FORMAL AND INFORMAL PRACTICES FOR AFFORDABLE URBAN HOUSING

Case study: Dar es Salaam, Tanzania

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LIST OF ABBREVIATIONS

AQRB  Architects and Quantity Surveyors Registration Board
CIP   Community Infrastructure Project
CPD   Continued Professional Development
CRB   Contractors Registration Board
DCC   Dar es Salaam City Commission
DMC   Dar es Salaam Municipal Councils
EPM   Environmental Program Management
ERB   Engineers Registration Board
GSS   Global Strategy for Shelter
HNCDA Han Nassif Community Development Association
IET   Institute of Engineers Tanzania
iied  International Institute for environment and development
LGRP  Local Government Reform Programme
MDGs  Millennium Development Goals
MLHHSD Ministry of Lands, Housing and Human Settlements Development
NBHP  National Board of Housing and Planning
NCC   National Construction Council
NGO   Non Governmental Organization
NH&BRA National Housing and Building Research Agency
NHC   National Housing Corporation
RALG  Regional Administration and Local Government
SCP   Sustainable Cities Project
SDP   Sustainable Dar es Salaam Project
THB   Tanzania Housing Bank
UCLAS University College of Lands and Architectural Studies
UDSM  University of Dar es Salaam
URT   United Republic of Tanzania
WAT   Women Advancement Trust (now changed name to Human Settlements Trust)
WEO   Ward Executive Officers
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ABSTRACT

This thesis attempts to ascertain the magnitude of the urban housing problem in Tanzania and endeavours to evaluate the strategies that the government has been employing to address this problem. Informal and formal practices in urban housing are compared. The role of networks and power relations are explored and discussed in relation to how they may facilitate the provision of urban housing. By looking at urban housing from a governance perspective, the thesis explores the potentials for delivery of urban housing.

A case study is carried out, looking at the housing practices in urban areas from the perspective of actors and their institutional domains of action. The aim is to ascertain the extent to which the government, through its policies and through engagement of other actors, could facilitate the supply of urban housing. The roles of different actors in the delivery and regulation of urban housing are investigated in the process of institutionalizing housing production.

The study comprises eight chapters. The first two chapters present an introduction and the conceptual and theoretical underpinnings on which the research is based. Chapter three discusses housing strategies in Tanzania and attempts to evaluate the regulatory framework within which urban housing is provided. Chapter four presents the research methodology. Chapter five discusses findings from the studied documents and findings from interviews with key persons in the government and in the construction industry. Chapter six presents findings from the case study areas. Chapter seven discusses findings from case study areas and uses findings from chapter five as corroborating evidence. Chapter eight gives recommendations including areas for further research.

The main outcome of the study is that urban housing is still far from being satisfactory despite different strategies and land and governance reforms by the government of Tanzania. The formal system is weak and the roles of key public actors are still bureaucratic, blurred and sometimes conflicting. As a result, there is little participation of private actors and the civil society in the production of urban housing. The thesis has found out that informal practices for urban housing tend to complement the weakening capacity of the formal system. However, the thesis argues that although the informal system of governance for urban housing is consolidating it proceeds without being properly guided. Based on these findings, some recommendations are given for policy intervention, and some areas for further/future research are identified.

Keywords
Affordable urban housing, Governance, Low-income, Informality, Tanzania.
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God bless.
Chapter One: Introduction

“If the purpose of giving people better housing is to make them better people, then why select those who were already more virtuous as the prime targets for the aid?”
(Hays, 2002, p.372)

1.1 Problem Setting

Housing problems in the world continue to draw much attention of the international community. Rich countries as well as poor countries have been experiencing housing problems at varying degrees. Many authors hold similar views on hardships faced by low-income people in obtaining affordable formal housing in urban areas (Turner, 1972; Payne, 1977; Hays, 2002; Bramley, 2002; Laiton, 2002; Habitat, 2004 and others). Reasons given for the worsening housing situation for developing countries include rapid population growth, looming poverty and poor governance (Tannerfeldt & Ljung, 2006, p.84-95). According to Habitat (2003, p.5) urbanization trend in the developing world had reached levels in the order of 35% of its total population in the 1990s and were projected to reach about 57% by the year 2025. One billion people currently live in urban slums and this figure is projected to rise to more than 1.4 billion by the year 2020 (Tannerfeldt & Ljung, 2006, p.14). The rate at which housing is made available simply cannot keep pace with such growth trends, and the more that urban areas experience population influx the greater the housing crisis becomes, resulting in the escalating suffocation of urban services.

Present growth in urban population also surpasses the availability of formal land needed for shelter. As a result, the informal sector has been absorbing most of this growth, unplanned settlements in developing countries account for between 30% and 75% of all urban settlements (Habitat, 1996). About one third of the world urban population have inadequate and/or poor housing and more than 70% of these people live in the ‘least developed economies’ – a group to which Tanzania belongs (Habitat, 2004; Tannerfeldt & Ljung, 2006).

Tanzania is a low-income country and one of the most rapidly urbanizing countries in Africa. In the period between 1980 and 1990 Tanzania witnessed urban population increases in the order of 10% per annum (URT 2000, p.5). By the year 2000, the urban population was put at slightly more than 30% of total population (Tanzania Census Report, 2002). This urbanization rate has a direct bearing on urban housing and services. Quoting the Tanzania 1st-3rd Five Year Development Plans, Mosha (1995, p.341) notes that the demand for urban housing in Tanzania grew from about 250,000 units in the 1970s to about 450,000 units in the 1980s, a figure which was reported to rise to about 2.2 million units by the late 1990s (ibid.;
URT.2000, p.8). This latter figure may be exaggerated as, for a total urban population of about 11 million, and assuming five people per unit, less than 2.2 million units would in reality be needed.

The proportion of urban population in unplanned settlements in Tanzania is between 40% and 75% of the total urban population, depending on the size of the urban area and the associated population (Mosha, 1995; URT, 2000; World Bank, 2002). Figures show that informal housing development in Tanzania has been increased overtime. In the 1980s about 16,000 units were constructed in urban areas (Mosha, 1995), a figure which represents 65% of all units constructed during that time (URT, 2000). By the year 2000, the informal sector was estimated to produce about 19,000 plots per year (Kironde 2003). In Dar es Salaam alone the informal population is estimated to constitute between 60% and 80% of the total population (Sijaona, 2006). These figures imply that, urban housing in Tanzania is predominantly informal.

