise from the knowledges used in planning and how are such conflicts resolved or finalised?

Probe:

- Are there conflicts about this knowledge in daily practice, what type of conflicts and how are such conflicts resolved or finalised? What knowledge you use to mitigate against conflicts, how do you obtain this knowledge, is there a hierarchy of knowledge you use in conflict situations?
- How would you like to address the conflicts in knowledges used in and for planning between different sectors, different perspectives and stakeholders and the real world?
- Regarding daily activities of land use planning policy and practices how does planning knowledge shape/influence what you do? Do you encounter any internal and personal conflicts regarding knowledge used in planning and the work, please discuss? Probe for control, values, suspended thinking and examples.

12 How should the integration between planning practitioners, politicians and management be approached? (Probe for policy discussion, integrated knowledge bases, integrated practices).

Probe:

- How should sector knowledge be included in planning in land use planning knowledge and how such conflicts should be addressed?

Thinking of New Knowledge for Land Use Planning

13. What you would like to change in the knowledge bases used about, for and in land use planning knowledge for action, within eThekwini Municipality?

Probe:

- How should the institution be engaged and the leadership?
- How do you get involved in the knowledge being created for and in planning?
- From a city perspective how ready is the city for this, what will facilitate this, what inhibits this?
- Do you think SPLUMA will usher in a new approach and new knowledge to how land use planning will be undertaken in the City?
- Informing the MPT – what sectors will be represented and what was the thinking behind such sectors/representatives.

14. How will a municipal planning by-law influence land use planning for the city? Institutionally how will this be undertaken?
15. How was knowledge used in the primary schemes, what was the process of dialogue, what were the assumptions, what was the main intention of the primary schemes, is it doing this?
16. How was knowledge used in rationalising schemes? Reframing the land use management system such as the definitions.

Probe:

- How was it standardized, tested, from who's perspective/s.
- How was reflexivity, trends, peoples knowledge, political knowledge included.
- How was other expert knowledge from other disciplines included/excluded?
- What would the process look like going forward when incorporating the various schemes and in particular the primary and core schemes?
- Further reflection/critical review on how you would like to see land use planning knowledge for action created.

LUMs and Framework Planning /Strategic Planning Practitioners (including focus groups)

The Discourse and Content of Knowledge Production in Land Use Planning:

Knowledge may be defined as what would be considered important in informing why and how planning is undertaken, how planning is done, how planning should work. Knowledge in and for planning is regarded as important considerations, that gives rise to certain intentions, assumptions, it informs decision making and more importantly actions. It is the knowledge for and in planning that supports how planners do their work. Understanding knowledge in and for planning within a municipality provides a particular lens to access what planners do, the ideology that governs knowledge that is seen as important for planning and action in planning. In short it is a means to understand how planning takes place within eThekwini Municipality.

Discourse and dialogue in knowledge creation for and in land use planning:

1. The knowledge used in the creation of knowledge in and for land use planning and practices, how does it reflect the priorities of the council?

2. What are the ethical knowledge bases in planning knowledge and how is it reflected in texts/policies, plans and practice, who does it speak for (whose views)?

3. What are the philosophical (theoretical) discussions driving change in knowledge used in land use planning and practices?

4. What are the practical discussions driving change in knowledge used in land use planning and practices?

5. What is seen as the problem/s and how does the approach taken aim to address this problem.

Probe:

• What difference are you expecting from this approach on how planning will be used and received and transformed?

The Process of Knowledge Production in Land Use Planning:

6. How are stakeholders involved in the creation of knowledges for and in planning, what types of knowledges are used, how is this validated? How is planning knowledge being validated by the public?

7. The knowledge you create in and for land use planning, would you see the need to make it more astute/smart to varying interests?

8. If you could institutionally describe or map how planning knowledge for eThekwini is being created what would this look like?

Probe:

• How is the planning knowledge you creating being changed, through who you engage?

- Are there any changes you would like to make to this institutional picture for the future?
9. How does knowledge development from different viewpoints AND sectors takes place institutionally in eThekwini to inform knowledge bases being used, developed, changed? How is this done, individually, collaboratively, informally, formal critical review and constructivism how is it approached (what inhibits and what facilitates it)?

Conflicts in Land Use Planning Knowledge:

10. What conflicts arise from the knowledges used in planning, what types of conflicts and how are such conflicts resolved or finalized?

Probe:

- How is knowledge used in planning to assist in making planning decisions strategic and statutory?
- What are your internal conflicts given the knowledge you create for and in planning?
- Reflecting – stepping back or looking forward, the knowledge developed in and for land use planning that shapes decisions, action and access to the city what are your thoughts?
11. How should the integration between planning practitioners, politicians and management be approached? (Probe for dialogue, integrated knowledge bases, integrated practices).
12. Probe how should sector knowledge be included in land use planning knowledge and how such conflicts should be addressed?

Thinking New Knowledge for Land Use Planning

13. What you would like to change in the knowledge bases used for and in planning for eThekwini Municipality?

Probe:

- How should the institution be engaged and the leadership?
- How do you get involved in the knowledge being created for and in planning?
- From a city perspective how ready is the city for this, what will facilitate this, what inhibits this?
- Do you think SPLUMA will usher in a new approach and new knowledge to how land use planning will be undertaken in the City?

14. SPLUMA makes it essential for the politicians/council to be involved in the SDF and the importance of the SDF, do you think this will change anything.

Bridging divides in land use policy and practice in South African cities: the context of eThekwini municipality (working title)

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UNIVERSITY OF PRETORIA, DEPARTMENT OF TOWN AND REGIONAL PLANNING   MODULE CODE: SSB890 DISSERTATION 890

SUBHATRI MOONSAMMY - STUDENT NUMBER: 14095565, SUPERVISOR: PROFESSOR MARK ORANJE

Informant Interview Guiding Questions: City Wide Spatial Planning, IDP/Strategy

1. What knowledge do you think drives or should drive planning and in particular land use planning and practices in eThekwini municipality?

2. In transforming knowledge about, for and in land use planning and practice such as the SDFs and the review of town planning schemes etc. how would you like this knowledge to be developed and applied?

3. How should conflicts in knowledge between different sectors knowledge/s and that of land use planning and practice be addressed?

4. What are your views regarding institutional alignment (political, stakeholder and administrative roles in policy and knowledge generation for action)?

Probe:

• What are the roles of politicians, senior administrators in policy /knowledge development?

5. How important is policy and knowledge generation for the Council, is this importance recognized, moving into the future how can this be reviewed, re-invigorated?

Probe:

• Roles of policy communities, role of politicians, planning commission, MPT etc.

6. National imperatives and local knowledge generation for action, what are your views in unfolding /unpacking this process in developing policy/knowledge for land use planning?

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SUBHATRI MOONSAMMY - STUDENT NUMBER: 14095565, SUPERVISOR: PROFESSOR MARK ORANJE

<u>**Informant Interview Questionnaire: Cross Discipline Practitioners**</u>

1. Can you please share your views on the transformation of planning in South Africa and how responsive it is to the environmental/economic**/**transport/financial/housing/social sector challenges?

2. What knowledge do you think drives or should drive planning and in particular land use planning and practices in eThekwini municipality?

3. As a sector, how is your knowledge, criteria and principles included into land use planning and practices? How was it included, (process and substantive, necessity, conflicts encountered)? Do you see the need for additional and or different inclusion of your sector?

4. In transforming knowledge about, for and in land use planning and practice such as the SDFs and the review of town planning schemes etc., how should knowledge be developed and how would your sector want to or is being involved?

Probe:

- How will your sector be affected if the planning sector becomes more facilitative and less prescriptive in optimisation of land and buildings?

5. What informs your sector's knowledge? To what extent is it subjective and debatable? How is your sector's knowledge validated by the public and by stakeholders and sectors?

Probe:

- How does your sector deal with the subjectivity of the sector's knowledge and its application as normative?

6. How are council imperatives factored into your sector's knowledge, which informs knowledge in land use planning and practices? Or does it?

7. How should planning knowledge and practice work with your sector's knowledge, how should your sector's knowledge be integrated, understood and considered within the context of planning and the conflicts and tradeoffs associated with planning?

8. Planning is about mediation of conflicts, what will this mean for your sector if this becomes the regular practice of planning?

9. Is land use planning policy and practice and the knowledge used in planning the right place to consider your sector's requirements and sector knowledge? To what extent is this limiting the role of planning and or the requirements of your sector? How important is planning knowledge for sector?

10. How should conflicts in knowledge between different sectors knowledge/s and that of land use planning and practice be addressed?

11. What knowledge base is required to make land use planning and practices responsive to the realities of the city, including that of your sector?

12. What does the future look like for land use planning knowledge and practice and the relationship with your sector? (personalities, alliances, necessity, pressures)

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SUBHATRI MOONSAMMY - STUDENT NUMBER: 14095565, SUPERVISOR: PROFESSOR MARK ORANJE

<u>**Informant Interview Questionnaire: Planning Related, Consultants, Experts, Planning Associations and the Legal Sector**</u>

1. Can you please share your views on the transformation of planning in South Africa? Probe on the divides or narrowing the divides we have.

2. What knowledge do you think drives or should drive planning and in particular land use planning and practices in eThekwini municipality?

3. What are your views on knowledges for planning (how it's produced and used) and in particular transforming planning policy and practice for South African cities?

4. How important is land use planning knowledge for action from a legal implication perspective?

5. What do cities need to do to re-envision land use planning knowledge and practices?

Probe:

- What is preventing cities from transforming land use planning and practices to work with the real issues of cities?

- How ready are South African cities for change?

6. What are your views if planning practice took a more mediated approach, under what conditions will this be useful?

7. How should the integration between planning practitioners and politicians be managed in creating and changing planning knowledges?

8. How should conflicts be addressed? What are your views on planning practice and dealing with conflicts?

9. What are your views on the future of planning and land use planning knowledge and practices for cities like eThekwini?

Probe:

- How a mix of uses and typologies in various types of zones should be encouraged, assuming it should?
- How complex should land use planning be as it moves towards standardization and rationalization and equity across areas and schemes, will or does this have an impact on planning for a city like eThekwini
- How would issues of equity, need, normative, contextual, realities, differences, and the market should factored into planning knowledge for land use planning and practices.
- Comments on SPLUMA from this perspective (accessibility, participation, practicality)
  Areas to probe if possible:

- Development and Planning Act, 2008; SPLUMA, 2013

- Rationalization of Schemes

- New Scheme Definitions and Formats

- Changes to the Central Town Planning Scheme

- Integration of Durban Metropolitan Open Space Systems and split and conservation zoning into scheme.

- New parking standards

- What kind of transformation and opportunities you have seen and would like to see in land use planning policy and practices?

Additional Legal Sector Questions

1. Can you please share your views on the transformation of planning in South Africa?

2. What knowledge do you think drives or should drive planning and in particular land use planning and practices in eThekwini municipality?

3. In transforming knowledge in land use planning and practice such as the SDFs and the review of town planning schemes etc., how should knowledge be developed?

4. How has planning law changed and could it be changed in transforming land use planning knowledge for action?

Probe:

*   Increased understanding and accessibility, accessible and realistic procedures, mediation and conflict basic planning procedures.

*   What were your experiences and views in the construction of SPLUMA

*   Municipal by-law

*   Process and Content – challenges addressed or not

*   Reflection and learning from planning in action, appeals, court cases, implementers, legal drafter, other legislators.

*   Learning

5. How will the legalities of the planning sector be affected if planning knowledge (content and practice) became more facilitative and less prescriptive in optimization of land and buildings?

6. What informs the legal knowledge in land use planning knowledge?
     Probe how are city realities, history and context included?

7. How are council imperatives factored into your sector's knowledge, which informs knowledge in land use planning and practices? Or does it?
8. How should conflicts in knowledge between different sectors knowledge/s and that of land use planning and practice be addressed?

9. What does the future look like for land use planning knowledge and practice?

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SUBHATRI MOONSAMMY - STUDENT NUMBER: 14095565, SUPERVISOR: PROFESSOR MARK ORANJE

<u>**Informant Interviews Questionnaire: Community Voices/Development Activists**</u>

1. What are your views on how planning and in particular land use planning is practiced in in eThekwini municipality?

2. From your experiences how is planning knowledge important to land use planning policy and practice?

3. What knowledge do you think drives or should drive planning and in particular land use planning and practices in eThekwini municipality?

Probe:

 For spatial redress, equity, inclusion, varying needs and differences, economic growth, place making, property values, accessibility and understanding?

4. In transforming knowledge about, for and in land use planning and practice such as the SDFs and the review of town planning schemes etc., how should knowledge be developed and how would your organisation/sector want to or is being involved?

5. How will your organisation/sector be affected if the planning becomes more facilitative and less prescriptive in development and use of land and buildings?

6. Planning is about mediation of conflicts, what will this mean for your sector/organization/community if this becomes the regular practice of planning?
Probe:

Increased interest and politics as part of intervention and mediation?   How would/is you organization/sector being involved?

7. How should conflicts be addressed?
8. How city wide objectives and neighbourhood objectives be approached in planning?

Probe:

- Such as densification policies and that of neighbourhood development, place making etc.?
- Public transport implementation such as the BRT and neighbourhood development?

9. What does the future look like for land use planning knowledge and practice and the relationship with your organization/sector?

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SUBHATRI MOONSAMMY - STUDENT NUMBER: 14095565, SUPERVISOR: PROFESSOR MARK ORANJE

Informant Interview Questionnaire: Councillors – Town Planning Sub-Committee and Executive Management

1.   What are your views on how planning and in particular land use planning is practiced in in eThekwini municipality?

Probe:

- Development and Planning Act, 2008

- SPLUMA, 2013

- Rationalisation of Schemes

- New Scheme Definitions and Formats

- Changes to the Central Town Planning Scheme

- Integration of Durban Metropolitan Open Space Systems and split and conservation zoning into scheme.

- Parking standards

- Extension of schemes, scheme reviews

- SDF and Spatial Plans

- Spatial Policy

    2. What should inform planning knowledge for cities like eThekwini, to further inform decision making? Or

From a transformational perspective what do you think should drive knowledge about, for and in land use planning and practices? Or

What knowledge base is required to make land use planning policy and practices responsive to the realities of the city?

3.   From your experiences how is planning knowledge important to land use planning policy and practice?

4.   The SDF, Spatial Development Plans, LAPs and Framework plans and policies like densification and parking standards and Town Planning Schemes are important policy documents that directs how applications are assessed and the decisions made, as the politicians and senior executives how engaged are you in the generation of such planning knowledge for action?

5.   As a councilor what are your views regarding planning practices (strategic and statutory)?

Probe:

- Practice of Planners and the Council and the Profession, the role of local communities and community organisations in developing knowledge and informing practice, Appeals, SPLUMA etc.

6.   Providing the same service to all areas, is that part of the transformation? Town planning scheme are now being considered for the former townships, rural areas. What are your views on this aspect of the transformation and how will /is it being received and used in the areas previous not covered by TPS?

Probe:

Will a single scheme or the extension of schemes to all area, change the way planning is undertaken in the City, what challenges and benefits can one expect from this approach?

7.   How should the integration between planning practitioners and politicians be managed?
Probe:

- For policy discussion, integrated knowledge bases, integrated practices.

8.   How should the integration of social, economic and environmental objectives be achieved in the development and application of knowledge in and for land use planning and practices?

Probe:

- For conflicts and how and who should address this?
8.   How should city wide objectives and neighborhood objectives should be approached in planning?

Probe:

- Such as densification policies and that of neighbourhood development, place making etc.?
- Public transport implementation such as the BRT and neighbourhood development?

10.   What role politicians and senior executives should play in the creation of knowledge for and about planning with regards to land use planning and practices?

Probe

- Policy development and its relationship to practice as an important space for transformation.

11.   How should /is integration between the private and the public sector in knowledge used in and for land use planning being achieved?

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SUBHATRI MOONSAMMY - STUDENT NUMBER: 14095565, SUPERVISOR: PROFESSOR MARK ORANJE

INFORMANT INTERVIEW QUESTIONNAIRE: PRIVATE SECTOR/CONSULTANTS

1. Can you please share your views on the transformation of planning in South Africa and how responsive it has been/will be to the economic/private sector challenges?

2. What knowledge do you think drives or should drive planning and in particular land use planning and practices in eThekwini municipality?

Probe:

- For spatial redress, equity, inclusion, varying needs and differences, economic growth, place making, property values?

3. As a sector, how is your knowledge, criteria and principles included into land use planning and practices? How was it included, (process and substantive, necessity, conflicts encountered)?

Probe:

- Engagement with the city as SAPOA, was this undertaken?

4. In transforming knowledge about, for and in land use planning and practice such as the SDFs and the review of town planning schemes etc., how should knowledge be developed and how would your sector want to or is being involved?

5. How will your sector be affected if the planning sector becomes more facilitative and less prescriptive in optimization of land and buildings?

6. Planning is about mediation of conflicts, what will this mean for your sector if this becomes the regular practice of planning?

Probe:

- Increased interest and politics as part of intervention and mediation?

7. How should conflicts be addressed?
8. What does the future look like for land use planning knowledge and practice and the relationship with your sector?

Probe:

- How a mix of uses and typologies in various types of zones should be encouraged, assuming it should?
- How complex should land use planning be as it moves towards standardization and rationalisation and equity across areas and schemes will or does this have an impact on the private sector?
- How important is engagement from the private sector in (re)constructing land use planning knowledge, why and how does it impact on the private sector?
- How would issues of equity, need, normative, contextual, realities, differences, and the market should factored into planning knowledge for land use planning and practices .
- Any other ideas you wish to share.

BRIDGING DIVIDES IN LAND USE POLICY AND PRACTICE IN SOUTH AFRICAN CITIES POST 1994:

THE CONTEXT OF ETHEKWINI MUNICIPALITY

Final title: an insider-outsider's exploration of planning knowledges, roles, uses and construction in a post 1994 metropolitan setting: eThekwini Municipality

UNIVERSITY OF PRETORIA, DEPARTMENT OF TOWN AND REGIONAL PLANNING   MODULE CODE: SSB890
DISSERTATION 890 STUDENT N0: 14095565

<u>Community Interviews: Community Voices on Planning Knowledge/s in Land Use Planning and Practices in the eThekwini Area</u>

Section 1: Interview Introduction

Land use planning and land use management or town planning practices are generally activities undertaken by local government with regards to how land and buildings are developed and used. The intended reason for a limitation on or assignment of "rights" to property by government is to inform how a property is developed and or used, with the intention of protecting what is regarded as common goods or public interests and a future spatial outcome, to promote a variety of uses and to provide consistency and certainty of what and how a property is developed and used. However, given that eThekwini is a diverse city with different needs, it is important to hear from as many different people what would be important for them regarding the role of land use planning and practices. It is important to understand from citizens what knowledge would be regarded as important, including that of peoples own experiences, opinions and wisdom to inform planning.

Confidentiality: this interview is totally confidential and therefore your name and your address or any other contact details are **NOT** required.

---Interviewer:

Date of Interview:

1.0 Location of Interview:

Sizakala Centre- Chatsworth One Stop Shop	01
Sizakala Centre- KwaMashu One Stop Shop	02
Sizakala Centre- Phoenix One Stop Shop	03
Sizakala Centre- Umlazi Megacity One Stop Shop	04

Sizakala Centre- Umhlanga One Stop Shop	05
Sizakala Centre- Pinetown One Stop Shop	06

Section 2: Aspects for Land Use Planning Knowledge

 2.0 How easy do you think it should be for **your neighbourhood** to have a mix of uses and developments as reflected in the table below?

Mix of Uses	V. Easy	Easy	Difficult	V. Difficult
2.0.1 Houses, Flats, Duplexes, Town Houses,	01	02	03	04
2.0.2 Crèches and Schools	01	02	03	04
2.0.3 Religious and Cultural Facilities	01	02	03	04
2.0.4 Community Facilities and Public Transport Facilities, Bus Shelters, Taxi Ranks	01	02	03	04
2.0.5 Shops and Restaurants	01	02	03	04
2.0.6 Offices	01	02	03	04
2.0.7 Home Businesses	01	02	03	04

2.1 If you could choose how **your** property could be used, what use/s will you like to have? **Can be multiple responses**

2.1.1	Residential plus office/s	Yes	01	No	02
2.1.2	Residential plus shop/s	Yes	01	No	02
2.1.3	Residential plus office/s plus shop/s	Yes	01	No	02
2.1.4	Residential plus cultural and religious	Yes	01	No	02
2.1.5	Residential plus shop plus office plus industrial	Yes	01	No	02
2.1.6	Other (specify)				

2.2 In **your neighbourhood** what use/s should be considered as an important part of a residential area? If multiple responses please, record each response separately.

2.3 In **your neighbourhood**, are there uses that should <u>not</u> be allowed in a residential area? If multiple responses please, record each response separately.

3.0 What level of control would you like from the Municipality regarding how you develop and use **your property**? Chose 1 option only.

3.0.1	No control	01
3.0.2	Limited Control	02
3.0.3	Strict Control	03

4.0 Do you think neighbours should have a role to play on how **your property** is developed and or used?

Choose 1 option only.

01	No role	01
02	Limited role	02
03	Important role	03

4.1 What do you think the municipality should protect in **your neighbourhood** when it receives an application for development?   Only probe if necessary, see probes. If multiple responses please, record each response separately.

(01)Pavements, (02)Parks/Fields, (03) Prevent Traffic Congestion, (04) School, Community, Heritage/Cultural /Religious Buildings/sites, (05)Prevent Noise, (06) Pollution (07) The look and feel of a residential place , (08)Other-Specify

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4.2 When there are conflicts between neighbours and or community and developers/investors about the type of development (building and or use), how do you think such conflicts should be resolved. If multiple responses please, record each response separately.

5.0 Are you aware that the municipality has implemented town planning schemes to manage how private property is developed and used?

Yes	01
No	02

5.1Does the implementation of town planning scheme/s in your area have a positive impact on **your property** and on **your neighbourhood**?

Yes	01
No	02
Maybe	03
N/A	04

6.0 Should **your neighbourhood** reflect more of a diversity of the people and types of families that live in eThekwini such as: people with different income levels, race, cultural and religious backgrounds?

2.3.1	Mix of race groups	Yes	01	No	02
2.3.2	Mix of Income	Yes	01	No	02
2.3.3	Mix of Cultural and Religious	Yes	01	No	02
2.3.4	Mix of Ages (places for the old, places for students)	Yes	01	No	02

7.0 Where would you go to find information on how to use or develop **your** property? Note if they interviewee struggles to answer you can put in (01) I don't know. If multiple responses please, record each response separately.

7.1 If you needed to extend your house or use your property for personal reasons would you do so, even if it does not meet the council's requirements?

Yes	01
No	02
Maybe	03

 7.2 What sort of factors would consider when making such a decision? If multiple responses please, record each response separately.

8.0 Have you been involved in land use management/town planning matters in your neighbourhood/area?

Yes	01
No	02

8.1 How did you get involved through…? You may choose more than one response.

8.1.1	Notification to attend a public meeting	01
8.1.2	A meeting called by your local councillor	02
8.1.3	Through an advert notifying of an application	03
8.1.4	Through a developer/investor/neighbour	04
8.1.5	Other (specify)	05
8.5.6	N/A	06

8.2 Did the Municipality try and address your concerns?

Yes	01
No	02
Partly	03
N/A	04

9.0 Would you like to add anything else to this interview?

Yes	01
No	02

9.1 (if yes) record each response separately.

Section Three: Socio- Demographic Data

10.0 Gender:

Male	01
Female	02

10.1 Age:

<18 (underage)	18-24	25-34	35-44	45-54	55-64	65 and over	undisclosed
01	02	03	04	05	06	07	09

10.2 Historical Racial Category:

African	Indian	White	Coloured	Other
01	02	03	04	05

10.3 Education:

Primary	Secondary	Tertiary	No Schooling	Other
01	02	03	04	05

10.4 Employment:

Informal Sector	Formal Sector	Self –employed	Unemployed	Student	Pensioner
01	02	03	04	05	06

10.5 Individual Average Monthly Income:

<R5000	R5001-R10000	R10001-R15000	R15001-R20000	R20001-R25000	R25001-R30000	>R30 000	R0	Undisclosed
01	02	03	04	05	06	07	08	09

10.6 Do you own the property you are living in?

Yes	No
01	02

10.7 The property you are living in is it one of the following?

Free Standing House	Flat/Apartment	Town House/Duplex	Informal Structure	Other Traditional, Hostel, etc
01	02	03	04	05

10.8 In which community area do you live in? (Please **do not** provide a physical address, all that is required is the area in which you live in for example I live in…Kwa Mashu Unit C, or I live in Wentworth etc.

THANK YOU FOR CONTRIBUTING TO THIS RESEARCH!

WORKING TITLE: BRIDGING DIVIDES IN LAND USE POLICY AND PRACTICE IN SOUTH AFRICAN CITIES: THE CONTEXT OF ETHEKWINI MUNICIPALITY

FINAL TITLE :   AN INSIDER-OUTSIDER'S EXPLORATION OF PLANNING KNOWLEDGES, ROLES, USES AND CONSTRUCTION IN A POST 1994 METROPOLITAN SETTING: ETHEKWINI MUNICIPALITY

UNIVERSITY OF PRETORIA, DEPARTMENT OF TOWN AND REGIONAL PLANNING   MODULE CODE: SSB890 DISSERTATION 890

SUBHATRI MOONSAMMY - STUDENT NUMBER: 14095565, SUPERVISOR: PROFESSOR MARK ORANJE

Interview Questionnaire: 'Focus Group'/ Brown Bag Session on the Research Findings

This interview questionnaire is preliminary, as it will be informed to a large extent by the emerging results of the study (resident interviews and development activists results), which will be the area of discussion.

Facilitator/s: Fezile from MILE
Date and Place : 1 September 2016, Durban

1.   What are your views on knowledge in land use planning and policy and how important is it to the practice of land use planning?

2.   In focusing on the emerging results of the study, please discuss how the results impact on land use planning policy and practices?

3.   How does the current planning knowledge base used in land use planning and practices engage with the realities of the city?

4.   How should land use planning policy and practices engage with the realities of politics?

5.   If you had to use the emerging results of the study, how will this inform current land use policy and practice?

6.   In looking at the results of the study, what impacts does this have on current policy knowledge and practices?

Probe:

- The dominant activities or practices, how and on what will planners/technician etc. spend their time?
- What core skills would be required of staff?
- What would be the ideological issues for the function?
- What could the interface look like between politicians and the administration and communities?

7.   How do planning staff reflect, when do they reflect, how is reflection used to inform the policy and practice?

8.   What are the limitations to changing land use planning policy and practices?

9.   Are there any other comments or inputs you would like to offer?

10.   Where to next, how should we be engaging with our universities to advance suitable research for the planning?

Appendix 4.7 Sample Frame of Respondents

(Institutional Ethnography, Informant Interviews, Focus Groups and Planning Decision Making Structures Observed

Organization/ Institution/ Professional planners and technical planners **Category/Sector**	No of People Interviewed	Respondent Number and Type of Post	Date of Interview
Development Planning Department Interviews Representing Drafters of Planning Knowledge & Implementers of Planning Knowledge	12	1 Implementer / Regional Coordinator	18 May 2014
		2 Drafter /Technical Planner	3 June 2014
		3 Drafter/ Professional Planner	11 June 2014
		4 Drafter / Technical Planner	13 June 2014
		5 Implementer / Regional Coordinator	19 June 2014
		6 Drafter / Technical Planner	26 June 2014
		7 Drafter / Professional Planner	12 June 2014
		8 Drafter / Technical Planner	20 June 2014
		9 Drafter / Professional Planner	30 June 2014
Management and Executive Management		10 Management	4 July 2014
		11 Executive Management	4 July 2014
		12 Management	29 October 2014
Environmental sector	4	13 Professional Planner/Environmental Planner	18 May 2014
		14 Manager Biodiversity Practitioner	24 June 2014
		15 Manager Environmental Practitioner	8 August 2014
		16 Executive Management	
		Biodiversity Practitioner	15 August
Transport sector	4	17 Executive Management/ Transport Planner	30 July 2014
		18 Management / Transport Planner	30 July 2014
		19 Executive Management/ Transport Planner	30 July 2014
		20 Management / Transport Planner	30 July 2014
Rates and Property sector	1	21 Executive Management	31 July 2014
Human Settlements sector	1	22 Manager /Professional Planner	2 February 2015
Infrastructure Sector	1	23 Executive Management/Engineer	19 February 2015
Legal Experts and Appeals	4	24 Professional Planner/Appeal Tribunal Member	15 May 2014
		25 Attorney Appeal Tribunal Member	29 September 2014
		26 City Legal Advisor	1 December 2014
		27 City Legal Advisor	2 April 2015

Organization Institution Category/Sector	No of People Interviewed	Respondent Number and Type of Post	Date of Interview
Specialized consultants creating land use plans and town planning schemes	2	28 Professional Planner 29 Professional Planner	2 October 2014 8 August 2014
Community Activists	4	30 31 32 33	5 August 2014 9 September 204 11 September 2014 18 September 2014/ 12 April 2016
eThekwini Metropolitan Municipality Political	4	34 35 36 37	22 August 2014 21 August 2014 3 September 2014 18 September 2014
Academic Planning Sector within eThekwini	4	38 (academic and city planning commissioner 39 40 41	5 August 8 August 2014 5 December 2014 9 December 2014
eThekwini : South African Property Association SAPOA , Developer Consultants	2	42 43	31 July 1 August 2014
Ingonyama Trust Board	1	44	1 August 2014
South African Cities Network	1	45	16 July 2014
South African Council of Planners	1	45	5 April 2015
Economic Sector Formal and Informal	3	47 48 49 (Informal Economy)	24 July 2014 24 July 2014 25 July 2014
SAPPI eThekwini and National	2	50 (National) 51 (eThekwini)	3 June 2014 25 July 2014
Appeals Provincial Registrar Representative	1	52 Provincial appeals registrar	6 September 2014
Provincial Officials	2	53 Professional planner 54 Professional Planner /Legal Specialists	5 November 2014 28 August 2015

Focus Groups Organization/ Institution/Category Sector	No of People Involved	Focus Group Participants	Date of Focus Group
Former City Manager	1	55	6 September 2014 /20 September 2015
Sizakala Management	1	56	1 June 2015
Total	56		

Focus Groups Organization/ Institution/Category Sector	No of People Involved	Focus Group Participants	Date of Focus Group
eThekwini Planning Practitioners Focus Group Discussion for Drafting Community Interview Areas /Questions	5	Drafters and Implementers of Land Use Planning Knowledge Manager, Regional Coordinators, Professional planners and technical planners	6 August 2014
eThekwini Planning Practitioners Strategic Planning Framework Planning	7	Drafters and Implementers of Strategic Spatial Plans and Policies (SDFs, SDPs, Urban Development Line, LAP, Densification Corridors) Professional planners and technical planners	9 July 2014
eThekwini Planning Practitioners Regulatory Planning Inner West LUMs Regional Office	7	Implementers of Land Use Planning Knowledge (Strategic Planning and Statutory, SDF, TPS, Parking Standards, Legislative Procedures Regional Coordinator, Professional planners and technical planners	23 June 2014
eThekwini Planning Practitioners Regulatory Planning Outer West LUMS Regional Office	6	Implementers of Land Use Planning Knowledge (Strategic Planning and Statutory, SDF, TPS, Parking Standards, Legislative Procedures Regional Coordinator, Professional planners and technical planners	18 June 2014
eThekwini Planning Practitioners Regulatory Planning South LUMs Regional Office	4	Implementers of Land Use Planning Knowledge (Strategic Planning and Statutory, SDF, TPS, Parking Standards, Legislative Procedures Regional Coordinator, , Professional planners and technical planners	20 June 2014

Focus Groups Organization/ Institution/Category Sector	No of People Involved	Focus Group Participants	Date of Focus Group
eThekwini Planning Practitioners Regulatory Planning North LUMs Regional Office Regional Coordinator Interview Held	n/a		19 June 2014
Central LUMS Regional Office Regional Coordinator Interview Held and Institutional Ethnography Participant No (8)	n/a		28 October 2014

Organization /Institution Category Sector Institutional Ethnography Participants Central LUMS Regional Office	Participant Number	Institutional Ethnography Observation Dates
	IE Participant 1: land use management assistant	19 May 2014
	IE Participant 2: land use management assistant	20 May 2014
	IE Participant 3: land use management assistant	21 May 2014
	IE Participant 4: Implementer land use management – Technical Planner	28 – 30 May 2014
	IE Participant 5: Implementer land use management – Technical Planner	23 June ; 2-3 July 2014
	IE Participant 6: Implementer land use management - Professional Planner	25-27 June 2014
	IE Participant 7: Implementer land use management – Professional Planner	11-13 June 2014
	IE Participant 8: Implementer land use management – Professional Planner	28 and 29 October 2014; 3 November 2014