1.2 Research Problem

From the above, it is evident that, while some urban residents are accommodated in formal housing, the majority in Tanzania are informally housed in the unregulated environment. Several authors attribute unregulated housing activities in urban areas to the inappropriate planning and building regulations in place (Turner, 1972; Drunkerley, 1983; MacCarney, 1996a; Yahya et al., 2001; Schilderman and Lowe, 2002; Habitat 2004; Payne & Majale, 2004; Tannerfeldt & Ljung, 2006). If theses views do reflect the reality of the situation, the challenge then lies in intergrating formal and informal approaches in order to achieve effeective urban housing delivery mechanisms.

Previous solutions given by the government of Tanzania for the provision of housing to the urban majority have tended to fall short of demand in terms of adequacy and affordability. Since the 1990s, the government has expressed the desire to facilitate the provision of urban housing through appropriate land delivery modes and proper planning and management, including removing barriers and providing incentives (URT, 2000). Despite the government’s goodwill to solve urban housing problems, the economically disadvantaged urban majority still find it difficult to afford a decent shelter.

A number of studies have considered how informal land delivery modes and urban housing production could be improved upon (Kironde, 1995; Kombe, 2000a; Kombe & Kreibich, 2000a&b; Kironde & Payne, 2002; Kombe & Kreibich, 2006; and others). Despite some recommendations being made from these studies, urban housing problems are still far from getting appropriate solutions. The
work of Kironde & Payne (2002) looked at the technical and administrative aspects of regulatory framework in Tanzania and their role in facilitating access to land for housing. The works of Kombe (2000a) and Kombe & Kreibich, (2000b & 2006) looked at the governance processes regarding regularization and regulation of land accessibility and housing production. One critical aspect that has, however, received little attention in the research is the extent to which the composition, hierarchy and linkages of governance structures of both formal and informal institutions impact on the supply of urban housing.

The problem of urban housing needs a holistic approach towards effective delivery mechanisms. Where the formal approach ends, the informal approach picks up but neither of the two is self-sufficient. If these two approaches would combine their efforts, a more effective delivery system might result. The research problem addressed within this study therefore constitutes how adopting a formal-informal complementary perspective could enhance the supply of urban housing in Tanzania.

1.3 Aim of the Research

The aim of the research is to investigate the formal and informal processes involved in housing development in the urban areas in Tanzania, and to consider how urban land for housing is accessed. Further, the research aims to investigate the extent to which existing regulatory framework interacts with informal processes to facilitate or to constrain the provision of urban land and housing. Emphasis is placed on the unfolding informal (bottom-up) housing practices in urban land transactions and housing provision. An attempt is therefore made to investigate these practices basing on the changing relations in governance structures and – further – with respect to their relation to existing formal (top-down) structures in the urban land development and housing processes.

1.4 Objectives of the Research

The overall research objective is to evaluate the formal and informal processes involved in the provision of urban land and urban housing in Tanzania, focusing on the low-income households. To fulfil this objective, the study addresses the governance of formal and informal practices in settlements and the potentially complementary role of the formal-informal approaches to urban land delivery and the housing production process. Ultimately, the objective is to advance measures
for the facilitation of the provision of urban housing for the low-income households.

1.5 Research Questions

The research questions are:

1) Who are the actors in the supply of urban land and in the housing production processes and how are roles and responsibilities divided between them?

2) What are the potentials and shortcomings of the formal and informal institutional practices that are currently being deployed in the provision of urban housing?

3) What are the policy interventions needed to coordinate and harmonize formal and informal structures in order that they might complement each other in the task of providing housing to the urban low-income majority?

1.6 Delimitation of the Research Scope

The focus of research is the interplay between formal and informal processes in the production of urban housing. Whilst the research touches on both demand and supply constraints, it does not deal with all issues involved. Issues that are, however, dealt with include, land tenure (availability and allocation) in relation to housing, and land development and housing in relation to formal regulations and informal processes. The research does not cover aspects of laws and regulations protecting property rights, and affordable subsidy schemes for the poor. The research is carried out in the city of Dar es Salaam, Tanzania, and a case study approach has been adopted as a social science research strategy. Two informal settlements and two formal settlements are studied in detail and compared through a multiple-case study approach.

1.7 Research Approach

In studying the formal and informal processes of the human settlements in urban areas two parallel methods are adopted:

---

1 Refer to UN Global Shelter Strategy (GSS) to the year 2000, Part III, paragraphs 31-110
The first method investigates *formal* processes for housing in settlements. This method necessitates the study of existing literature, policies, and applicable regulatory laws and procedures. Key persons in government offices, regulatory bodies as well as private actors are also interviewed in order to develop an understanding of both how the system works and of respondents’ perception of the formal processes vis-à-vis the informal processes. Findings from documents and from interviews are then presented and discussed.

The second method adopts a case study approach where housing activities in the *informal* settlements are investigated and compared with those in the formal settlements. The objective in utilising this second method is to follow-up encounters between formal and informal processes – which are governed by different rules of engagement – operating within settlements. A sample of residents was interviewed and observations were made within settlements. Findings from interviews and observations are also presented and discussed.

The work of this thesis is set out in 8 chapters as follows; Chapter 1 sets out the research problem, aim of the research, research objectives, research questions and significance of the study and approach to the research work. Chapter 2 presents and discusses relevant concepts and theories underpinning various doctrines pertaining to urban housing especially for the low-income households in developing countries like Tanzania. Chapter 3 presents the past urban housing programmes generally and housing practices in Tanzania specifically (including the regulatory framework within which urban housing is provided). Background literature on the influence of urbanization to urban housing and the consolidation of informal approach to urban housing in Tanzania is also addressed in this chapter. Several important aspects of land ownership regimes, and their influence on urban housing, are also documented. Finally, housing provision in Dar es Salaam - which also presents broader housing practice in urban centres in Tanzania – is discussed. Chapter 4 presents the research and the methodology for the empirical study, giving details of documents studied, the key actors interviewed and the selected cases to be studied. Chapter 5 presents findings from studied documents and interviewed people, discussing the application and shortcomings of the framework for formal urban development. Chapter 6 presents the case study findings. Chapter 7 sets out a discussion of the study findings and chapter 8 concludes the research work with recommendations including areas for further research.
1.8 Significance of the Study

This work represents a contribution to research in the multidisciplinary field of housing for the economically disadvantaged urban majority in developing countries. It is expected that the findings and recommendations from this work can provide an input to the work of professionals, academicians and policy makers involved in land development and housing provision.

It is the ambition of this research that it contributes to a shift in focus from a purely technical approach to a process oriented approach to governance in solving housing problems, in the spirit of fulfilling the objectives of the Millennium Development Goals (MDGs). Goal 7, target 11 calls for improvements in the lives of 100-million slum dwellers constituting 10% of the world slum population, by the year 2020 (World Bank, 2008a). Under the MDGs agenda, target 11 sets for measuring progress in housing conditions within, among other things, the structural and locational aspects of housing, sanitary conditions and security of tenure. The work of this research therefore constitutes a contribution towards realization of this goal, through measures that respond to community needs in urban areas for sustainable housing.
Chapter Two: Conceptual and Theoretical Framework

“Let us not either through failure to understand what it is that we have or through disillusionment with its very real shortcomings throw it overboard to the tragic detriment of the interests of our science”
(Parsons, 1938, p.20)

2.1 Introduction

There are several theories and concepts that are used in explaining urban housing processes in both formal and informal settlements. Comprehension of these processes relies upon a broader understanding of a number of key concepts that dominate the contemporary thinking about human settlements practices in urban areas. This study investigates both formal practices and the consolidating informal practices in urban housing which use the self-help approach to achieve affordable housing. Since housing is construed as a process undertaken by many actors, in order to comprehend the processes involved, an understanding of governance as a concept is required. Four concepts - formality, informality, self-help and governance – have therefore been selected for discussion in this chapter. Each of these concepts is traced within the studied settlements and is linked back to both the broad research questions raised in chapter one (section 1.5), and more detailed operational research questions as posed at the end of the discussion to each concept in this chapter.

Given the multiplicity of factors at play, affordable housing for the urban low-income majority requires a highly integrated approach. The Vancouver Declaration on Human Settlements recognizes that housing is a basic human right and re-affirms the right to housing in the international legislation, saying 2;

“Adequate shelter and services are a basic human right which places an obligation upon governments to ensure their attainment by all people, beginning with direct assistance to the least advantaged through guided programmes of self help and community action”.

In this context, shelter is synonymous with a house, referring to a physical structure that basically offers privacy and protection against intruders and vagaries of the weather.

Turner (1972) defines housing as a process within a specific context. According to Turner, housing is not complete without considering the aspect of ‘tenure’. He argues that in order for

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a house to be treated as a home, it should provide minimum shelter and it should have a minimum security of tenure (Turner, 1976). The concept of tenure as used here relates to land with regard to ownership and the accruing rights bestowed upon the owner to develop it. This definition builds upon the work of Payne (2002), who defines land tenure as a system of ownership of land rights (whether by individuals or by groups in a society) and the social relations which emerge from the system of land ownership. In a wider perspective, housing is seen as a process for security, economic opportunity and social harmony while fostering stability and participation in communities (Marcussen, 1990; Kanyama, 1995; Habitat, 2004; Tannerfeldt & Ljung, 2006). In both definitions land ownership, and the rights to use it act as prerequisites for adequate housing.

Limited land for housing has been reported as the greatest obstacle towards fulfilment of housing rights in several countries, including Tanzania, (Habitat, 2007). Other obstacles are construction costs, housing finance, and the regulatory framework for planning and building (ibid.). The Vancouver Declaration on Human Settlements calls for Governments to endeavour to remove all impediments that hinder the attainment of adequate shelter for all, and these obstacles therefore need to be urgently addressed.

Housing provision may be placed into three categories: low-income, middle-income and high-income. Emphasis within this study is placed on the low-income category, which generally describes urban housing for the poor residents. The poor usually rent substandard units - mostly in unfavourable locations - unless there is direct state intervention to assist accordingly. Some residents in this category own land and provide for themselves incrementally.

In this study, ‘housing’ is conceptualized in three perspectives. First, housing is construed as constituting a physical entity which is used as a shelter, regardless of quality and location. Second, housing as political machinery enshrined in the international and national legislations that advocate housing rights and the obligation to guarantee them. Lastly, housing is construed as a medium for advancing economic development.

Turning to a discussion of contemporary theoretical writings, it is noted that the development of informal settlements has, in particular, attracted attention in the area of governance. This is perhaps evidence of shift in practical locus where informal settlements are no longer a place for mere urban survival by the poor but a distinct regime of urban governance (Halfani 1996). Because governance principally addresses institutional sites in which actors interact through formal and informal processes (Healey 2007), the concept of

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3 Habitat Commission on Sustainable Development, 13th Session 11-22/04/2007, Item 4(c) of the Professional Agenda
governance is useful in following up the various institutions and actors involved in that interaction.

The processes, institutions and interaction of various actors - both formal and informal - involved in the urban development generally and housing production in particular have been further discussed by a number of authors including, Turner (1972); Halfani (1996); Schilderman, & Lowe (2002); Healey, et al. (2002a). The authors address the interaction between formal institutions and the predominantly informal civil society in both land delivery and house production, and are therefore of interest. To what extent the formal and informal processes influence housing production is a matter of concern in the present work hence warranting the conceptualization and theorization of the selected concepts of *formality, informality, self-help* and *governance*.

### 2.2 Formality

*Formality* derives from the word *form*, which Hart (2005, p.1) describes as ‘the rule’ associated with the way nation-states are organized in order to fulfil various functions. *Formality* is a term that describes a process in the running of a government where bureaucracy and democracy interact as natural allies (*ibid.*). The author describes bureaucracy as the power derived from the office and democracy as the power derived from the people. Lauer & Lauer, (2002, p.335) give a more amplified definition of bureaucracy as;

> “an organization in which there are specific areas of authority and responsibility, a hierarchy of authority, management based on written documents, worker expertise, management based on rules and full time workers”.

Beyond this definition, Jenkins (2004) refers to as a legalized structured system of doing things based on written rules that define authority obligations and accountability. Rules, norms and patterns of conduct are fundamental in the regulation of the conduct and the behavioural pattern of institutions (Goodwin 2001).