Organization /Institution Category Observed	Nature of Decision Making	Institutional Ethnography Observation Dates
eThekwini Municipality Joint Advisory Committee Meetings Represented by: Deputy Head; Manager Land Use Planning, Manger Land Use Projects, Manger Spatial Planning, Manger Environmental Impact Assessment, Traffic Engineer Regional Coordinators (6) Planning Practitioners Post SPLUMA Implementation Observation of JAC	Makes recommendations on all types of TPS amendments and applications that are considered by the Head, the MPT and the Political Town Planning Committee Discussion on Standard Operating procedures	3 June 2014 17 June 2014 17 June 2014 1 July 2014 20 October 2015
Town Planning Sub-Committee Represented by: Political Representation Planning practitioners and executive planning management to present applications, reports, and plans and to answer questions from the politicians. Post SPLUMA Implementation, observation of MPT	Approval of planning policy amendments to policy. Prior to SPLUMA (RSA 2013b) politicians considered rezoning applications as well MPT	5 June 204 19 June 2014 12 August 2014 29 October 2015
Provincial Appeals Committee Represented by: Appeals Registrar, Independent Appeal Panellist Objectors, Applicants, the Municipality , Legal and Specialists capacity for one or more parties to the appeal Open to members of the general public	Adjudication of the appeal	7 October 2014 3 November 2014 5 November 2014
Joint National Department of Rural Development and Land Affairs and Provincial Cogta - KwaZulu Natal meetings with municipalities to inform and prepare municipalities for the implementation of the Spatial Planning and Land Use Management Act 16 of 2013.	Preparation and implementation for the Spatial Planning and Land Use Management Act 16 of 2013.	22 May 2014 11 July 2014 15 August 2014 27 August 2014

Appendices: 6A-6G (note Appendix 6F: removed – see Chapter 8)

Appendix: 6 A Section 12, KWAZULU-NATAL PLANNING AND DEVELOPMENT ACT, 2008

Matters relevant in determining merits of proposed adoption, replacement or amendment of scheme

12. For the purposes of determining the merits of a proposal to adopt replace or amend a scheme, a municipality must take the following matters into account-

(a) the application contemplated in item 1 (2) of Schedule 1;

(b) comments in response to the invitation for public comment on the proposal;

(c) the registered planner's written Evaluation and recommendation on the proposal and certificate of compliance of the proposal with the Act;

(d) the potential impact of the proposal on the environment, socio-economic conditions, and cultural heritage;

(e) the impact of the proposal on existing or proposed developments or land uses in the municipality's area, or on existing developmental or mineral rights;

(f) the impact of the proposal on the national, provincial and municipal road networks;

(g) the resources likely to be available for implementing the proposal, including access to the national, provincial or municipal roads network, engineering services, public transport, municipal services, sewage, water and electricity supply, waste management and removal, policing and security, health and educational facilities, and the fiscal ability of the municipality to pay compensation contemplated in section 95(1);

(h) in the event of the adoption of a scheme, the benefits that will accrue from the adoption thereof compared to the cost of compensation contemplated in section 95(1);

(i) the historical effects of past racially discriminatory and segregatory legislation on land ownership, land development and access to engineering services and public facilities, and the need to address the historical imbalances; U) the protection or preservation of cultural and natural resources, including agricultural resources, unique areas or features and biodiversity;

(k) the natural and physical qualities of that area;

(l) the general principles for land development as stated in section 3 of the Development Facilitation Act, 1995 (Act No. 67 of 1995), and other national norms and standards, frameworks and policies contemplated in section 146(2) (b) of the Constitution;

(m) the provincial planning and development norms and standards;

(n) the municipality's integrated development plan;

(0) the municipality's scheme;

(p) any local practice or approach to land use management that is consistent with

(i) the laws of the Republic;

(ii) the provincial planning and development norms and standards; and

(iii) the municipality's integrated development plan; and

(q) any other relevant information.

Appendix 6 B: Community Activists Stories

<u>*A Community Activists Story – "I think it's so important for a public voice to be empowered to work with government and investors in making planning and development and environmental planning more accountable*</u>"

<u>*This community activist works within the Greater Outer West and Pietermaritzburg Area*</u>

How I got started as a development activist: I cut my teeth on an appeal application; this was how I started engaging and learning about planning knowledge, environmental knowledge and legislation. Then over time I developed my interests and harnessed my skills to engage in planning, development and environmental matters over time.   To do this I had to have the time, capacity and interests to actually learn what it takes to understand and engage in such matters.   I think it's so important for a public voice to be empowered to work with government and investors in making planning and development and environmental planning more accountable.   Now I support other community groups and interested and affected parties in commenting, objecting and appealing environmental and planning related matters. Developers have funds and have access to a number of experts, whereas communities are expected to contribute in a particular language style and within time but without the necessary expertise.   As community activists we must also understand the agendas regarding certain objectors and you must also decide if this is a good fight or not.   It is essential that as community activists, we need to look beyond just the local interest but also look at the city and the national priorities.

Insights into land use planning knowledge: In talking about planning knowledge I'm generally surprised to see some of the plans and assumptions included in planning knowledge that would be almost impossible to work in reality or to be implemented.   A key example is having an agriculture corridor in George Dale this is just impossible and one is not sure how this arises.   Is it just because it was outside the town planning scheme? Or is it a remainder of agricultural land or an agricultural zone was put over just to give it some use?

The surprising thing is this agricultural corridor has now become a conflict point in an appeal situation. I don't think this is the merit of the appeal but because it's included in the plan with some level of public engagement although very limited, it was approved by the Council and now this makes the knowledge in planning more fixed. It is given importance and seen as objective and sacrosanct and used as an approach to fight development. In this particular case, the development is problematic but the reason used by the community such as that it is in the agricultural corridor is simply ludicrous. Another mix of use that happens in spatial development frameworks and town planning schemes with no working knowledge of how this happens in real life is putting together agricultural areas with conservation areas, these two uses just don't mix. Some of these issues arise because of a lack of engagement with the players that are actually doing agriculture or doing conservation to have an appreciation can the two types of uses actually co-exist in a particular zone.

Often communities feel that the town planning scheme (TPS) is the rule and should protect them, they do not appreciate that it can change with time. Often their response is based on the TPS giving rights and protection and this is not the case. So they lose out because they did not go further in their engagement of the impacts certain development will have on them in terms of property, neighbourhoods, sustainability and place making.

Planning knowledge and implementation can create inequalities: From a community activist perspective, I think one also needs to consider the value (financials) of property and that which is beyond the plan that advocates certain value. It is not so much the use but the value optimization of land, which the council allows through approving one land owner's site and not another. Constraints maybe be different, but why not simply approve with a time frame and or with conditions. Part of the problem is that there will be some land owners that will be given development approval and some land owners that will be losing from development.

The inclusion of environmental layers over the property does mean that the Council together with stakeholders needs to find more appropriate ways in preserving the environment but still recognizing value. It also means that the fairness in which development applications are assessed first-come first-serve basis should be rethought as this creates an equity issue about how property development and land value is realized. First-come, first-serve basis, particularly favoured developers that have interests and contacts and then we try and apply the objective tools such as planning knowledge and this notion of an agricultural corridor throughout the area. But we know that why one site was promoted over another is not based on good planning principles, and equity.

The challenge of land use planning knowledge, it is borrowed and more of the same, creating a survivalist planning outcome: One of the problems regarding planning knowledge is that we are not writing for a South African city context. South Africa also seems to be borrowing a lot from everywhere, without understanding how very different planning and the context for implementation could be. We also seem to ignore what is working, we get trapped into survival means, and we lack innovation. We should recognize planning operations such as shack farming or transit areas on private land as this is actually happening and yet government turns a blind eye and in doing so denying some human basic rights such as water and electricity and sanitation simply because it's on private owned land.

Crossing divides in the (re) development and implementation of land use planning knowledge for practice: The realities also bring in conflicts, such as those experienced in older and established areas, where a certain look and feel of the English country side or a more rural feel exists, attracts newcomers because of the open space and large plots. However, their needs, values and lifestyles are very different, leading to potential conflicts between the old versus the new. This is difficult to work through and areas will change but there needs to be more conscious efforts for people to actually engage as community people or community persons in a collective community context so that there is a give-and-take as the area is

transforming, so this can take place with the necessary considerations. In particular areas we've seen richer black income families moving in and there is no appreciation that this is a rural setting but people have chosen this area because of its space, but now the area is going through urbanization and modernization, with the introduction of new uses and facilities such as entertainment areas, shopping facilities.   Again there needs to be some concerted effort not only from the Council but from the existing and the new arriving residents within a context of communicating, mediating, and negotiating to manage such transformations.

Sometimes divides are still race and increasingly divides are becoming class and not so much race. Sooner or later more and more black people will be coming to meetings and they would also have issues regarding planning knowledge and how areas are being developed or changed, and this is a process of social awareness and getting involved. Then in such circumstances, how will particular class and race issues be used by the city as an approach to defend its actions or inactions, without the necessary community engagement and seeking solutions.

But if you ask what and how should you judge what should be allowed in a particular area from a physical and a social setting it should be a discussion, how does 'this' fit within a street, with or without some minor modifications or is it something with so much impact that it will not be unable to fit in.   Even if it's a very new concept to the neighbourhood or for the Council, the modification and the management of the concept or use or development should be based on it being neighbourly.   The emerging criteria then are that new uses or development within a street and neighbourhood should fit in, and also if it changes a street or neighbourhood this development should be giving more opportunities and not taking away opportunities from the local place. This requires discussion within the neighbourhood or street, and land use planning knowledge must also consider that planning should be about people, opportunities and flourishment.   When planning knowledge is created and well informed within the context of a local situation as well as other non-local situations, the plan well reflect people's responses and differences and needs and can be discussed in such a process.

Development applications, place, neighbourhood and city making: When receiving a particular development application, the development should fit in such a plan because it is assumed that the participation was a good one in creating planning knowledge. However this isn't the case because the creation of the planning knowledge is flawed and even when plans are created developers do not fit in squarely within the plan and within the impacts allowed for.   A level of engagement is required so in a sense we constantly planning on conflicts of planning knowledge, conflicts of development proposals that are not being addressed within a local context. If an application attracts conflicts this also shows up planning knowledge and the way it is being created. However, sometimes it's not just planning knowledge, but it is the development proposal and in this case planning knowledge and the proposal and people's issues needs engagement. It is also important to see that planning is a value judgment process and is not just about the planning knowledge but it is about the values in any area.   My experience with

the majority of planners are that they are young and do not understand or go out and get involved in the local areas and this is a problem and this is part of the planning knowledge that is missing – local knowledge.

Public participation and democracy as principles for the co-generation of land use planning knowledge for action: As a community activist I would very much like to be involved. The big issue is how communities are being engaged, the city is rigid, arrogant in some ways, it calls one or two big meetings and expects everybody to attend and engagement can take place. This does not work, over and over again smaller meetings, intimate meetings are the way to go to resolve such issues. We are also surprised that social media is not used and it can assist. I also think we need to find interesting ways of informing people about meetings and give them enough detail so they know what the meeting is about and if it does or do not affect them. There should be smaller meetings, a series of meetings that take issues and debate those issues during and between meetings, social media, the radio and the newspapers are important places to keep people informed about planning knowledge, about changes, about what you want to engage about. Planning platforms are engagement areas, this should not only be seen as informing one about the plan, to obtain community responses that picks up on the problems of such plans, but it is actually about creating solutions.

Not everybody in the community will or can have the time to become more schooled in planning knowledge and practices. However, there are a number of people that would like to be educated and they have an important role as community workers within communities to promote engagement, to go door-to-door, to bring diverse views in finding opportunities in plans, planning knowledge and applications. But we disempower people with how planning knowledge is being created, we shut down and we don't share and gear up planning knowledge so people can be better informed and engaged for the benefit of their areas, the city and the country.

This also encourages community involvement and engagement that pays attention to what is being said, such as recording the meetings, making such records available and how issues raised have been considered for what reasons they cannot be considered. Often this is not the case and there are meetings with great discussion but no action, no commitment to look any further into some of the suggestions – what works, what does not. As communities we want to be heard, engaged, not just an engagement without commitment, an engagement because you have to, a lip service.

Accessibility and transparency in planning knowledge: A big part of planning knowledge is to find a way in making it accessible, just the information let alone the language used. It is a simple basic thing that should be done but the cities are not doing so. The experience is that younger officials are very insecure of how they can engage with community groupings or community representatives, the normal reaction is to shut down or shut out such engagement and often the information should be freely available but they

think it's not and that they will be doing something wrong. As community activists you then have to take the long route of trying to find somebody more senior to engage with to access such information.

When and how to advertise a plan, a scheme, or a development application is important, and doing so with enough time is crucial for encouraging participation. Such advertisements should be to inform the public and to participate in planning matters requires more than the usual content which is not informative to most people. Some boundaries or a sketch area, so those interested can be engaged and so people have a better understanding or what the city/ developer intends doing. This will put people in a better position to decide if it affects them of not, and if they should be attending the meeting. The content of adverts are extremely misleading and often it does not indicate what is intended and it is in a language and form that the public cannot understand. The value of community involvement is also to make planning knowledge understandable to the community but also to make as many community people schooled in some of the basics of planning knowledge, to develop a culture of engagement between civil society, with government and the private sector regarding planning matters.

As community activists we fight for very basic things that should be regarded as principles of community engagement such as requests for more meetings, request meetings in different areas to engage different stakeholders, requests to have information so we may work with it.

We do know that engagement is an intimate process it takes time and money from people, but one has to appreciate that engagement in the first instance should be seen as important. It should be adding value not an expense, and it is an investment. However, the council's project descriptions and consultants who produce planning knowledge for the city see this as eating into their budgets, and this adds more work and they are not willing to rethink fixed ideas, mass produced concepts of planning knowledge.

As community activists we know we must also change and we open to change and also want to be part of this change. We have value to bring to the process, apart from our local knowledge and views, we also have professionals that we can mobilize to enrich this process. Often it seems like the agenda is already determined and the plan and process does not matter and what we say or think will not change anything. In such cases we rather prefer that the city informs us about it wants or needs, so we can work within this context in finding solutions.

Addressing Conflicts through planning knowledge and practice: As a planning activist I would very much support a mediating approach, my experience as an activist has shown that a confrontational approach does not work, especially regarding community interests. Taking a confrontational approach also polarizes the situation it makes it tenser and the common areas that you can save and can work with are lost. However, there should be conditions for a mediation approach, it should be structured, planning proposals and documentation must be made available, shared and understood, commitment and transparency remains important for mediation to work. As development activists we would prefer to meet with the developers to engage with and try and influence part of the development in a way that presents a

win-win situation. There's a lot of room to do this before a formal process kicks in and before the decision is made as opposed to try and fight the decision after it is made and to end up in an appeal situation. This is more time-consuming and more expensive and again especially to communities they end up losing. I think there should also be an encouragement to use mediators, trained mediators to work with community groups and developers in finding solutions. Whilst this may not take away all the tension it certainly does a lot to resolve problems. It is an approach that can offer common areas of agreement and allow planning knowledge and solutions to encourage flourishment as opposed just make planning survive.   The current approach to planning favours particular interests such as businesses, which constantly undermines the weaker party such as the community.

I've also had the experience with compliance itself, it can be a problem and how the city conducts its planning practice and the legislation, compliance with everything does not mean that the development is enriching an area.   We need to get away from the arguments of gross domestic product and start seeing value in people and places and also work with this as important indicators regarding development.

I also find it very strange that different comments from the same departments on the Environmental Impact Assessment (EIA) and a planning application can differ.   Institutionally the environmental and planning application should be linked and as a city we should know what the city would like regarding the application, a city stance or view is important. It is also quite strange to see city departments fighting each other at an appeal level, one would expect that the level of discussion and mediation within the city should have taken place during the decision making process.

Activism for the future: Communities also need to change, they need to also start engaging in organising themselves and contributing to finding ways to grow their own expertise to engage particular expertise, so they can be in a better position to respond to the city and developers. In a strange way this will also make community responses and community groups more appreciated. This is my view that I would like to work with developers and adopt a negotiated process early on. This does not mean that other processes should be not continuing, but it's a way of finding solutions early on in a process.

I think we also need to find more conversation spaces about how things are changing, what kind of mix we like what kind of amenity we like, what's is actually happening, we need to find ways on how to engage planning knowledge for transformation that ushers in opportunities. We need less officialdom and registered letters and more engagement. Engagement in planning knowledge and practice should not only be specific but also an investment in ongoing engagement and neighbourhood and city building.

A Community Activists Story – "I would like to see the rules and policies or the knowledge we using in planning being developed like a constitution, within townships".