In fields other than urban management, *formality* is used to refer to safety procedures expressed through a ‘formal’ code that should be strictly adhered to (Andren, Sanne & Linell, 2009). The authors caution that the act of deviating from adhering to the established code could potentially cause accidents. Safety requirements demanded by certain systems in order to function effectively are achieved through outlined steps to be followed and procedures to be adhered to. The authors however, present that some deviations may be harmless if they occur in routine and expected situations. This could be interpreted to mean that informality (or deviations from formality) should not be perceived as a harmful practice always.
Within the urban planning and management context, *formality* may be described as the control of urban development and housing activities imposed by the state through enacted laws and regulations for ensuring sustainable development. Hart (2005) takes *formality* of an urban form to mean the regularity, which the urban form is ordered, and its predictable rhythm that gives it a sense of control. The control referred to may be achieved through enforcement of a set of established laws, rules and regulations operating at various levels of governance. *Formality* in an urban area’s physical form thereby results from control over development processes through regulation.

The formal process through which laws for land acquisition and land development are administered is a top-down process, expressed through a legal and institutional framework in which powers are vested to authorities to enforce the laws (Jenkins, 2004). In Tanzania the institutional framework comprises the central government (ministries and agencies), the local government authorities divided into municipalities, wards and sub-wards. The major policy and planning instruments for guiding urban development include urban land use planning, zoning and development codes.

Drawing upon the above, it is argued that formality regulates the direction of physical planning, controls intensity of development and regulates aspects of health, safety and the overall quality of the physical environment.

As is the case in the other fields, some deviations from formality if applied to urban planning and management may have negative consequences while other deviations may not. For example, the construction of buildings in different categories should strictly follow the construction codes of practice. But the interpretation of formal procedures supporting the codes would depend on the relevance of the context in which the formal codes are applied. Schon (1971) agrees with the dispensation of *formality* in institutions through bureaucracy for maintaining order but he considers bureaucracy being slow to cope with fast tracking changes. Schon’s argument is particularly relevant with respect to the plight of economically disadvantaged urban majority. More often than not, high planning and building standards used have made it impossible for the low-income residents to find affordable land and affordable shelter in urban areas (see section 1.1). Schon therefore thinks that too much attention should not be given to conventional norms on how things should be working formally because it is likely that the inherent unconventional norms would suffer. For example, the problem of relying on formal approach to urban housing is noted in developing countries where housing policies are rendered dysfunctional due to rigid land use and rigid housing regulations (Arnott, 2008). Using Schon’s argument, the *formality* concept may be taken to express different regulatory functions in urban areas and their likely shortcomings in regulating low-income settlements.
In this study, formal institutions and the formal regulatory process are followed and evaluated to determine their strengths and weaknesses in regulating urban development generally and particularly in facilitating the provision of low-income housing. In order to achieve this objective the study seeks to answer the following questions:

- Who are the actors involved in the formal land transactions and how are land development activities organized and carried out in the formal settlements?
- What are the advantages and shortfalls of the formal systems in the land transactions and housing development activities?
- To what extent are the formal regulations useful for the development control process in the communities?
- How is the development control process carried out generally?

2.3 Informality

Informality is generally referred to as a state of operating outside the legal system of an establishment. Definitions of informality by several authors capitalise on the state of operation outside the established formal law. To operate as per the established legal system within the institutions that are defined by a legal regulatory framework is being ‘formal’ as against being ‘informal’. For example, De Soto (2000, p.71) takes informality to be; “... the state of working outside the scope of government regulation”. Informality is also referred to as the violation of existing laws for land development and housing construction (Fekade, 2000; Wells, 2007; Arnott 2008). Tannerfeldt and Ljung (2006) associate informality with corrupt practices, inappropriate legal and regulatory frameworks and bad governance for land delivery and development processes. Other authors are sympathetic to the situation arguing that informality results from poorly performing economies and the resulting poorly delivering weak formal structures (Halfani, 1996; MacCarney, 1996c; De Soto, 2000; Syagga, 2004; Hart, 2005).

According to ILO (1991) informality has given rise to informal processes in the land development for housing and economic activities. The informal sector, the informal employment and informal housing/settlements are mentioned and that they are characterized by, among other things, unregistered and unrecorded transactions in official statistics (ibid.). Hussmanns (2001) associates the practice of informality with poverty. He says that informal engagements are a domain of the poor, most of who lack basic social protection and are locked in low productivity activities with limited opportunities for economic mobility. In Tanzania for example, the informal sector

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4 Marcussen (1990, p.197) says coherent policies are behind the success of adequate housing in developed countries.
means self-employed income generating activities based on low level of organization, low capital and low technology (URT 1999). Characteristics of informal settlements, for example, are generally referred to as exhibiting similar features of (Habitat, 1996; Fekade, 2000; Huchzermeyer, 2003; Syagga, 2004; and others)

- Overcrowding
- Houses show high variations in types and quality of construction and employ local building materials, design and technology
- Mostly situated on unsuitable land.
- The majority of the structures provide accommodation on a room-by-room basis.
- The majority of dweller being of low incomes and living as tenants in a single room
- Predominantly engaged in informal economic activities.
- Built incrementally and on self-help basis and with informal finance arrangements
- Poor or lack of infrastructure services

Other dimensions of informal settlements include (Hansen and Vaa, 2004; Davis, 2007):

- Presence of small-scale and large-scale landlords
- Composed of heterogeneous urban population
- Rental accommodation being the most common form of tenancy.

The perception of what constitutes informal settlements has been changing to reflect socio-economic changes. However, it is observed that the boundary between the formal system and the informal system is getting blurred especially where the informal system involves participants from the formal sector and vice versa (Mlinga & Wells, 2002; Davis, 2007; Wells, 2007). Connected to this development, it is to be noted that informal practices have extended beyond the domain of poor people. Evidence exists showing that some employers ‘informalize’ the formal sector workforce to strategically lower labour costs to maintain a competitive edge in the two economic sectors (Maloney, 2004). Other actors choose informal routes to maximize economic gains by evading tax (ibid.). Ferguson and Navarrete (2003) have documented the practice of middle-income and high-income communities who also resort to the informal practice due to unbearable lengthy processes in the formal procedures.

In sub-Sahara Africa, informal institutions consolidate due to inaccessibility of formal services (Halfani, 1996; Kombe, 2000a; Cotula, 2007). Inaccessibility of formal services may be due to policy barriers (see chapter one, section 1.2) or due to weaknesses in the formal institutions to deliver services. Kombe and Kreibich
(2000a) discuss informal housing as people’s response to inefficient state policies for providing land and housing. The authors see informal approach as people’s evolutionary process in providing their shelter. In developing countries the informal approach maintains resilience to provide housing for residents and to sustain a living. Research carried out in Tanzania and Uganda attest to this phenomenon (Halfani, 1996; Kombe, 2000a; Nkurunziza, 2007).

Vast literature exists on the dynamics of informal development in housing for both developed and developing countries (Turner, 1968; Kombe & Kreibich, 2000a; De Soto, 2000; Ngulumu, 2003; Kombe & Kreibich, 2006; Tannerfeldt & Ljung, 2006; Rakodi, 2006; Wells, 2007 and others). The fact that informality is no longer the domain of the poor makes it even more critical as an urban development approach. The notion of informality (as an alternative to formality) should, however, not stand on its own in delivering urban services to the low-income majority. Some critics take informality as a systemic malfunction hence arguing for its extinction (Blomkvist, 1988; Conquery-Vidrovitch, 1991; De Soto, 2000). Blomkvist (1988) for example, labels governments in developing countries as ‘particularists’ where states are ordered by something other than established and laid down rules. The author argues that while ‘universalistic’ states, follow rules ‘particularists’ states do not. This argument implies that particularist states do not go informal simply because of the formal deficiencies but because of their nature. Unlike the argument by Blomkvist (1988), De Soto (2000, p.71) argues that informal practices are due to the “...failure of legal order to keep pace with astonishing economic and social upheavals”. Consequently, De Soto sees informality as a temporary dysfunction that should be replaced with formal practices. He gives an example of developed countries having remained in the informality phase for generations before becoming ‘universalistic’ states. He observes that these states have highly formalised systems economically, socially and politically, which are regulated and shaped by rules as well as “broader relationships” which result from these formal systems.

But in discussing these broader relationships, it may be important to evaluate the extent of such relationships for urban housing. The planning, design and implementation of urban programmes at the local level may not need the type of formality that De Soto advocates. While De Soto challenges particularist states to go global, it is unclear whether some form of formality should be injected into the predominantly informal practice or the other way round. Like De Soto, most governments of developing countries treat informal settlements as a temporary dysfunction. With time, they attempt to formalize the settlements through regularization schemes. However, some proponents of informality consider it to be an inevitable

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5 See Chapter three section 3.4.2 for tenure regularization.
phenomenon and therefore that it should prevail (Payne, 1989; Hamdi, 1995; Payne & Majale, 2004; and others). Hamdi (1995) is of the view that the informal approach to provision of urban housing for the majority is the feasible solution. It seems that Hamdi’s argument is made on the assumption that informality has no operational shortcomings. He does not discuss elements of formal practices that may shape informal practices into something socially sustainable.

Informal approaches, as defined here, are more likely to be fruitful, assuming that resources are marshalled, organized and coordinated among the urban dwellers to provide housing of their own choice with facilitation from formal institutions. In this study, informality in connection with human settlements refers to acquisition of land that has neither been planned nor legally processed for formal ownership. It also includes activities on the acquired land that are carried out without permit from the planning authorities and without following formal planning and building regulations.

The informal approach is followed in the settlements and an evaluation of the informal process is made in connection with areas of strength and weaknesses that would require complementary efforts of the formal process. In order to achieve this objective the study seeks to answer the following questions;

- Who are the actors involved in the informal land transactions and how are land development activities organized and carried out?
- What are the advantages and shortfalls of the informal systems in the land transactions and housing development activities?
- Is there any type of development control in the informal settlements?

2.4 Self-Help

The concept of self-help is critical in the discussion connected to housing activities of the majority of urban dwellers for home ownership and for renting purposes. Self-help has been advanced as a mechanism that has a potential to substantially solve the housing affordability problem. Several authors have discussed it as a doctrine (Payne, 1977; Blomkvist, 1988; Marcussen, 1990; Burgess, 1992; Harms, 1992; Rashid, 1994; and Kanyama, 1995). Self-help as a mode is traceable way back in the 1850s in Great Britain, to achieve peaceful social change (Perotti, 1996). The work of Patrick Geddes on the self-help concept in his work goes back as early as 1918 (Meller, 1990). Also, Hake (1977) documents how the African communities in South Africa in the 1940s and Kenya in the 1950s used self-help for their housing. This demonstrates how the self-help concept had long been established world over.
Several definitions have been advanced for the *self-help* concept. Harms (1992, p.34), defines it within its both narrow conception and wide conception. The narrow definition covers the individual (or group of) households, considered on technical grounds concerning house construction. This may take the form of traditional or spontaneous practices where individuals are responsible for their actions. Harms’ wide definition covers the collective action around housing where organizational and political action is mobilized with the aim of improving living conditions within a specific built environment. According to Harms (1992), the narrow definition denotes a derivative of family-based aided self-help while the wider definition denotes community-based mutual aid. In both cases, institutions or other groups may promote individual or/and community efforts in housing and infrastructure construction. Communities in settlements show social interactions, practices, trust and reciprocations, which the society continually engages in their creation (Rifkin, 2000).

The state could also support *self-help* where users initiate the activities and later the state supports the upgrading process by providing technical assistance and/or basic infrastructure. What seems to be promising is the case where the state (or international agencies) initiates *self-help* with some form of participation from the beneficiaries where the settlements are appropriately planned and regulated. According to Perotti (1996) this is situated in the political and ideological arenas, in which deprived communities get involved in the promotion of their welfare for social, economical and spatial integration in the formal urban fabrics.

In advocating the *self-help* idea, Turner (1972) argues that its success lies in authorities being able to specify housing standards (planning and building standards) in line with the available resources. The author argues against prescribing high and unrealistic standards for regulating house production in cities with fast growing low-income groups. In support of this argument, several authors also argue that the conventional approach for housing provision has failed to deliver to the majority of the urban dwellers in low-income countries (Rakodi 1992a; Agevi, 1995; Hamdi, 1995). Moreover, it is argued that shelter improvement through *self-help* initiatives places housing actors at the centre for their own shelter destiny ( Skinner, Taylor & Wegelin, 1987). This is true because conventional housing requires that one builds as per the prescribed rules in terms of plot size, planning standards, materials, and speed of construction. Picking up Turner’s idea, the World Bank advanced it as part of an enablement strategy through which governments would facilitate the housing process by communities to decide, plan and build houses of their choice (Pugh, 2001).