This community activist works within the Greater KwaMashu, Ntuzuma and Inanda Area - INK

How I got started as a development activist: My story is that I saw a very young kid say about six years old who was infected with tuberculosis. There was no tuberculosis in the area and when I looked at the area he was living in I saw that the stream was a dumping ground. The street corners became dumping sites and this was creating a lot of pollution and poison in the area that affected this boy and other people's health. So I, together with few young adults we took it on ourselves to clean the roads to remove the dumping, to clean the streams, to plant indigenous planting and to educate people about protecting the area and preventing people from dumping and preventing others from coming into the area and dumping.

This story has grown and developed and proven itself and people are interested in keeping it this way, but I can tell you that there was no interest from the councillors/s and or from the council. All along the way we had to struggle by ourselves and it is only now that we have a certain reputation with the Durban Solid Waste (DSW) Department of the council and some relationship with the parks officials. The area based management (ABM) program has also helped us to gain confidence and access resources from the council. I think the relationship between the council departments, community activists and the community will actually be better if there was no politics and politicians involved as the politicians have their own interests and they serve as gatekeepers. Some of the initiatives this council has put in place are really helping local community people such as the Sizakala centres, and the location of local offices in the area such as DSW. I think it be really good to have planning officers, building inspectors officers also in the township area and other townships so that the officials can work closely with the community.

Insights into land use planning knowledge: In the township areas I can say there is no practice of land use planning. They may be planning controls, but people do not know what it is about. There is no help to explain or to educate people about these controls and people simply do what they want or think they need to do. For me it seems like African township areas need to come a long way before it understands planning and development issues like in the so-called White, Indian and Coloured areas. The officials and councillors do not spend time on planning and development matters in township areas. It seems like it's more the big things that matter.

For me it is about getting people together and letting people compromise with each other and the Council, the knowledge must also create benefits and the cost mustn't be too much to implement such rules and policies. The Council must invest in creating awareness and supporting the area in implementing such knowledge and rules and controls.

Crossing divides in the (re) development and implementation of land use planning knowledge for practice: The knowledge should be developed with people that are going to use it. The knowledge must also take into consideration compromises. The knowledge that we use and the rules it creates must be linked to the improvement of the area including the infrastructure. I would like to see the rules and policies or the knowledge we using in planning being developed like a constitution, within townships. Where all people or representatives from wards are called in and discuss what they would like within the wards and in the areas they live in and make decisions about what are command (important) decisions in conjunction with the city and the city rules.

We should note that things are different in townships, people complain about two things unemployment and housing and sometimes so called small things but important things are forgotten. We should also look at how the community can keep up certain rules and policies and that which the council must take responsibility for and in this way we can uplift the area and how planning is done in such areas like townships.

In township areas I think a mix of type of uses and types of development will be seen as positive, people see more development as positive for the township area and it helps increase your own property value. If we make certain uses easier to occur in township areas this will be a good thing but we must have some simple rules otherwise they will just be problems with competition and more conflicts.

This means that officials with communities need to be working very hard in creating an understanding of planning practices and planning knowledge for the area. Some important things for me in planning include respect and limit what you do within your boundaries. Why certain things should be discussed with your neighbour and the officials as it can affect you and your neighbour. For me the rules or knowledge must be able to be understood, and that which people can relate to and what can be implemented. It must also be reasonable and allow for the improvement of the quality of life and livelihoods for the people.

Development Applications, Place, Neighbourhood and City Making: I think when the Council is discussing development in any area or working with developers in the area it is important to see that the standard of living in the area will not go down or be worse off. The way people in townships appreciate development is seen as a good thing from people living in township. I think the council must always promote safety and prevent crime and it must also invest in making the public areas community friendly such as landscaping, providing good roads, investing in pavements, lights, these are important things when considering development in township areas.

Public participation and democracy as principles for the co-generation of land use planning knowledge for action: Planning with the people of the township is extremely important, so for me it is actually meeting people and discussing what they want, what they would like to see in the neighbourhood as important for

the development of planning knowledge. For me it is very important that the economic conditions of people are appreciated and the rules must not make the situation worse.

I think community people can come to some understanding if the area is chosen for something that's not only for the community but for the Council, such as new housing areas, but people must be met and this must be explained and also they needs must also be considered. Often you get protests when people have misinformation or no information, then they resist such changes. For me it is important to engage, to speak with people there is no other way but to discuss things.

It is also true that everything in an area like KwaMashu/Ntuzuma/Inanda area is very political, so even when you try and show an interest, people make it all about politics if they don't understand what you trying to do. As an example if you want to manage how the street looks and keep it clean people think that you will actually be interfering with the political role of the council and the councillors. So people don't really want to volunteer and get involved in community issues because the politics of how council operates and the councillors has spoilt them, made them doubtful and unwilling to do things for themselves and to be involved in improving the areas they live in. They think everything must be provided by the local council and everything will go on tender and this will create jobs, this is what the councillors tell them how the council operates.

Addressing conflicts through planning knowledge and practice: We have not experienced planning and not aware about the types of conflicts and how to manage it. But I think yes, we can manage problems if we informed about such problems and we agreed to such rules that we can find a way of managing such situations. For me it is a case of meeting and discussing problems with communities. In township areas people take the law into their own hands if there is a conflict but it also depends on the nature of conflicts. If in planning we have the knowledge about how to address some of those conflicts, then it will be important for people to meet and resolve such conflicts.

Activism for the future: I also think that we must see things as changing over time, before people didn't know they could call the Durban Solid Waste Department for certain types of problems. But with education and working with communities and officials, we respect each other and officials, we now know when to engage the Durban Solid Waste Department. I think this is also important for the Planning Department to create a similar relationship with communities and community activists. I can also say we've developed a good relationship with the Electricity Department and the Water Department also.

I think there's a lot of opportunity for community organisations and community activists to work with officials and councillors in improving the living conditions including that of planning, development and the management of such township areas.

A Community Activists Story – "We still need to see the importance of planning knowledge and how we can engage in this aspect to change and grow partnerships in planning"

This community activist works within the Berea area and is a member of the Save Our Berea (SOB)

How I got started as a development activist: My interests in land use planning started off with my home, a heritage home on a well-known street, my home was a place of history, where changes in the new South Africa were embraced.   What happened in 2009, the house next door, also a heritage house was sold and trashed converted and developed and used as a place to conduct commercial trade. Not just one type of trade but where several types of trading was taking place, there were so many illegal uses taking place at this place.

This did not only have negative impacts on the street but soon started having an impact in the neighbourhood, more outsiders started entering the neighbourhood to buy and sell goods at this place. It's not like the streets and the neighbourhood was not changing and becoming more inclusive of business uses, but the way this went ahead with total disregard to the neighbours and the neighbourhood and in using the law to hide behind to protect them was an issue. In effect if they could just meet with some of the neighbours we would have given our views and encouraged some kind of redevelopment in the area, one that could work and fit in with the area and also align with what they needed, but instead they refused to work together.

This story is not just about any investor, certain officials with in the council assisted this person in giving no respect to neighbours and the neighbourhood. So it is important to note that a particular official's name comes up on many issues and to some extent we have a body of knowledge that implicates him in much of the illegal development being tolerated in the Berea.

So whilst we continue to lose the fight against this particular property owner or investor.   In understanding other people's stories and fights we then understood that many people have gone through something similar and that there is a small cluster of like-minded people that need to do something about the areas in which they live.   This is not only to work against the council but also with the council and to activate people within the neighbourhood to become more aware and more involved. It is in this context that Save Our Berea (SOB) was formed to deal with various matters but also with a particular focus on planning. There were several properties that seem to resemble similar problems of how planning was proceeding in the area.   This included:

• No communication with neighbours regarding the city and developers

• The city also does not involve or engage neighbours even if they see there is a problem or likely to be a problem or just simple communication, which is indicative of how planning is been done in the city, without communication.

- The sheer lack of the adherence to rules and including that of the city when it suits the city to disregard its own rules and policies or use policies and plans as new rules with little communication to people on what applies and how things have and will change.

- Planning consultants and architects that work for investors and developers and property owners are also deceiving planning processes, applications that do not represent the truth of the situation and sometimes they even forge signatures.

This was a pattern, a story when issues were brought to SOB, poor or no communication, lack of transparency, poor professionalism, inside and outside the council, breaking and changing of rules, lack of information regarding the development, the rules etc. There were new developers that simply do as they want in neighbourhoods and have certain influences in the city and or support from the city.

Insights into land use planning knowledge: I think it is important for planning and planners to start with communication regarding planning knowledge for action. It is important for planners to become aware of the knowledge they have and they want to apply and the impacts of such knowledge. We do know that there are changes happening in the city and we welcome it but we also want to engage and be part of the solution. It is important for community organisations and community activists to be part of and engaged in a partnership with the council in making planning knowledge and implementing planning. Our organisation (SOB) comes in at the tail end and often we respond to a problem and may not apply our minds to the structure of the problem or the alternatives and solutions.

Essentially planning knowledge used for action lacks engagement and transparency. Often when your query how decisions are being made, we are surprised how this knowledge is constantly changing, not discussed or made available. It is also important that the knowledge planners use in making planning decisions is not just to tick the boxes about the application being legal they need to go beyond this and look at the facts on the receiving environment and to mitigate accordingly.

What I've seen is that the professionals involved from the Council are really an arm's length in ivory towers and do not understand local issues. They do not engage with local people and do not see the need to be transparent and facilitative, for all people and not just developers. This is problematic and unfortunately defines what planning is within the municipality.

The knowledge that resides within neighbourhoods and communities is also lacking in city decision-making one can appreciate they are city objectives but there are also neighbourhood objectives and this needs to be resolved through communication. It is important to note that some people see a gap in the knowledge and how it is being applied and take advantage of the situation, these include professionals inside and outside the city.

Planning knowledge and implementation can create inequalities: It is also clear that politics play a big role in planning and what is being done. It is really about the voter base and it seems like blunt tools like race is still being used to defend certain decisions and to ignore certain viewpoints. The case of densification in the Berea is taking this defensive approach, not like we against a densification, but you can't even engage what is appropriate and then you are ignored, because it's predominantly a white area, thus you seen to be preventing densification.

Crossing divides in the (re) development and implementation of land use planning knowledge for practice: We increasingly see planning standards, planning rules, planning processes been ignored and the enforcement process that can't cope. It is important to realise that democracy works on the basis that people have to agree to participate, police themselves and this should be important in considering planning knowledge for action.

Public participation and democracy as principles for the co-generation of land use planning knowledge for action: I should also say that SOB as an organisation is extremely fluid it works on the basis of association, people that constantly want to re-energise community spirit and do things differently. SOB wants to also add value not only to the Berea but to see wider issues in other neighbourhoods and work with such neighbourhoods, across boundaries, race and class. As an example one of the meetings we had one of neigbouring wards was invited, which has a different set of issues. People need to appreciate also what is happening in different areas and also how they can also be involved. In this particular meeting we had a younger rap artist with a very different style and language and content that performed for a mixed crowd but also the older white crowd, and was really about generating the debates about what is happening in his neighbourhood through a process of rapping.

SOB also tried to engage with the city, we would like to meet the chair of the Town Planning Sub-committee, the city manager and have a better working relationship with the city and work together with the city and its challenges. We see that it's not easy to manage cities within the context we have to work within. But the city simply will not give us any space to engage, no space to form such relationships so it is like we are now forced to find a platform for the city to recognize us and one way of doing this is we constantly use the print and electronic media to make people aware of what is happening and what they can do. So we activate people on what they should be doing by making them aware and how they can be involved and how they should take control over something that they feel impacts on them.

SOB is also responding to structured democratic processes that have failed, like having a local councillor and ward committees which had been made totally ineffective, hijacked, and not serving any purpose. Our organisation consists of the group of activists, we not a rates base association we don't do things on behalf of people, we help and make people aware and informed of how to do things for themselves and point them into some direction to find such help, from within the Council or from people outside the Council. SOB is about people sorting out their own problems. We working with a large component of a

community that in the past was privileged, they paid the rates to the city that's all they did and the city protected them. Now things are changing and they think it's simply about the organisation serving them in the same way, this is not the case. SOB is actually showing them that they need to be part of solutions they need to be active, they need to fight of what they think is of concern to them, their neighbourhoods and other good fights they need to be involved in.

I think the emergence of such community organisations and activism is in response to the dissatisfaction that people have across the country, across cities and in terms of particular interests. It is also okay to have activists and organisations that focus on very narrow or very specific issues in places such as SOB, this is also part of democracy.

Accessibility and transparency in planning knowledge: I think it's important that if local governance is to be democratic they needs to be more access to knowledge for action such as planning proposals, departmental comments, so people can engage in this and decide how to mediate solutions or how to construct planning solutions in the areas they live in. Even if they are no solutions, if it is transparent it takes away a lot of the mistrust that is developing and continues to grow regarding land use planning in the city. They may be decisions that are totally above board and one can understand and see the logic but we do not have a platform to see and experience this transparency, so all experiences are normally seen as a bad experience. It seems that it's this secrecy what actually drives and makes decisions, reinforcing the negative sentiment felt about development in the city. Also getting access and engagement with officials including with you was not easy.

Addressing Conflicts through planning knowledge and practice: To address conflicts you need to access various viewpoints and work with the area's views in resolving problems. An organisation like SOB we work on the basis of finding solutions through accessing various viewpoints and developing partnerships. There is a desperate need to have some structures/platforms to be put in place to express the various viewpoints. As a community activist organisation we can accept a mediated and facilitative approach in planning, provided it's part of a process and its it is better to have a good process than have no process at all.

Activism for the future: We will continue to work on cases that are real cases for the SOB, certain pet projects or appeals that demonstrate planning procedure, democracy and rules have been consistently ignored by the city to demonstrate that there is something not right in the way land use planning is been undertaken in the city such as 317 Currie Road Durban. We also work on the keeping the media well informed, working with other activists and organisations outside the city so what we expressing becomes largely available to the bigger public and hopefully this keeps some pressure on the city to be responsive to such issues. We always want to work with the city and be a city partner, we understand that we can make a difference. We also celebrate some of the initiatives the city does and in a way help the city in creating positive change, like the women in the Berea and re-cycle cardboard project. We also keep a

place regarding what we like about what the city is doing or not doing in the media we use. To date we've had a meeting with the city manager and put forward several resolutions which include the following:

- The city to set up an elevation control committee so there is more thinking around the type of developments that are happening in certain older neighbourhoods especially in the context of densification. To have more independent and mediated professional input which is not being provided by the city, as an example there are no architects involved with planning and building decisions.

- To have an independent investigation in land use planning operations and development in the city as we think that it is not operating the way it should be, something is wrong there.

- For the city to have regular meetings with the Berea residents to create a forum for engagement.

- To put in processes, controls and checks and balances to limit corruption within the city especially in the planning and building environment context.

- Given the issues of crime and vagrancy facing most neighbourhoods in Durban to put in any additional form of urban management and safety responses within the Berea.

I think we've also spent a lot of time in reacting to planning decisions; we still need to see the importance of planning knowledge and how we can engage in this aspect to change and grow partnerships in planning.

Subsequent to this interview, SOB recently had what they term a "monster meeting" a huge public meeting (the third one to date since the establishment of SOB). The newspaper reported good attendance and overwhelming support for SOB as an association that helps residents to fight issues close to them and to fight for rights they have enshrined in the Constitution (Berea Mail, Support for SOB Swells, 7 August: 3, 2015).

Since the interview, the appeal on 317 Currie Road which was rezoned from General Residential 1 to General residential 5, allowing for wall to wall development potentially at an uncapped height for the building. Through the networking and awareness of SOB, voluntary funding and professional services were accessed to challenge the approval of this development within the High Court. The High Court found in favour of the residents submission based on a procedural deficiency, where owners of prosperities within a 100m radius from the proposed property were not all notified of the development proposal and therefore could not all excise their rights to object and then to appeal the development decision. The judge in this case did not set aside the decision to allow for proper procedure to be followed but instead considered the implications of a development and to consider a demolition order for the offensive components of the building.

PUBLIC NOTICE

ADOPTION OF THE NEW DURBAN PLANNING SCHEME

Planning Schemes in eThekwini Municipality have, over the past two years, been reviewed, consolidated and replaced with new Planning Schemes. The Durban Planning Scheme is currently now going through the same process.

In terms of Chapter 2 of the KwaZulu-Natal Planning and Development Act, 2008 (Act No 6 of 2008), notice is hereby given of the review, consolidation and replacement of the current Scheme with the New Durban Planning Scheme. In light of the aforementioned, the eThekwini Municipality invites interested and affected parties to comment.