However, several writers have criticised the doctrine of the *self-help* school and what they call inherent value judgement from...
Turner’s argument. For example, Marcuse (1992) looks at the self-help housing mode as being generally inefficient, labour exploitative and of marginal economic effect. Blomkvist (1988, p.48) sees the nature of the self-help approach as being ambitious in its goal setting and the political strategy it endorses. He argues that by adopting this approach, governments would evade their responsibilities, saying:

“Self-help can become an euphemism for people’s forced necessity to provide for themselves and state inactivity”.

Critics of the enablement approach have made similar observations. Habitat (2007), for example, argues that enablement strategies as a solution to the housing crisis was likely to lose sight if the policy deviated substantially from internationally recognized standards for housing rights. This observation may be pointing to the fear that, governments might abrogate their housing responsibilities using enablement as a pretext. This would in turn deny the poor the facilitative role of the government to poor to help themselves. Other authors have associated self-help with the squatter sector where houses are constructed mostly from throwaway materials (Burgess, 1978; Dwyer, 1975). The authors’ perception is that dwellers in developing countries are too poor to develop interest and accumulate resources for house improvements.

These criticisms however may be challenged by the fact that mankind has always been progressive, especially where there is exposure to improved skills/ technology and improved economy (affordability). Overtime, households tend to show an upward mobility as they satisfy one need and aspire for higher needs on the ladder of development. Habitat (2004, chapter 5) has documented examples of such developments in the settlements. The work of Cadstedts (2006) in Mwanza, Tanzania, gives the episode of poor people’s strategies for their housing struggle within socio-economic constraints. The author emphasizes that people, as actors, are capable of exercising some power to house themselves. She also documents works of other authors who report on similar strategies in Zambia, Zimbabwe, South Africa, Peru, Botswana and elsewhere.

The concept of self-help is therefore of interest to this study because of its potentiality as a means towards the provision of affordable housing to the urban majority, engaging spontaneous practices where individuals are responsible for their actions. Although self-help is strongly associated with the informal practice it could also be applicable to the formal practice. As advanced by Turner (1972 & 1976) and others, the essence of self-help is to advance progressive means towards realizing savings and constructing better houses and infrastructure of own choice. In this study, self-help modes of house provisioning will be followed up in the studied settlements. Evaluation of the applicable modes in settlements will be made to determine the extent they engage in the promotion of community action in taking up housing initiatives.
In order to achieve this objective the study seeks to answer the following questions;

- To what extent is self-help practiced in settlements?
- What other self-help modes could be used to facilitate affordable housing in settlements?

2.5 Governance

The concept of governance is important in this study because of its ability to deal with the processes involved by different actors in the urban planning and management. As mentioned in the introduction, the follow up of institutions and actors involved in the interaction of the formal and informal engagements in urban housing is critical for evaluating their effectiveness.

The term governance is broadly used to cover a whole range of institutions and relationships involved in the process of governing (Sydow, 2004). Literally, many people take governance to mean the direct role of the state/government in the process of governing. For example, Lauer & Lauer (2002), relates a government structure and the degree of political democracy that government has. Political democracy is in turn related to, “good governance” and it is used to describe a political process that is consensus oriented, embodying the rule of law, participation, equity and inclusiveness. However, governance is more than the government and it includes the private sector and the civil society (URT, 1997; Habitat, 2002).

Government institutions and their legal framework are expected to coordinate all relevant government organs and communities in implementing programmes. It is expected that through transferring of legal, administrative and political authority for decision-making to lower state organs programmes would be implemented effectively (Liviga, 2000). This transfer aims at enhancing the influence of ordinary people over development policies and their implementation. In so doing, the government ensures transparency, accountability to the people at the local level hence soliciting their responsiveness.

A wide perspective of governance is that which recognizes actions of those who are governed in influencing societal changes. The Governance Working Group of the International Institute of Administrative Science (1996) advances a comprehensive definition of governance as follows;

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“Governance refers to the process whereby elements in a society wield power and authority, and influence and enact policies and decisions concerning public life, and economic and social development”7.

This definition emphasizes the interactive role of leaders, non-state institutions and the civil society to instill change through participatory means for improving urban housing. According to this definition, governance should be construed in the light of interactive elements existing between the central and local government, the private sector and the civil society. At present, the experienced problems in cities created by accelerated urbanization are making the governments unable to intervene effectively in urban systems without assistance (Devas, 1993). As a result of weak capacity of the state, the informal practice is perceived as a changing approach to governance where people seek assistance but remain responsible for solving problems beseeching them (Halfani, 1996; McCarney, 1996a; Stren, 1996). It is therefore not expected for the state structures’ capacity to be enhanced without cooperating with civil associations whose capacity has been relatively growing (McCarney, 1996a). As explained before, urban governance stresses the importance of decentralizing the central government responsibilities to the local government in order to mobilize resources from other actors for development at local level.

In the field of human settlements, governance is relevant where land and housing production are construed as a process involving actions of different actors with varying interests. These actors are the Public sector, the Private sector and the Popular (users) sector (Turner (1972). It is through governance dynamism that actions of the formal government and the predominantly informal wider civil society may be brought together (Halfani, 1996; McCarney, 1996a; Stren, McGee, Moser, &Yeung, 2004; Tannerfeldt & Ljung, 2006). The debate on governance is therefore an important milestone in discussing urban land allocation and housing production as a process achieved through the interaction between formal and informal institutions. The gap between the formal and the informal institutions needs a bridge that may link them while offering the necessary missing inputs on both sides. This is the collaboration of the top-down and bottom-up processes of governance.

Extending the concept of top-down and bottom-up collaboration, Krishna (2002) introduces the aspect of middle-level institutions that act as intermediaries between the national level and local level for societal performance (figure 2.1). The role of the middle-level institutions in a collaborative top-down/bottom-up model would be to make connections for the needed complementary action, and ultimately, improved effectiveness of urban development programmes. Middle level institutions needed to bridge the gap,

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include private developers, groups (NGOs), housing cooperatives and community based organizations (CBOs). The role of middle-level institutions is crucial, first as mobilizers of local communities and strengtheners of solidarity of groups in communities. Second is the ability of middle-level institutions to provide missing ingredients in the collective action of communities, as well as playing a vital role in city governance in lobbying city government on behalf of the poor (Habitat/ILO, 1995).

**Figure 2.1: Top-down, Bottom-up Interaction for Societal Development**

Source: Adapted from Krishna, 2002, p.170

Figure 2.1 demonstrates the role of middle-level institutions, where the dotted lines represent the perceptions and beliefs of formal and informal institutions towards achieving results.

Developing the above discussion, the concept of governance is therefore used here to look at how urban governance is exercised at different levels of representation in the urban housing production process with respect to formal-informal interactions. Emphasis is placed on how governance is used to posit the interaction of formal practice and the informal practice with respect to activities of communities and their organizations in the planning and management of their settlements.

In order to achieve this objective the study seeks to answer the following questions:

- Which institutions are involved in the urban land accessibility and in the land development activities?
- How does the formal interact with the informal in the delivery of urban land and in the housing development activities?
• What are the shortfalls in the existing institutional arrangements in the land delivery and housing activities?

2.6 Relation Between Formality and Informality

Although the formal and the informal systems may be considered to be useful in urban programmes, in practice they often get into clashes. The formal and informal processes in land development and construction of houses could be followed up by looking at the inherent conflicts and - sometimes - their complementary initiatives.

One of these inherent conflicts is said to be the struggle over distribution of power within a society in which regulatory orders interact (Rakodi, 2006). Cases of disagreements between the public bureaucracy and informal popular practices in the urban development are common. Cases of clashes between formal authorities trying to enforce regulations in the informal practices of the informal settlements are documented (ibid.; Tannerfeldt & Ljung, 2006). In such incidences authorities normally respond to informality without meaningful engagement with the formal structures inherent in the informality, its relationship to land and its process of change. In Tanzania, there are reports of inherent informal-formal land management conflicts as a result of top down impositions while neglecting communal land-use needs (Kombe and Kreibich, 2000b). Other examples of conflicts between the two systems are seen in the position taken by the government through policies to erase informal settlements by formalizing them (URT, 2000). In some cases the formalization of informal settlements through insitu upgrading would result in the displacement of some households. Sometimes, administrators/ planners in charge of urban management find it difficult to accept informal settlements simply because they have been established outside the bounds of administrative authority (Matiko, 2002).

The role of the informal sector is pronounced in developing countries where the informal system has become dominant over the formal systems (MacCarney, 1996c; Stren, 1996; De Soto, 2000). The same trend is observable in Tanzania where the state through its governance machinery fails to deliver adequate services to the communities. According to Halfani (1996), formal governance structures are not strong enough to prevent informal sector interests from progressing. Informal settlements are in a process of constant change as they densify and gradually consolidate. As the process of informality responds to changing pressures, structures are added, occupants change, a rental market emerges and expands (Cotula, 2007). In the process, some form of social organization offering leadership is instituted and consolidated through democratic committee structures that are both formal and informal (Kombe &
Kreibich, 2000). However, despite the pronounced role of the informal sector, the formal regulatory system may be said to be still in charge of the overall conduct of both formal and informal systems. Therefore in order to be able to intervene proactively for affordable urban housing and sustainable development, it is important to understand how informality shapes relationships with the land and development activities in matters of land markets, tenure security arrangements and self-help housing activities. In order to do this, both formal and informal systems may have to be integrated in the urban programmes. In governance terms, working with both formal and informal systems would exhibit even more new complex forms of relationships and citizenship. The nature of housing and shelter in the developing world requires a unique response so that it remains attainable and affordable to the poor (Marcuse, 1992). Due to inadequate formal processes for urban land and development control there is a big pressure of the informal practices at the grassroots. In the absence of a major public sector housing stock to meet the demand, self-help housing schemes for poor families may be the only feasible alternative of offering innovative approach to meeting housing needs. The self-help approach tends to compel local governments to operate in a much broader and more complex environment that demand inclusiveness of all actors from both the formal and the informal systems (Liviga, 1997). Ideally, where governance is exercised, it should be possible to encourage and strengthen partnership arrangements between the formal and the informal systems as involving the state, the private sector and the civil society towards mobilizing required resources; and facilitating their contribution to the common goal (Turner, 1972; Healey, 1997).

Kreibish (2004) and others have discussed how the informal approach starts with the acquisition of land first, followed by housing activities, then servicing and finally regularization/planning. Figure 2.2 compares the informal approach to the formal approach for land acquisition and land development.

![Figure 2.2: Alternative ways to land development](source: Own construct)
The formal approach is different in that acquisition of formal land for development requires one to fulfil a condition for formal land registration (survey) and grant of land rights followed by approval of plans and specifications (URT, 1999 & 2007). However, both approaches lead to the same results of provision of urban land for housing and the subsequent land development.

Several authors advance the complementary nature of formal and informal processes. As discussed above (section 2.2), Schon (1971) believes that the formal system cannot be effective without some elements of the informal practice. Lauer & Lauer (2002) present similar views by looking at how strict adherence to formal rules by bureaucrats fail to be effective where there is more growth and more diversity in urban population. Hart (2005, p.11) expounds on this discussion saying that informality is always “built into bureaucratic forms as an unspecified content”. Meaning that; to execute a formal order, one is bound to go through some invisible processes that do not necessarily comply with all the formal requirements. Hart argues further that for a system to be efficient there must be some form of partnership arrangement between the government (bureaucracy) and the people (practice) including non-state institutions that exhibit both formal and informal qualities. How to bring them together through conscious actions of actors for the mutual benefit of urban housing programmes needs to be studied.

Conceptually, the complementary nature of the formal and informal practices can be summarized in figure 2.3.

![Figure 2.3: Conceptualization of Formal-Informal elements in a process](source: Own construct)

Two extreme cases are presented in the figure with their disadvantages if there are no complimentary practices. On the one extreme case where there is total formality (practiced by 100%) the system may tend to be rigid and counterproductive. On the other extreme case where there is total informality (practiced by 100%) the system may
tend to be chaotic and counterproductive as well. The two extreme cases are illustrative of inherent shortfalls within each system. This suggests a blend of the two practices, considering historical, geographical, economic, societal, cultural, and technological factors. The inner zone of figure 2.3 would represent the practical interactive sphere. Therefore, the formal/informal binary may be useful to illustrate the particular way in which one exists within the other.