Kindly note that this advertisement relates to the Durban Region only and excludes the Northern, Southern, Inner and Outer West Regions.

Due to the size of the documents and the associated maps, these are open for scrutiny and comment at the following venue:

eThekwini Municipal Offices, City Engineers Building, 166 K.E. Masinga Road, Durban from the 3 February 2014 until 7 March 2014 during 08h00 to 15h00 Monday to Friday. Please note that the comments will close 16h00 on 7 March 2014.

The document may also be viewed on the Municipality's website: http://www.durban.gov.za/Resource_Centre/Current Projects and Programmes/LUMS Consolidated and Revised Town Planning Scheme/Forms/AllItems.aspx

Any comments regarding the above may be addressed for the attention of the following officials:

Land Use Management Branch (LUM)
Malcolm S. Mounsamy
Senior Professional Planner (LUMS)
Telephone: (031) 311 7793/7790, Fax: (031) 311 7793
E-mail: Malcolm.Mounsamy@durban.gov.za
OR P.O. BOX 680, DURBAN, 4001

Alternatively by post for the attention:
Project Executive: Development Planning
Mrs M. Allopi
eThekwini Municipality
166 K.E. Masinga Road, Durban, 4001
or P.O. BOX 680
DURBAN, 4000

Sibusiso Sithole
Municipal Manager

Mercury   31 . 1 . 2014

	ZONE: SPECIAL RESIDENTIAL 180	

SCHEME INTENTION: To provide, preserve, use land or buildings for:
- Single residential use in a form of a dwelling house and ancillary uses, and caters for multiple unit development and various building typologies.
- Protection of the quality and character of residential neighbourhood and the well-being of its residents.
- Limiting multiple uses of buildings to minimize adverse impact on the residential environment.
- Business that comply with residential amenity such as a Bed and Breakfast Establishment, Guest House Establishment and Home Business at the discretion of the eThekwini Municipality (see Section 1.14 - Exemptions).

MAP COLOUR REFERENCE: Yellow   **MAP REFERENCE:**

PRIMARY	PRECLUDED		
• Dwelling House • Multiple Unit Development	• Action Sports Bar • Adult Premises • Agricultural Activity • Airport • Arts and Crafts Workshop • Beach Amenity Facility • Betting Depot • Builder's Yard • Car Wash • Cemetery / Crematorium • Chalet Development • Container Depot • Conference Facility • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Fuelling and Service Station • Funeral Parlour • Garden Nursery	• Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry - General • Industry - Light • Industry - Noxious • Landfill • Launderette • Laundry • Market • Massage Parlour • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve	• Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Restricted Building • Riding Stables • Scrap Yard • Shelter • Shop • Sport and Recreation • Transport Depot • Truck Stop • Utility Facility • Veterinary Clinic • Warehouse • Workhouse • Zoological Garden

SPECIAL CONSENT
- Agriculture Land
- Base Telecommunications Transmission Station
- Boarding House
- Crèche
- *Health & Beauty Clinic
- Educational Establishment
- *Institution
- Place of Public Worship
- *Retirement Centre
- Social Hall
- Special Building
- Uses authorised in terms of Sub-section s (1.13.3 – 1.13.8)
- Any other use authorised in terms of Section 9.4 (Important Buildings and Objects)

ADDITIONAL CONTROLS – LAND USE

1. *Health and Beauty Clinic:
The principles of Home Business shall apply to the development of a Health and Beauty Clinic.

2. *Institution:
The minimum ERF size for an Institution shall be 900m².

3. *Place of Public Worship:
The minimum Erf size for a Place of Worship shall be 900m².

4. *Retirement Centre:
The number of dwelling units for a retirement centre shall be determined by dividing the site area by the minimum Erf size, the resultant quotient being taken to the nearest unit or, if there is a fraction of one-half the next highest unit; provided where rooms are provided, the principles applied to a boarding house shall apply; provided further that should the Municipality resolve to restrict the maximum number of dwelling units permissible on a site, then such restriction shall be indicated upon the map in relation to that site.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE(m²)	HEIGHT	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	ground floor	1.0m	One dwelling unit for every 180m² of net site are with the resultant quotient being taken to the nearest unit or if there is a fraction of one half, the next highest. 75 Du/ha, If the resulting fraction is 0.5 or greater, than the no. of units may be	180	2	60%	N/A
SIDE AND REAR SPACE	ground floor	1.0m					
	2nd – 3rd Storey	1.7m					
	Side Space for Semi-detached houses	0m & 1.7m					

Appendix: 6E

M I L E

MUNICIPAL INSTITUTE OF LEARNING

INVITATION

BROWN BAG SESSION

Bridging Divides in Land Use Planning Knowledge and Practice in South African Cities - Post 1994: The Context of eThekwini Municipality

Soobs Moonsammy is registered for a PhD in Town and Regional Planning at the University of Pretoria. Her research study explores the traditionally defined knowledge approaches to land use planning and its role in practice. The research focuses on the philosophical, ideological, interests, agendas, relationships, power, conflicts and compromises embedded in the development and redevelopment of land use planning and knowledge. Land use planning and knowledge as defined in the research study includes legislation, spatial planning and town planning schemes as well as the unwritten and the culture of planning institutions and the ideological systems that impact on the (re)development of such knowledge.

The objective of the research study is to understand what land use planning knowledge is in operation and how important it is in practice and the inherent problems of applying such knowledge. The research confirms land use planning knowledge as important for municipalities because of its legal status, even though it remains narrowly conceived. The research also delves into the perceptions from the general public of what land use planning knowledge and practice should be. The final contribution of the research is to establish an emerging epistemological framework for land use planning knowledge for action.

MILE would like to invite municipal planning practitioners to participate in the Brown Bag Session to discuss some of the findings of the research study. However, the focus for this interactive session will be predominantly on what emerged from the public experiences and expectations regarding land use planning knowledge for action. The intention of this session is also to give practitioners a chance to engage with and articulate what this means for land use knowledge for the future, as one of many alternatives that may shift planning practice to respond to the realities of the city.

DATE	:	01 September 2015
TIME	:	13h00-15h30
VENUE	:	KwaMuhle Museum, Lecture Room
CONTACT	:	Janice Moodley via email: janice.moodley@durban.gov.za

Kindly accept or decline appointment.

N.B. Tea, Coffee and Biscuits will be provided

Appendix: 6F (removed)

Appendix: 6G

Note: MUNICIPAL PLANNING TRIBUNAL REPORT PRO FORMA 2015 FINAL (retained in track changes to indicate superficial changes made, in moving from the PDA to SPLUMA)

New Format of Reports to Accommodate SPLUMA and MPT

ETHEKWINI MUNICIPALITY
DEVELOPMENT, PLANNING, ENVIRONMENT & MANAGEMENT
LAND USE MANAGEMENT BRANCH

.... REGIONAL OFFICE

 DATE:

File Ref No.   REZ/SUB/CON/COM……/…../20……../IW.

REPORT TO MUNICIPAL PLANNING TRIBUNAL

COMBINED APPLICATION IN TERMS OF THE KWAZULU-NATAL PLANNING AND DEVELOPMENT ACT NO 6 OF 2008 FOR:

1. **IN TERMS OF CHAPTER 2 OF THE KWAZULU-NATAL PLANNING AND THE DEVELOPMENT ACT NO. 6 OF 2008 FOR THE AMENDMENT OF THE THE……………SCHEME BY REZONING OF PORTION 3 OF ERF 1607 RESERVOIR HILLS (EXT 5), 5 WHITTAKER AVENUE FROM INSTITUTIONAL 3 TO PLACE OF WORSHIP**

2. **IN TERMS OF CHAPTER 2 OF THE KWAZULU-NATAL PLANNING AND THE DEVELOPMENT ACT NO. 6 OF 2008 FOR THE AMENDMENT OF THE WESTVILLE SCHEME NO. 2: (RESERVOIR HILLS) AMENDMENT OF APPENDIX 1 BY INCLUDING A SOCIAL HALL AS A FREE ENTRY USE IN A PLACE OF WORSHIP ZONE**

3. **IN TERMS OF CHAPTER 3 OF THE KWAZULU-NATAL PLANNING AND THE DEVELOPMENT ACT NO. 6 OF 2008 FOR THE**

---

19 | P a g e

SUBDVISION/CONSOLIDATION OF ……………………………………., 5 WHITTAKER AVENUE

4. **IN TERMS OF CHAPTER 4/5/6 OF THE KWAZULU-NATAL PLANNING AND THE DEVELOPMENT ACT NO. 6 OF 2008………………………………………………………….**

OR (SINGLE APPLICATIONS)

APPLICATION IN TERMS OF CHAPTER 2 OF THE KWAZULU-NATAL PLANNING AND THE DEVELOPMENT ACT NO. 6 OF 2008 FOR THE AMENDMENT OF THE THE……………SCHEME BY REZONING OF PORTION 3 OF ERF 1607 RESERVOIR HILLS (EXT 5), 5 WHITTAKER AVENUE FROM INSTITUTIONAL 3 TO PLACE OF WORSHIP

OR

IN TERMS OF CHAPTER 3 OF THE KWAZULU-NATAL PLANNING AND THE DEVELOPMENT ACT NO. 6 OF 2008 FOR THE SUBDVISION/CONSOLIDATION OF ……………………………………, 5 WHITTAKER AVENUE

OR

IN TERMS OF CHAPTER 4/5/6 OF THE KWAZULU-NATAL PLANNING AND THE DEVELOPMENT ACT NO. 6 OF 2008………………………………………………………….

EXECUTIVE SUMMARY

Application has been submitted by Sivest, on behalf of the registered owners of Portion 3 Of Erf 1607 Reservoir Hills Extension 5, located at 5 Whittaker Avenue, for the rezoning of the subject site from Institutional 3 to Place of Worship and to amend the scheme by including a Social Hall as a free entry use in a Place of Worship Zone. The application was duly advertised no written comments were received.

After consideration of the application in terms of the relevant and applicable development planning legislation, a recommendation has been made by the Land Use Management Branch to approve the rezoning and the amendment to the scheme.

_____

1. **Decision Required**

This is the single and only decision required in terms of Section 13 (or Section 26/43 or

other relevant section of PDA depending on type of application) of the Kwazulu-Natal Planning and Development Act, 2008 (Act 6 of 2008) read in conjunction with Section 42 and 43 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

2.   **Location**:

Portion 3 Of Erf 1607 Reservoir Hills Extension 5 (hereafter referred to as the "subject site") is located on the corner of Mountbatten Drive and Whittaker Avenue access to the site is only from Whittaker Avenue. The sites to the east of the site are zoned Government and Municipal and Crèche. All the other surrounding sites are zoned Special Residential 650.

Locality Plan, Aerial Map and Zoning Scheme extract <u>attached</u> at **Annexure A**

3.   **Application Details**:

Application has been submitted by Sivest, on behalf of the registered owner Trustees of the Shree Surat Arya Bhajan Mundal of the subject site located at 5 Whittaker Avenue, for the rezoning of the subject site from Institutional 3 to Place of Worship and to amend the scheme by including a Social Hall as a free entry use in a Place of Worship Zone in order to allow for extensions on the site without further Special Consent applications, but merely building plan submissions.

4.   **Deed of Transfer**

The applicable Deed of Transfer for Erf…….. Westville is T XXXX/XX. There are no conditions in the Deed of Transfer that impact on the applied for development of the subject site.

Or

The following Conditions of Title will need to be altered/ suspended or removed <u>prior </u>to the submission of building plans for the development:

Condition A 1……………………………….

…………………………………………..

5.   Applicant's Motivation:

 The applicant's motivation can be briefly summarised as follows (IN YOUR OWN WORDS):

5.1   Places of Worship in the modern context do not just serve as a place of prayer meetings. Such places cater for a broad band of uses including facilities which cater (inter alia) for prayer meetings, weddings, funerals, community functions, community services, counselling centre, social services, meeting facilities etc. The role that a place of worship takes in the modern era is therefore not limited to a Church, Mosque, Synagogue, Temple etc.

5.2   From a land use compatibility perspective, community centres/halls etc., are considered compatible land uses with places of worship.

5.3   The proposed scheme amendment will benefit the community at large and given the most religious organisations are non-profit organisations, the additional costs and issues surrounding the need for additional special consent applications are adverse.

5.4   It is clearly evident that the existing zone is wrong. An Institutional 3 zone allows an Institution by free entry only. An institution by definition means a building used or designed for use as a charitable institute including the administration thereof, and a building designed for use as a hospital, nursing home, sanatorium or clinic with certain exclusions.

5.5   The rezoning is necessary to bring the approved land use scheme and its present and proposed future amendments into a zone that can address its requirements appropriately without the burden and need for further planning authorisations..

5.6   A Traffic Impact Study indicated that the existing road network would suffice for the handling of the additional traffic loads.

5.7   The proposal is an approved and built premises and the rezoning is not seeking additional rights or benefits, rather a basis to move forward with certainty.

A copy of the Applicant's application and supporting documentation is <u>attached</u> at **Annexure B**

6.   <u>Public Notice</u>

The application was advertised in the Mercury on 27 July 2012 and in the Ilanga on the ……………2012. The closing date for written comments was 27 August 2012.

No written comments were received/ ……numbers of written comments were received within the public notification period.

Copies of the advertisements placed are <u>attached</u> at **Annexure C**

7.   <u>Written Comments Received</u>

(A summary of the comments received and issues raised)

Copies of the written comments received are <u>attached</u> at **Annexure D**

8.   <u>Applicants response to the Written Comment</u>

The applicant was advised of the written comments received on the ……..2015. A response to the written comments was received from the applicant and can be summarised as follows……………….

A full copy of the Applicants response is <u>attached</u> at **Annexure E**

9. <u>**Departmental Comments**</u> :(use the exact words of the commenting department)

The application was submitted to the following internal municipal departments (and/or external departments) for comment:

9.1 <u>eThekwini Transport Authority</u>: Application acceptable as per the submitted Traffic Impact Statement.

9.2 <u>Stormwater:</u> In order, subject to a Stormwater Management Plan from a Professional Engineer submitted with the building plans.

9.3 <u>Metro Waste Water</u>: In order.

Copies of the departmental comments received are <u>attached</u> at **Annexure F**

10. <u>**Development Planning**</u>:

(The part of the report needs to include: any comments from Strategic Spatial Planning, a planning response and evaluation of any written comments, our professional evaluation of the application referring to Section 12 of the PDA and SPLUMA development objectives

The applicant's motivation cannot be used word for word and you must give an <u>independent</u> evaluation of the application.)

10.1   Site Information, existing development and purpose of the application:

The subject site measures 5 622m^2 and is an approved and built premises. The building consist two floors of Community Centre Facilities and three levels of parking below. The proposed rezoning is to bring the zoning in line with the existing buildings on site.

The subject site is surrounded by Special Residential 650 zones to the North, south and west and to the south is a Post Office and undeveloped Crèche site to the south east of the site.

………………………

10.2   Developments controls existing and proposed:

The table below is an extract from …..Scheme indicating the ………………………….

	Existing	Proposed
Zoning	Institutional 3	Place of Worship
F.A.R	Lesser of surrounding area	To satisfaction Council
Coverage (%)	Lesser of surrounding area	To satisfaction Council
Height (Storeys)	Lesser of surrounding area	To satisfaction Council
Primary Uses	…… …… …….	……… ……… ………
Consent Uses	……. …… ……	……… ……… ………
Prohibited uses		

10.3   Evaluation of the application:

10.3.1   The merits of the proposed rezoning application have been assessed in terms of the provisions of Chapter 2, Section 12 of the KwaZulu-Natal Planning and Development Act No. 6 of 2008 and the following can be noted:

i.   The application has been correctly lodged in terms of Item 1(2) of Schedule 1 of the KwaZulu-Natal Planning and Development Act No. 6 of 2008 (as amended).

ii.   The application was correctly advertised and interested and affected parties were

notified of the application.

iii. The registered planner's written evaluation and recommendation on this application supports the proposed rezoning and a certificate of compliance has been issued in this regard.

iv. There are no environmental, socio-economic or cultural heritage issues that impact on the proposed rezoning.

v. The impact of the rezoning on the existing area is a desirable one as it will permit the development of quality residential accommodation within an established well serviced suburb and with minimal impact.

vi. The Traffic Impact Statement concludes that the proposed units will have minimal traffic impacts on the surrounding road network. Based on this conclusion it is therefore safe to conclude that the wider transportation networks will experience negligible impact.

vii. The application site exists within an established well serviced area of the Municipality with high levels of infrastructure.

viii. The application site has no environmental significance and does not fall within the Municipality's DMOSS area and neither does the site present any unique or natural features to trigger any environmental assessment in terms of the NEMA regulations.

ix. Westville is a residential suburb that is associated with higher income groups and low densities. It is a very well serviced area and can easily accommodate these additional units.

x. The required registered planners written evaluation, recommendation and certificate in terms of Section 11 of the KwaZulu-Natal Planning and Development Act 6 of 2008 have been obtained and are <u>attached</u> at **Annexure G**

10.3.2 The merits of the proposed rezoning have also been assessed in terms of the provisions of Chapter 2: Development Principles and Norms and Standards as contained in the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) in the following ways ………………. (The principles in SPLUMA are

i. The principle of Spatial Justice
ii. The principle of spatial sustainability
iii. The principle of efficiency
iv. The principle of spatial resilience
v. The principle of good administration)

Evaluate your application with a brief statement around the above)

10.3.3 Further to the above and as additional planning evaluation the following is submitted:

i.   The densification of this site contributes to increased residential opportunities within a sought after area.

ii.   The proposed development will also provide employment opportunities within the various sectors of the construction industry and later on in the maintenance and security sectors.

iii. The site is located in an area where water, roads, sanitation and electricity infrastructure are well established and this proposal conforms to the efficient utilisation of these existing services.

iv.   This development proposal offsets the effects of urban sprawl as it is proposed within an established residential area which is ripe for densification.

v.   There are no environmental triggers to consider in this application.

xi   In terms of the City's Integrated Development Plan (IDP), the vision for our municipality is that "by 2020, eThekwini Municipality will be Africa's most caring and livable city." ……………………..

10.3.4 Strategic Spatial Planning Branch have supported this application………………… In terms of the IDP/SDF/SDP/LAP…. (refer and discuss the various plans/elements pertinent to your application and provide extract as Annexures of necessary.)

10.3.5 Environmental Planning and Climate protection Department have not noted any concerns ……………………………………………………………

10.3.6 After due consideration of the proposed rezoning, the application is supported for the following reasons:

- Planning merits for the rezoning of the site has been adequately demonstrated – explain briefly;

- The application is in keeping with the strategic intentions of eThekwini and, addresses the requirements of the IDP, SDF, SDP, PDA and general town planning principles – explain and do not use this list as standard;

- The proposal is in line with the Municipality's policies such as densification and a suitable mix of residential developments – explain briefly how this is so;

- The urban form proposed is consistent with the provisions of the Inner West Scheme – explain briefly how this is true;

- The proposed zone would not have a negative impact or create any loss of amenity to the surrounding residential neighbourhood - this needs careful explanation as every planning approval does have some impact – but explain how in this context the impact does not destroy amenity or can be mitigated;

In the light of the aforegoing comments it is considered that the proposed rezoning is necessary and desirable and accordingly approval thereof is recommended.

Report Prepared By:

Snr/Prof Planner/Snr/Tech Planner

Name:….

Registration No……..

Critical Time Frames

PROCESS	DATE
Submission	
Circulated to Municipal Departments	
Deemed Complete	
Ilanga/Isolezwe Ad	4 july

Mercury Ad	
Objection expiry	4 aug
Number of Comments received	
Date Applicant was notified of comments	n/a
Date Applicant responded (not more than 21 days allowed)	n/a
Date to JAC	
60 day PDA Compliance Period	
90 day PDA Compliance (extended period)	

(IF THERE IS A DELAY IN THE TIMELINES ABOVE PROVIDE AN EXPLANATION IN THE TABLE)

RECOMMENDATION:

That in terms of Chapter 2, Section 13(1)(a) *(or 13(1)(b) if recommending refusal)* of the KwaZulu-Natal Planning & Development Act, 2008 (Act 6 of 2008), read in conjunction with Section 42(3) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) the amendment to the …………………………………. Scheme by the Rezoning of Erf …………………………………. situated at ……………………….. (street address) from ………………………………………….. to …………………………………..…………… is **APPROVED** (…. *if there are conditions: subject to the following conditions imposed in terms of Section 43 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013):*

- ………………………………………………………………………………………………..
- ………………………………………………………………………………………………..
- ……………
- ……………

The following reasons were considered for approving the application:

- . ………………………………………………………………………………………………………
- ………………………………………………………………………………………………………..

(IF A COMBINED APPLICATION ALL THE RECOMMENDATIONS FOR THE DIFFERENT CHAPTERS MUST BE LISTED SEPARATELY)

E PARKER   **C NORTON**
REGIONAL CO-ORDINATOR: **MANAGER: LAND   USE MANAGEMENT**

CENTRAL SOUTH

Pr. Plan   **Pr. Plan**
<u>**Registration No. A/**</u>   **Registration No: A/746/1993**

(Report signed in accordance with Section 11(a) (or revlevant sections) of the PDA

DATE:..................................   **DATE:..................................**

11.   List of Attachments

11.1	Locality Plan, Aerial Map and Zoning Scheme extract:	Annexure A
11.2	Applicant's application and supporting documentation:	Annexure B
11.3	Copies of Advertisements:	Annexure C
11.4	Written comments received:	Annexure D
11.5	Applicants response to written comments:	Annexure E
11.6	Departmental comments received :	Annexure F
11.7	Registered planners certificate in terms of Section 11 of the KwaZulu-Natal Planning and Development Act 6 of 2008: (or other relevant Sections) Annexure G	

Appendices 6.4

Appendix: 6.4.1 – 6.4.6 Cross Tabs

Research Sub-question Three: Chapter Eight

Appendices 6.4.1 (a-h) Race Related Analysis

Appendix 6.4.1 (a) Historical racial profile of participants*   Location of interview in Percentages

| | | | Column: Location of interview | | | | | | |
			Chatsworth	Kwamashu	Phoenix	Umlazi	Umhlanga	Pinetown	Total
Row : Historical racial profile of participants	African	% within location of interview	17.2%	100.0%	25.0%	100.0%	25.0%	64.3%	54.8%
	Indian	% within location of interview	82.8%	0.0%	71.4%	0.0%	32.1%	17.9%	34.5%
	White	% within location of interview	0.0%	0.0%	0.0%	0.0%	39.3%	10.7%	8.3%
	Coloured	% within location of interview	0.0%	0.0%	3.6%	0.0%	0.0%	7.1%	1.8%
	Other	% within location of interview	0.0%	0.0%	0.0%	0.0%	3.6%	0.0%	0.6%
Total		% within location of interview	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Appendix 6.4.1 (b) Historical racial profile of participants * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: residential typologies - houses/flats/duplexes in Percentages

			Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: residential typologies- houses/flats/duplexes				
			Very easy	Easy	Difficult	Very difficult	Total
Row: Historical racial profile of participants	African	% within historical racial profile of participants	18.5%	38.0%	33.7%	9.8%	100.0%
	Indian	% within historical racial profile of participants	27.6%	46.6%	22.4%	3.4%	100.0%
	White	% within historical racial profile of participants	14.3%	57.1%	28.6%	0.0%	100.0%
	Coloured	% within historical racial profile of participants	0.0%	33.3%	33.3%	33.3%	100.0%
	Other	% within historical racial profile of participants	0.0%	100.0%	0.0%	0.0%	100.0%
Total		% within historical racial profile of participants	20.8%	42.9%	29.2%	7.1%	100.0%

Appendix 6.4.1 (c) Historical racial profile of participants * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: educational uses in Percentages

			Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: educational uses			Total
			Very easy	Easy	Difficult	
Row: Historical racial profile of participants	African	% of historical racial profile of participants	60.9%	33.7%	5.4%	100.0%
	Indian	% of historical racial profile of participants	37.9%	56.9%	5.2%	100.0%
	White	% of historical racial profile of participants	21.4%	64.3%	14.3%	100.0%
	Coloured	% of historical racial profile of participants	66.7%	33.3%	0.0%	100.0%
	Other	% of historical racial profile of participants	0.0%	100.0%	0.0%	100.0%
Total		% of historical racial profile of participants	49.4%	44.6%	6.0%	100.0%

Appendix 6.4.1 (d) Historical racial profile of participants * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: religious and cultural uses in Percentages

			Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: religious and cultural uses			Total
			Very easy	Easy	Difficult	
Row: Historical racial profile of participants	African	% of historical racial profile of participants	44.6%	44.6%	10.9%	100.0%
	Indian	% of historical racial profile of participants	27.6%	62.1%	10.3%	100.0%
	White	% of historical racial profile of participants	14.3%	57.1%	28.6%	100.0%
	Coloured	% of historical racial profile of participants	66.7%	33.3%	0.0%	100.0%
	Other	% of historical racial profile of participants	0.0%	100.0%	0.0%	100.0%
	Total	% of historical racial profile of participants	36.3%	51.8%	11.9%	100.0%

Appendix 6.4.1 (e) Historical racial profile of participants * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: community uses in Percentages

			Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: community uses				
			Very easy	Easy	Difficult	Very difficult	Total
Row: Historical racial profile of participants	African	% of historical racial profile of participants	51.1%	45.7%	2.2%	1.1%	100.0%
	Indian	% of historical racial profile of participants	27.6%	53.4%	19.0%	0.0%	100.0%
	White	% of historical racial profile of participants	7.1%	71.4%	21.4%	0.0%	100.0%
	Coloured	% of historical racial profile of participants	66.7%	33.3%	0.0%	0.0%	100.0%
	Other	% of historical racial profile of participants	0.0%	100.0%	0.0%	0.0%	100.0%
Total		% of historical racial profile of participants	39.3%	50.6%	9.5%	0.6%	100.0%

Appendix 6.4.1 (f) Historical racial profile of participants * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: shops and business uses in Percentages

			Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: shops and business uses				
			Very easy	Easy	Difficult	Very difficult	Total
Row: Historical racial profile of participants	African	% of historical racial profile of participants	50.0%	44.6%	5.4%	0.0%	100.0%
	Indian	% of historical racial profile of participants	27.6%	41.4%	25.9%	5.2%	100.0%
	White	% of historical racial profile of participants	14.3%	42.9%	42.9%	0.0%	100.0%
	Coloured	% of historical racial profile of participants	66.7%	33.3%	0.0%	0.0%	100.0%
	Other	% of historical racial profile of participants	0.0%	100.0%	0.0%	0.0%	100.0%
Total		% of historical racial profile of participants	39.3%	43.5%	15.5%	1.8%	100.0%

Appendix 6.4.1 (g) Historical racial profile of participants * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: office uses in Percentages

| | | | Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: office uses | | | | |
			Very easy	Easy	Difficult	Very difficult	Total
Row: Historical racial profile of participants	African	% of historical racial profile of participants	37.0%	33.7%	22.8%	6.5%	100.0%
	Indian	% of historical racial profile of participants	17.2%	39.7%	37.9%	5.2%	100.0%
	White	% of historical racial profile of participants	14.3%	28.6%	50.0%	7.1%	100.0%
	Coloured	% of historical racial profile of participants	33.3%	33.3%	33.3%	0.0%	100.0%
	Other	% of historical racial profile of participants	0.0%	100.0%	0.0%	0.0%	100.0%
Total		% of historical racial profile of participants	28.0%	35.7%	30.4%	6.0%	100.0%

Appendix 6.4.1 (h) Historical racial profile of participants * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: home businesses in Percentages

			Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: home businesses				Total
			Very easy	Easy	Difficult	Very difficult	Total
Row: Historical racial profile of participants	African	% of historical racial profile of participants	52.2%	31.5%	14.1%	2.2%	100.0%
	Indian	% of historical racial profile of participants	20.7%	48.3%	25.9%	5.2%	100.0%
	White	% of historical racial profile of participants	14.3%	35.7%	50.0%	0.0%	100.0%
	Coloured	% of historical racial profile of participants	33.3%	33.3%	0.0%	33.3%	100.0%
	Other	% of historical racial profile of participants	0.0%	0.0%	0.0%	100.0%	100.0%
Total		% of historical racial profile of participants	37.5%	37.5%	20.8%	4.2%	100.0%

Appendix 6.4.2 (a) Individual monthly average income of participants * Historical racial profile of participants in Percentages

			Column: Historical racial profile of participants					
			African	Indian	White	Coloured	Other	Total
Row: Individual monthly average income of participants	R1001 - R5000	%within historical racial profile of participants	57.6%	44.8%	14.3%	33.3%	0.0%	48.8%
	R5001-R10000	%within historical racial profile of participants	10.9%	3.4%	0.0%	0.0%	0.0%	7.1%
	R10001-R15000	%within historical racial profile of participants	4.3%	10.3%	21.4%	0.0%	0.0%	7.7%
	R15001-R20000	%within historical racial profile of participants	1.1%	1.7%	14.3%	33.3%	0.0%	3.0%
	R20001-R25000	%within historical racial profile of participants	2.2%	3.4%	14.3%	0.0%	0.0%	3.6%
	R25001-R30000	%within historical racial profile of participants	0.0%	1.7%	0.0%	0.0%	0.0%	0.6%
	>R30000	%within historical racial profile of participants	1.1%	6.9%	7.1%	0.0%	0.0%	3.6%
	R1 - R1000	%within historical racial profile of participants	13.0%	15.5%	0.0%	33.3%	0.0%	13.1%
	undisclosed	%within historical racial profile of participants	9.8%	12.1%	28.6%	0.0%	100.0%	12.5%
Total		%within historical racial profile of participants	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Appendix 6.4.2 (b) Location of Residence * Individual monthly average income of participants in Percentages

		Individual monthly average income of participants									Total
		R1001 - R5000	R5001- R10000	R10001- R15000	R15001- R20000	R20001- R25000	R25001- R30000	>R30000	R1 - R1000	undisclosed	
Location	Chatsworth	12	0	0	0	0	0	1	7	1	21
	KwaMashu; Ntuzuma; Inanda	23	2	0	1	1	0	0	3	2	32
	Phoenix	14	2	6	1	1	0	0	3	2	29
	Umlazi	16	2	2	0	0	0	0	5	2	27
	Umhlanga, Umdloti	1	0	1	1	3	0	2	0	4	12
	Pinetown, New Germany; Westville; Queensburgh	1	3	2	0	0	1	0	0	5	12
	Berea; Morningside; Glenwood; Durban North	1	0	1	0	1	0	0	0	1	4
	Rural	2	0	0	0	0	0	0	1	0	3
	Redhill, Greenwood Park, Parlock	2	0	0	0	0	0	0	0	0	2
	Outside EThekwini	0	0	0	0	0	0	1	0	0	1
	Toti	0	0	0	1	0	0	0	0	0	1
	Northdene; Marianhill; Marian ridge; Clermont; KwaDabeka	1	1	0	0	0	0	0	0	2	4
	Hammasdale; Welbedacht	7	1	0	1	0	0	0	3	1	13
	Verulam; Tongaat	0	0	1	0	0	0	0	0	0	1

		Individual monthly average income of participants									Total
		R1001 - R5000	R5001- R10000	R10001- R15000	R15001- R20000	R20001- R25000	R25001- R30000	>R30000	R1 - R1000	undisclosed	
	Asherville;Sydenham; Sherwood;Westwood	2	0	0	0	0	0	1	0	0	3
	Kloof; Hillcrest	0	0	0	0	0	0	1	0	1	2
	CBD	0	1	0	0	0	0	0	0	0	1
Total		82	12	13	5	6	1	6	22	21	168

Appendix 6.4.2 (c) Individual monthly average income of participants * Location of interview place in Percentages

		Column: Location of interview						Total
		Chatsworth	Kwamashu	Phoenix	Umlazi	Umhlanga	Pinetown	
Row: Individual monthly average income of participants	R1001 - R5000 % within Location	48.3%	78.6%	57.1%	59.3%	14.3%	35.7%	48.8%
	R5001-R10000 % within Location	6.9%	0.0%	7.1%	7.4%	0.0%	21.4%	7.1%
	R10001-R15000 % within Location	0.0%	0.0%	14.3%	7.4%	17.9%	7.1%	7.7%
	R15001-R20000 % within Location	0.0%	0.0%	0.0%	0.0%	14.3%	3.6%	3.0%
	R20001-R25000 % within Location	0.0%	3.6%	0.0%	0.0%	17.9%	0.0%	3.6%
	R25001-R30000 % within Location	0.0%	0.0%	0.0%	0.0%	0.0%	3.6%	0.6%
	>R30000 % within Location	6.9%	0.0%	0.0%	0.0%	7.1%	7.1%	3.6%
	R1 - R1000 % within Location	31.0%	10.7%	10.7%	18.5%	0.0%	7.1%	13.1%
	Undisclosed % within Location	6.9%	7.1%	10.7%	7.4%	28.6%	14.3%	12.5%
Total		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Appendices 6.4.3(a-h) Residential Geographic Analysis

Appendix 6.4.3 (a) Location * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods:

Residential typologies- houses/flats/duplexes in Percentages

			Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: residential typologies- houses/flats/duplexes						Total
			Very easy	Easy	V. Easy + Easy	Difficult	Very difficult	Difficult + V. Difficult	
Row: Location	Chatsworth	% within Location	14.3%	57.1%	**71.4%**	28.6%	0.0%	28.6%	100.0%
	KwaMashu; Ntuzuma; Inanda	% within Location	21.9%	28.1%	**50%**	31.3%	18.8%	50%	100.0%
	Phoenix	% within Location	31.0%	41.4%	**72.4%**	17.2%	10.3%	27.5	100.0%
	Umlazi	% within Location	22.2%	40.7%	62.9%	29.6%	7.4%	37%	100.0%
	Umhlanga, Umhloti	% within Location	0.0%	50.0%	50%	50.0%	0.0%	50%	100.0%
	Pinetown, New Germany; Westville; Queensburgh	% within Location	25.0%	66.7%	91,7%	8.3%	0.0%	8.3%	100.0%
	Berea; Morningside; Glenwood; Durban North	% within Location	0.0%	50.0%	50%	50.0%	0.0%	50%	100.0%
	Rural	% within Location	33.3%	33.3%	66.6%	0.0%	33.3%	33.3%	100.0%
	Red hill, Greenwood park, Parlock	% within Location % within Location	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%	100.0%
	outside eThekwini	% within Location	100.0%	0.0%	100.1%	0.0%	0.0%	0.0%	100.0%
	Toti	% within Location	100.0%	0.0%	100.0%	0.0%	0.0%	100.0%	100.0%
	Northdene; Marian hill;								

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| | | | Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: residential typologies- houses/flats/duplexes | | | | | Total |
		Very easy	Easy	V. Easy + Easy	Difficult	Very difficult	Difficult + V. Difficult	
Marian ridge; Clermont; Kwadabeka	% within Location	50.0%	25.0%	75.0%	25.0%	0.0%	25.0%	100.0%
Hammasdale; Welbedacht	% within Location	7.7%	38.5%	46.2%	53.8%	0.0%	53.8%	100.0%
Verulam; Tongaat	% within Location	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	100.0%
Asherville; Sydenham; Sherwood; Westwood	% within Location	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	100.0%
Kloof; Hillcrest	% within Location	50.0%	0.0%	50.0%	50.0%	0.0%	0.0%	100.0%
CBD	% within Location	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	100.0%
Total	% within Location	20.8%	42.9%	63.7%	29.2%	7.1%	36.3%	100.0%

Appendix 6.4.3 (b) Location * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: educational uses Cross tabulation

		Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: educational uses			Total
		Very easy	Easy	Difficult	
Row: Location	Chatsworth % within Location	19.0%	81.0%	0.0%	100.0%
	KwaMashu; Ntuzuma; Inanda % within Location	75.0%	21.9%	3.1%	100.0%
	Phoenix % within Location	62.1%	34.5%	3.4%	100.0%
	Umlazi % within Location	66.7%	33.3%	0.0%	100.0%
	Umhlanga, Umhloti % within Location	16.7%	66.7%	16.7%	100.0%
	Pinetown, New Germany; Westville; Queensburgh % within Location	41.7%	58.3%	0.0%	100.0%
	Berea; Morningside; Glenwood; Durban North % within Location	25.0%	50.0%	25.0%	100.0%
	Rural % within Location	0.0%	100.0%	0.0%	100.0%
	Red hill, Greenwood park, Parlock % within Location				
	Outside eThekwini % within Location	100.0%	0.0%	0.0%	100.0%
	Toti % within Location	100.0%	0.0%	0.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka % within Location	50.0%	50.0%	0.0%	100.0%
	Hammasdale; Welbedacht % within Location	38.5%	46.2%	15.4%	100.0%
	Verulam; Tongaat % within Location	0.0%	100.0%	0.0%	100.0%
	Asherville;Sydenham; Sherwood; Westwood % within Location	33.3%	33.3%	33.3%	100.0%
	Kloof; Hillcrest % within Location	0.0%	50.0%	50.0%	100.0%
	CBD % within Location	0.0%	100.0%	0.0%	100.0%
Total	% within Location	49.4%	44.6%	6.0%	100.0%

Appendix 6.4.3 (c) Location * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: religious and cultural uses Cross tabulation

| | | | Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: religious and cultural uses | | | |
			Very easy	Easy	Difficult	Total
Row: Location	Chatsworth	% within Location	14.3%	66.7%	19.0%	100.0%
	KwaMashu; Ntuzuma; Inanda	% within Location	59.4%	31.3%	9.4%	100.0%
	Phoenix	% within Location	44.8%	48.3%	6.9%	100.0%
	Umlazi	% within Location	55.6%	37.0%	7.4%	100.0%
	Umhlanga, Umhloti	% within Location	25.0%	50.0%	25.0%	100.0%
	Pinetown, New Germany; Westville; Queensburgh	% within Location	8.3%	83.3%	8.3%	100.0%
	Berea; Morningside; Glenwood; Durban North	% within Location	0.0%	50.0%	50.0%	100.0%
	Rural	% within Location	33.3%	66.7%	0.0%	100.0%
	Red hill, Greenwood park, Parlock	% within Location	0.0%	50.0%	50.0%	100.0%
	Outside eThekwini	% within Location	100.0%	0.0%	0.0%	100.0%
	Toti	% within Location	0.0%	100.0%	0.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka	% within Location	25.0%	75.0%	0.0%	100.0%
	Hammasdale; Welbedacht	% within Location	23.1%	61.5%	15.4%	100.0%
	Verulam; Tongaat	% within Location	0.0%	100.0%	0.0%	100.0%
	Asherville; Sydenham; Sherwood; Westwood	% within Location	33.3%	66.7%	0.0%	100.0%
	Kloof; Hillcrest	% within Location	0.0%	100.0%	0.0%	100.0%
	CBD	% within Location	0.0%	100.0%	0.0%	100.0%
Total		% within Location	36.3%	51.8%	11.9%	100.0%

Appendix 6.4.3 (d) Location * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: community uses Cross tabulation

		Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: community uses				Total
		Very easy	Easy	Difficult	Very difficult	
Row: Location	Chatsworth					
	% within Location	19.0%	61.9%	19.0%	0.0%	100.0%
	KwaMashu; Ntuzuma; Inanda					
	% within Location	71.9%	28.1%	0.0%	0.0%	100.0%
	Phoenix					
	% within Location	37.9%	51.7%	10.3%	0.0%	100.0%
	Umlazi					
	% within Location	51.9%	40.7%	3.7%	3.7%	100.0%
	Umhlanga, Umhloti					
	% within Location	16.7%	50.0%	33.3%	0.0%	100.0%
	Pinetown, New Germany; Westville; Queensburgh					
	% within Location	16.7%	83.3%	0.0%	0.0%	100.0%
	Berea; Morningside; Glenwood; Durban North					
	% within Location	25.0%	50.0%	25.0%	0.0%	100.0%
	Rural					
	% within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	Red hill, Greenwood park, Parlock					
	% within Location	0.0%	50.0%	50.0%	0.0%	100.0%
	Outside eThekwini					
	% within Location	0.0%	0.0%	100.0%	0.0%	100.0%
	Toti					
	% within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka					
	% within Location	50.0%	50.0%	0.0%	0.0%	100.0%
	Hammasdale; Welbedacht					
	% within Location	46.2%	46.2%	7.7%	0.0%	100.0%
	Verulam; Tongaat					
	% within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	Asherville;Sydenham; Sherwood;westwood					
	% within Location	33.3%	66.7%	0.0%	0.0%	100.0%
	Kloof; Hillcrest					
	% within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	CBD					
	% within Location	0.0%	100.0%	0.0%	0.0%	100.0%
Total	% within Location	39.3%	50.6%	9.5%	0.6%	100.0%

Appendix 6.4.3 (e) Location * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: shops and business uses Cross tabulation

| | | Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: shops and business uses | | | | |
		Very easy	Easy	Difficult	Very difficult	Total
Row: Location	Chatsworth % within Location	19.0%	61.9%	19.0%	0.0%	100.0%
	KwaMashu; Ntuzuma; Inanda % within Location	71.9%	28.1%	0.0%	0.0%	100.0%
	Phoenix % within Location	34.5%	37.9%	20.7%	6.9%	100.0%
	Umlazi % within Location	55.6%	44.4%	0.0%	0.0%	100.0%
	Umhlanga, Umhloti % within Location	25.0%	33.3%	41.7%	0.0%	100.0%
	Pinetown, New Germany; Westville; Queensburgh % within Location	8.3%	66.7%	16.7%	8.3%	100.0%
	Berea; Morningside; Glenwood; Durban North % within Location	25.0%	25.0%	50.0%	0.0%	100.0%
	Rural % within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	Red hill, Greenwood park, Parlock % within Location	0.0%	0.0%	100.0%	0.0%	100.0%
	Outside eThekwini % within Location	100.0%	0.0%	0.0%	0.0%	100.0%
	Toti % within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka % within Location	25.0%	50.0%	25.0%	0.0%	100.0%
	Hammasdale; Welbedacht % within Location	38.5%	53.8%	7.7%	0.0%	100.0%
	Verulam; Tongaat % within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	Asherville;Sydenham; Sherwood; Westwood % within Location	33.3%	0.0%	66.7%	0.0%	100.0%
	Kloof; Hillcrest % within Location	50.0%	0.0%	50.0%	0.0%	100.0%
	CBD % within Location	0.0%	100.0%	0.0%	0.0%	100.0%
Total	% within Location	39.3%	43.5%	15.5%	1.8%	100.0%

Appendix 6.4.3 (f) Location * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: office uses Cross tabulation

		Column Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: office uses						
		Very easy	Easy	V.Easy +Easy	Difficult	Very difficult	Difficult + V. Difficult	Total
Row: Location	Chatsworth % within Location	9.5%	52.4%	61.9%	38.1%	0.0%	38.1%	100.0%
	KwaMashu; Ntuzuma; Inanda % within Location	59.4%	28.1%	87.5%	9.4%	3.1%	12.5%	100.0%
	Phoenix % within Location	24.1%	37.9%	62%	27.6%	10.3%	37.9%	100.0%
	Umlazi % within Location	44.4%	22.2%	66.6	33.3%	0.0%	33.3	100.0%
	Umhlanga, Umhloti % within Location	8.3%	33.3%	41.6%	50.0%	8.3%	58.3%	100.0%
	Pinetown, New Germany; Westville; Queensburgh % within Location	0.0%	50.0%	50.0%	16.7%	33.3%	50%	100.0%
	Berea; Morningside; Glenwood; Durban North % within Location	0.0%	50.0%	50.0%	50.0%	0.0%	50.0%	100.0%
	Rural % within Location	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	100.0%
	Red hill, Greenwood park, Parlock % within Location	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%	100.0%
	Outside eThekwini % within Location	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
	Toti % within Location	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka % within Location	25.0%	25.0%	50%	50.0%	0.0%	50.0%	100.0%
	Hammasdale; Welbedacht % within Location	23.1%	46.2%	69.3%	30.8%	0.0%	30.8%	100.0%
	Verulam; Tongaat % within Location	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%	100.0%
	Asherville; Sydenham; Sherwood; Westwood % within Location	33.3%	0.0%	33.3%	66.7%	0.0%	66.7%	100.0%
	Kloof; Hillcrest % within Location	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%	100.0%
	CBD % within Location	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%
Total	% within Location	28.0%	35.7%	63.7%	30.4%	6.0%	36.4%	100.0%

Appendix 6.4.3 (g) Location * Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: Home businesses Cross tabulation

		Column: Perceptions regarding how easy or difficult it should be to allow a mix of uses in neighbourhoods: home businesses				
		Very easy	Easy	Difficult	Very difficult	Total
Row: Location	Chatsworth % within Location	14.3%	61.9%	23.8%	0.0%	100.0%
	KwaMashu; Ntuzuma; Inanda % within Location	59.4%	25.0%	15.6%	0.0%	100.0%
	Phoenix % within Location	31.0%	44.8%	13.8%	10.3%	100.0%
	Umlazi % within Location	77.8%	22.2%	0.0%	0.0%	100.0%
	Umhlanga, Umhloti % within Location	8.3%	41.7%	50.0%	0.0%	100.0%
	Pinetown, New Germany; Westville; Queensburgh % within Location	8.3%	33.3%	33.3%	25.0%	100.0%
	Berea; Morningside; Glenwood; Durban North % within Location	25.0%	25.0%	50.0%	0.0%	100.0%
	Rural % within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	Red hill, Greenwood park, Parlock % within Location	0.0%	0.0%	100.0%	0.0%	100.0%
	Outside eThekwini % within Location	100.0%	0.0%	0.0%	0.0%	100.0%
	Toti % within Location	0.0%	100.0%	0.0%	0.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka % within Location	50.0%	25.0%	25.0%	0.0%	100.0%
	Hammasdale; Welbedacht % within Location	30.8%	53.8%	7.7%	7.7%	100.0%
	Verulam; Tongaat % within Location	0.0%	0.0%	100.0%	0.0%	100.0%
	Asherville;Sydenham; Sherwood; Westwood % within Location	33.3%	0.0%	66.7%	0.0%	100.0%
	Kloof; Hillcrest % within Location	0.0%	50.0%	50.0%	0.0%	100.0%
	CBD % within Location	0.0%	0.0%	100.0%	0.0%	100.0%
Total	% within Location	37.5%	37.5%	20.8%	4.2%	100.0%

Appendix 6.4.3 (h) Residential Location of Respondents

	Frequency	Percent	Valid Percent	Cumulative Percent
Chatsworth	21	12.5	12.5	12.5
KwaMashu; Ntuzuma; Inanda	32	19.0	19.0	31.5
Phoenix	29	17.3	17.3	48.8
Umlazi	27	16.1	16.1	64.9
Umhlanga, Umhloti	12	7.1	7.1	72.0
Pinetown, New Germany; Westville; Queensburgh	12	7.1	7.1	79.2
Berea; Morningside; Glenwood; Durban North	4	2.4	2.4	81.5
Rural	3	1.8	1.8	83.3
Red hill, Greenwood park, Parlock	2	1.2	1.2	84.5
Outside eThekwini	1	.6	.6	85.1
Toti	1	.6	.6	85.7
Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka	4	2.4	2.4	88.1
Hammasdale; Welbedacht	13	7.7	7.7	95.8
Verulam; Tongaat	1	.6	.6	96.4
Asherville; Sydenham; Sherwood; Westwood	3	1.8	1.8	98.2
Kloof; Hillcrest	2	1.2	1.2	99.4
CBD	1	.6	.6	100.0
Total	168	100.0	100.0	

Appendices 6.4.4 Own Property Related Analysis and Perceptions on Integration

6.4.4 (a) Historical racial profile of participants * Perceptions regarding use of own residential property : residential plus offices Cross tabulation

		Column: Perceptions regarding use of own residential property : residential plus offices		Total
		Yes	No	
Row: Historical racial profile of participants	African			
	% within Historical racial profile of participants	48.9%	51.1%	100.0%
	Indian			
	% within Historical racial profile of participants	41.4%	58.6%	100.0%
	White			
	% within Historical racial profile of participants	50.0%	50.0%	100.0%
	Coloured			
	% within Historical racial profile of participants	33.3%	66.7%	100.0%
	Other			
	% within Historical racial profile of participants	0.0%	100.0%	100.0%
Total	% within Historical racial profile of participants	45.8%	54.2%	100.0%

Appendix 6.4.4 (b) Historical racial profile of participants * Perceptions regarding use of own residential property : residential plus shop Cross tabulation

		Column: Perceptions regarding use of own residential property : residential plus shop		Total
		Yes	No	
Row : Historical racial profile of participants	African			
	% within Historical racial profile of participants	71.7%	28.3%	100.0%
	Indian			
	% within Historical racial profile of participants	53.4%	46.6%	100.0%
	White			
	% within Historical racial profile of participants	21.4%	78.6%	100.0%
	Coloured			
	% within Historical racial profile of participants	33.3%	66.7%	100.0%
	Other			
	% within Historical racial profile of participants	0.0%	100.0%	100.0%
Total	% within Historical racial profile of participants	60.1%	39.9%	100.0%

Appendix 6.4.4 (c) Location * Perceptions to reflect diversity within neighbourhoods: Mix of race Cross tabulation

		Column: Perceptions to reflect diversity within neighbourhoods: Mix of race		Total
		Yes	No	
Row: Location	Chatsworth % within Location	81.0%	19.0%	100.0%
	KwaMashu; Ntuzuma; Inanda % within Location	65.6%	34.4%	100.0%
	Phoenix % within Location	82.8%	17.2%	100.0%
	Umlazi % within Location	85.2%	14.8%	100.0%
	Umhlanga, Umhloti % within Location	100.0%	0.0%	100.0%
	Pinetown, New Germany; Westville; Queensburgh % within Location	83.3%	16.7%	100.0%
	Berea; Morningside; Glenwood; Durban North % within Location	100.0%	0.0%	100.0%
	Rural % within Location	66.7%	33.3%	100.0%
	Red hill, Greenwood park, Parlock % within Location	50.0%	50.0%	100.0%
	Outside eThekwini % within Location	100.0%	0.0%	100.0%
	Toti % within Location	100.0%	0.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka % within Location	75.0%	25.0%	100.0%
	Hammasdale; Welbedacht % within Location	92.3%	7.7%	100.0%
	Verulam; Tongaat % within Location	100.0%	0.0%	100.0%
	Asherville; Sydenham; Sherwood; Westwood % within Location	100.0%	0.0%	100.0%
	Kloof; Hillcrest % within Location	100.0%	0.0%	100.0%
	CBD % within Location	100.0%	0.0%	100.0%
Total	% within Location	82.1%	17.9%	100.0%

Appendix 6.4.4 (d) Location * Perceptions to reflect diversity within neighbourhoods: Mix of income Cross tabulation

			Column: Perceptions to reflect diversity within neighbourhoods: Mix of income		Total
			Yes	No	
Row Location	Chatsworth	% within Location	81.0%	19.0%	100.0%
	KwaMashu; Ntuzuma; Inanda	% within Location	65.6%	34.4%	100.0%
	Phoenix	% within Location	86.2%	13.8%	100.0%
	Umlazi	% within Location	81.5%	18.5%	100.0%
	Umhlanga, Umhloti	% within Location	66.7%	33.3%	100.0%
	Pine town, New Germany; Westville; Queensburgh	% within Location	83.3%	16.7%	100.0%
	Berea; Morningside; Glenwood; Durban North	% within Location	50.0%	50.0%	100.0%
	Rural	% within Location	66.7%	33.3%	100.0%
	Red hill, Greenwood park, Parlock	% within Location	50.0%	50.0%	100.0%
	outside eThekwini	% within Location	100.0%	0.0%	100.0%
	Toti	% within Location	0.0%	100.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka	% within Location	75.0%	25.0%	100.0%
	Hammasdale; Welbedacht	% within Location	76.9%	23.1%	100.0%
	Verulam; Tongaat	% within Location	100.0%	0.0%	100.0%
	Asherville;Sydenham; Sherwood; Westwood	% within Location	66.7%	33.3%	100.0%
	Kloof; Hillcrest	% within Location	100.0%	0.0%	100.0%
	CBD	% within Location	100.0%	0.0%	100.0%
Total		% within Location	76.2%	23.8%	100.0%

Appendices 6.4.5 (a-f) Analysis of Levels and Type of Control for Land Use Planning (municipality and neighbours)

Appendix 6.4.5 (a) Location * Perceptions regarding level of control municipality should have on private property Cross tabulation

		Column: Perceptions regarding level of control municipality should have on private property			
		No control	Limited control	Strict control	Total
Row: Location	Chatsworth				
	% within Location	23.8%	47.6%	28.6%	100.0%
	KwaMashu; Ntuzuma; Inanda				
	% within Location	18.8%	65.6%	15.6%	100.0%
	Phoenix				
	% within Location	24.1%	55.2%	20.7%	100.0%
	Umlazi				
	% within Location	3.7%	88.9%	7.4%	100.0%
	Umhlanga, Umhloti				
	% within Location	8.3%	66.7%	25.0%	100.0%
	Pinetown, New Germany; Westville; Queensburgh				
	% within Location	25.0%	58.3%	16.7%	100.0%
	Berea; Morningside; Glenwood; Durban North				
	% within Location	0.0%	25.0%	75.0%	100.0%
	Rural				
	% within Location	66.7%	33.3%	0.0%	100.0%
	Red hill, Greenwood park, Parlock				
	% within Location	50.0%	50.0%	0.0%	100.0%
	outside eThekwini				
	% within Location	0.0%	100.0%	0.0%	100.0%
	Toti				
	% within Location	0.0%	100.0%	0.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka	% within Location	0.0%	50.0%	50.0%	100.0%
	Hammasdale; Welbedacht	Count	4	4	5	13
		% within Location	30.8%	30.8%	38.5%	100.0%
	Verulam; Tongaat				
	% within Location	0.0%	100.0%	0.0%	100.0%
	Asherville; Sydenham; Sherwood;Westwood				
	% within Location	0.0%	33.3%	66.7%	100.0%
	Kloof; Hillcrest				
	% within Location	0.0%	50.0%	50.0%	100.0%
	CBD				
	% within Location	100.0%	0.0%	0.0%	100.0%
Total					
	% within Location	18.5%	59.5%	22.0%	100.0%

Appendix 6.4.5.(b) Location * Perceptions regarding what role neighbours should have on how your property is developed and used Cross tabulation

| | | Column: Perceptions regarding what role neighbours should have on how your property is developed and used | | | |
		No role	Limited role	Important role	Total
Row: Location	Chatsworth				
	% within Location	19.0%	52.4%	28.6%	100.0%
	KwaMashu; Ntuzuma; Inanda				
	% within Location	31.3%	28.1%	40.6%	100.0%
	Phoenix				
	% within Location	48.3%	37.9%	13.8%	100.0%
	Umlazi — Count	6	17	4	27
	% within Location	22.2%	63.0%	14.8%	100.0%
	Umhlanga, Umhloti				
	% within Location	33.3%	50.0%	16.7%	100.0%
	Pinetown, New Germany; Westville; Queensburgh				
	% within Location	41.7%	50.0%	8.3%	100.0%
	Berea; Morningside; Glenwood; Durban North				
	% within Location	25.0%	25.0%	50.0%	100.0%
	Rural				
	% within Location	33.3%	66.7%	0.0%	100.0%
	Red hill, Greenwood park, Parlock				
	% within Location	50.0%	0.0%	50.0%	100.0%
	outside eThekwini				
	% within Location	0.0%	100.0%	0.0%	100.0%
	Toti				
	% within Location	0.0%	0.0%	100.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka				
	% within Location	25.0%	75.0%	0.0%	100.0%
	Hammasdale; Welbedacht				
	% within Location	46.2%	46.2%	7.7%	100.0%
	Verulam; Tongaat				
	% within Location	100.0%	0.0%	0.0%	100.0%
	Asherville;Sydenham; Sherwood; Westwood				
	% within Location	0.0%	66.7%	33.3%	100.0%
	Kloof; Hillcrest — Count	0	2	0	2
	% within Location	0.0%	100.0%	0.0%	100.0%
	CBD				
	% within Location	100.0%	0.0%	0.0%	100.0%
Total					
	% within Location	32.7%	45.8%	21.4%	100.0%

Appendix 6.4.5 (c) Historical racial profile of participants * Perceptions regarding level of control municipality should have on private property Cross tabulation

| | | | Column: Perceptions regarding level of control municipality should have on private property | | | Total |
			No control	Limited control	Strict control	
Row: Historical racial profile of participants	African	% within Historical racial profile of participants	19.6%	67.4%	13.0%	100.0%
	Indian	% within Historical racial profile of participants	20.7%	50.0%	29.3%	100.0%
	White	% within Historical racial profile of participants	7.1%	57.1%	35.7%	100.0%
	Coloured	% within Historical racial profile of participants	0.0%	33.3%	66.7%	100.0%
	Other	% within Historical racial profile of participants	0.0%	0.0%	100.0%	100.0%
Total		% within Historical racial profile of participants	18.5%	59.5%	22.0%	100.0%

Appendix 6.4.5 (d) Historical racial profile of participants * Perceptions regarding what role neighbours should have on how your property is developed and used Cross tabulation

| | | | Column: Perceptions regarding what role neighbours should have on how your property is developed and used | | | Total |
			No role	Limited role	Important role	Total
Row: Historical racial profile of participants	African	Count				
		% within Historical racial profile of participants	35.9%	44.6%	19.6%	100.0%
	Indian	Count				
		% within Historical racial profile of participants	29.3%	48.3%	22.4%	100.0%
	White	Count				
		% within Historical racial profile of participants	21.4%	50.0%	28.6%	100.0%
	Coloured	Count				
		% within Historical racial profile of participants	66.7%	0.0%	33.3%	100.0%
	Other	Count				
		% within Historical racial profile of participants	0.0%	100.0%	0.0%	100.0%
Total		Count				
		% within Historical racial profile of participants	32.7%	45.8%	21.4%	100.0%

Appendix 6.4.5 (e) Individual monthly average income of participants * Perceptions regarding level of control municipality should have on private property Cross tabulation

| | | | Column: Perceptions regarding level of control municipality should have on private property | | | |
			No control	Limited control	Strict control	Total
Row: Individual monthly average income of participants	R1001 - R5000		22.0%	57.3%	20.7%	100.0%
	R5001-R10000	% within Individual monthly average income of participants	25.0%	41.7%	33.3%	100.0%
	R10001-R15000	Count				
		% within Individual monthly average income of participants	0.0%	84.6%	15.4%	100.0%
	R15001-R20000	% within Individual monthly average income of participants	0.0%	60.0%	40.0%	100.0%
	R20001-R25000	% within Individual monthly average income of participants	16.7%	66.7%	16.7%	100.0%
	R25001-R30000	% within Individual monthly average income of participants	0.0%	0.0%	100.0%	100.0%
	>R30000	% within Individual monthly average income of participants	0.0%	50.0%	50.0%	100.0%
	R1 - R1000	% within Individual monthly average income of participants	13.6%	72.7%	13.6%	100.0%
	undisclosed		6	11	4	21
		% within Individual monthly average income of participants	28.6%	52.4%	19.0%	100.0%
Total		% within Individual monthly average income of participants	18.5%	59.5%	22.0%	100.0%

Appendix 6.4.5 (f) Individual monthly average income of participants * Perceptions regarding what role neighbours should have on how your property is developed and used Cross tabulation

			Column: Perceptions regarding what role neighbours should have on how your property is developed and used			
			No role	Limited role	Important role	Total
Row: Individual monthly average income of participants	R1001 - R5000					
		% within Individual monthly average income of participants	36.6%	39.0%	24.4%	100.0%
	R5001-R10000					
		% within Individual monthly average income of participants	50.0%	33.3%	16.7%	100.0%
	R10001-R15000					
		% within Individual monthly average income of participants	23.1%	61.5%	15.4%	100.0%
	R15001-R20000					
		% within Individual monthly average income of participants	40.0%	20.0%	40.0%	100.0%
	R20001-R25000					
		% within Individual monthly average income of participants	33.3%	66.7%	0.0%	100.0%
	R25001-R30000					
		% within Individual monthly average income of participants	100.0%	0.0%	0.0%	100.0%
	>R30000					
		% within Individual monthly average income of participants	33.3%	50.0%	16.7%	100.0%
	R1 - R1000					
		% within Individual monthly average income of participants	18.2%	54.5%	27.3%	100.0%
	undisclosed					
		% within Individual monthly average income of participants	23.8%	61.9%	14.3%	100.0%
Total						
		% within Individual monthly average income of participants	32.7%	45.8%	21.4%	100.0%

Appendix 6.4.6 (a-c) Analysis of Compliance and Non-Compliance

6.4.6 (a) Location * Perceptions regarding private property compliance and whether people will proceed without council approval Cross tabulation

| | | Column: Perceptions regarding private property compliance and whether people will proceed without council approval | | | |
		Yes	No	Maybe	Total
Row: Location	Chatsworth				
	% within Location	19.0%	81.0%	0.0%	100.0%
	KwaMashu; Ntuzuma; Inanda				
	% within Location	21.9%	78.1%	0.0%	100.0%
	Phoenix				
	% within Location	6.9%	89.7%	3.4%	100.0%
	Umlazi				
	% within Location	0.0%	100.0%	0.0%	100.0%
	Umhlanga, Umhloti				
	% within Location	8.3%	91.7%	0.0%	100.0%
	Pinetown, new Germany; Westville; Queensburgh				
	% within Location	8.3%	83.3%	8.3%	100.0%
	Berea; Morningside; Glenwood; Durban North				
	% within Location	0.0%	100.0%	0.0%	100.0%
	Rural				
	% within Location	0.0%	100.0%	0.0%	100.0%
	red hill, Greenwood park, Parlock				
	% within Location	0.0%	100.0%	0.0%	100.0%
	outside eThekwini				
	% within Location	0.0%	100.0%	0.0%	100.0%
	Toti				
	% within Location	0.0%	0.0%	100.0%	100.0%
	Northdene; Marian hill; Marian ridge; Clermont; Kwadabeka				
	% within Location	0.0%	100.0%	0.0%	100.0%
	Hammasdale; Welbedacht				
	% within Location	15.4%	84.6%	0.0%	100.0%
	Verulam; Tongaat				
	% within Location	0.0%	0.0%	100.0%	100.0%
	Asherville; Sydenham; Sherwood; Westwood				

	Column: Perceptions regarding private property compliance and whether people will proceed without council approval			
	Yes	No	Maybe	Total
% within Location	0.0%	100.0%	0.0%	100.0%
Kloof; hillcrest				
% within Location	0.0%	100.0%	0.0%	100.0%
CBD				
% within Location	0.0%	100.0%	0.0%	100.0%
Total				
% within Location	10.1%	87.5%	2.4%	100.0%

6.4.6 (b) Historical racial profile of participants * Perceptions regarding private property compliance and whether people will proceed without council approval Cross tabulation

| | | | Column: Perceptions regarding private property compliance and whether people will proceed without council approval | | | |
			Yes	No	Maybe	Total
Row: Historical racial profile of participants	African	% within Historical racial profile of participants	9.8%	90.2%	0.0%	100.0%
	Indian	% within Historical racial profile of participants	10.3%	84.5%	5.2%	100.0%
	White	% within Historical racial profile of participants	0.0%	92.9%	7.1%	100.0%
	Coloured	% within Historical racial profile of participants	33.3%	66.7%	0.0%	100.0%
	Other	% within Historical racial profile of participants	100.0%	0.0%	0.0%	100.0%
Total		% within Historical racial profile of participants	10.1% 100.0%	87.5% 100.0%	2.4% 100.0%	100.0% 100.0%

6.4.6 (c) Individual monthly average income of participants * Perceptions regarding private property compliance and whether people will proceed without council approval Cross tabulation

		Column: Perceptions regarding private property compliance and whether people will proceed without council approval			
		Yes	No	Maybe	Total
Row: Individual monthly average income of participants	R1001 - R5000				
	% within Individual monthly average income of participants	7.3%	92.7%	0.0%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	35.3%	51.7%	0.0%	48.8%
	R5001-R10000				
	% within Individual monthly average income of participants	8.3%	91.7%	0.0%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	5.9%	7.5%	0.0%	7.1%
	R10001-R15000				
	% within Individual monthly average income of participants	0.0%	84.6%	15.4%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	0.0%	7.5%	50.0%	7.7%
	R15001-R20000				
	% within Individual monthly average income of participants	20.0%	60.0%	20.0%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	5.9%	2.0%	25.0%	3.0%
	R20001-R25000				
	% within Individual monthly average income of participants	16.7%	83.3%	0.0%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	5.9%	3.4%	0.0%	3.6%
	R25001-R30000				
	% within Individual monthly average income of participants	0.0%	100.0%	0.0%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	0.0%	0.7%	0.0%	0.6%
	>R30000				
	% within Individual monthly average income of participants	33.3%	66.7%	0.0%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	11.8%	2.7%	0.0%	3.6%

		Column: Perceptions regarding private property compliance and whether people will proceed without council approval			
		Yes	No	Maybe	Total
R1 - R1000					
	% within Individual monthly average income of participants	13.6%	86.4%	0.0%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	17.6%	12.9%	0.0%	13.1%
undisclosed					
	% within Individual monthly average income of participants	14.3%	81.0%	4.8%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	17.6%	11.6%	25.0%	12.5%
Total					
	% within Individual monthly average income of participants	10.1%	87.5%	2.4%	100.0%
	% within Perceptions regarding private property compliance and whether people will proceed without council approval	100.0%	100.0%	100.0%	100.0%