The level of technological and economic advancement would dictate the degree of informality or formality, similar to what Blomkvist (1988) refers to as ‘particularism’ and ‘universalism’. This may then explain why the developed countries are highly formal while developing countries are highly informal. In all cases the regulation of the practice by way of norms, laws and rules of the game is of paramount importance. The complexity in the evolved regulations would depend on the level of advancement. The higher the level the more advanced the regulatory system is and vice versa.

The informal character of Tanzania urban development may signify the low level of socio-economic status and the cultural backgrounds of urban residents. Not being technologically exposed and being economically disadvantaged would mean poor planning and house construction skills hence practicing informally. This is a short fall in the practice which calls for intervention of middle-level institutions. A proper understanding of the interaction between the formal system and the process of change in informal settlements may inform the appropriate framing of informal settlements intervention.

2.7 Concluding Remarks

The concepts discussed in this chapter form a basis for evaluating the processes involved in urban housing production. The concepts of informality and self-help have been explored as ways to, among other things, provide affordable housing. These concepts are extremely useful in the urban housing process despite the fact that they conflict with the formal system that is expected to regulate urban housing. It was further posed that for the formal system to work efficiently and effectively, the two systems (that is, the formal and the informal) may have to be complementary in providing urban housing. It has been shown that despite the potential complementary role of the two systems, the governance process involved in their interaction often gives rise to conflicts. The concept of governance will be used within this study to explore how the two systems could best interact through actors that are involved in the urban housing process. The four concepts of formality, informality, self-help and governance have been defined and discussed in relation to their usefulness in this study and, ultimately, their potential contribution in solving Tanzania’s urban housing problems.
Chapter Three: An Overview of Urban Housing and its Regulatory Framework in Tanzania

“Housing is not an innocent bystander…but an active object of alienation, injustice, inaccessibility, exclusion, marginalization and impoverishment”
(Teymur, 1996, p.14)

3.1 Introduction

This chapter addresses the state of housing in Tanzania generally and in Dar es Salaam specifically. The chapter begins by looking at how urbanization and housing programmes including the regulatory framework within which housing is planned and implemented have influenced housing action on the ground. Land ownership for housing and the types of land tenure are then explored within the broader discussion of the regulatory framework. Dar es Salaam, the case study for this research, is presented as a representative urban centre in Tanzania and it is used to demonstrate how formal and informal housing have developed and the challenges that these housing processes face.

3.2 Urbanization and its Influence on Housing

Urbanisation refers to the movement of people from rural to urban areas (URT, 2000). As in other developing countries, urbanization in Tanzania has been gaining momentum. According to Tannerdfield & Lijung (2006), the urbanization process is a universal phenomenon that cannot be easily reversed. In the urban areas of Tanzania rural-urban migration contributes to greater increases in urban population than natural growth (URT, 2000). Unless programmes are implemented to retain potential migrants in rural areas - while improving living conditions of urban dwellers - the situation could soon become alarming. The records of the Tanzania’s census office report a population of 15.9 million registered in the 1970s, which rose dramatically to a total of 34.5 million in the 1990s. In 2007 the Census office estimated a population of 38 million. The urban population in Tanzania has been increasing with the rapid increase in total population (refer to charts 3.1 and 3.2). It is projected that, by 2015 Tanzania will have a population of 47.2 million people, of which 21.8 million (equivalent to 46.1%) will live in urban areas\(^8\). This projection is surely on the high side because urban population was 25% in the 1980s and it was estimated to have reached 30% in the

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\(^8\) The Housing Profile for Tanzania, 2005 (Unpublished report of Ministry of Lands and Human Settlements Development (MLHSD), page 2.
1990s although figures from the census of 2002 placed it at 28%. Taking into account this trend, and assuming that deliberate measures will be taken to reduce population drift to urban areas, the projected urban population seems to be on the high side.

The economic liberalization of the late 1980s catalyzed the urbanization process. But the period between 1995 and 2001 witnessed effects of the structural adjustment programme and the privatization exercise that rendered many unemployed. Moreover, the government embarked on cutting down unnecessary expenditure in government departments by retrenching redundant formal employees some of whom decided to opt for the village life. The exercise witnessed a considerable decline in urban population although it was short lived. The effect of this internal policy on the urbanization pace was a temporary slow down as shown in charts 3.1 and 3.2.

![Chart 3.1: Tanzania urban population](image)

**Source:** Based on tables from Mascarenhas (2000, p. 64); Tanzania, Population and Housing Census (2002) and National Statistics Bureau (2007). Note the uneven period between the years of measurements.
Explosions in urban population have been experienced to varying degrees in Tanzania’s urban centers. Dar es Salaam, a capital city and a major business city of the country, has a larger share of urban population. The census data for the year 2002 revealed that Dar es Salaam Region had the highest positive net migration\(^9\) - a trend of 1,131,457 people - compared to other regions. Despite the population census of 2002 placing the Dar es Salaam City population at slightly less than three million, the actual population was put at around three and a half million and it is thought to be growing at an annual rate of 4.3% (World Bank, 2008b).

So far, Tanzania has not been able to control urban population growth. Research emanating from other developing countries shows that it is expensive and ineffective to control growth of urban centers (Payne and Majale, 2004; Kombe & Kreibich, 2006). Despite this, developing countries (including Tanzania), find it difficult to provide adequate services to their urban dwellers. The effect of rapid urban growth is seen in tough competition for the limited urban services provided by the government. Production of formal land for housing has not been coping with the demand and infrastructure services are either scarce or non-existent. Subsequently, most of the urban poor flocking the towns including an increasing number of middle class citizens are now living in un-serviced informal

\(^9\) Net migration is the difference of immigrants and emigrants of an area in a period of time
settlements (see also chapters one and two for discussion on informal settlements). Rapid growth in the informal settlements within the urban setting and the associated problems are overstretches the capacities of local authorities to provide and maintain basic infrastructure services and facilities (URT, 2000).

3.3 The National Shelter Strategies

3.3.1 Paradigm Shifts in Housing

Through several interventions to address shelter needs of the urban poor, goodwill of the international community has been influencing the approach to housing in Tanzania. This approach gradually shifted from state-dominated shelter approach of the 1970s to enabling approach of the 1980s. From 1990s onwards, it again shifted to reflect the notion of urban governance, dealing with the management of urban infrastructure. All these approaches could be said to have been dealing with reactive and unpredictable urban dynamics in the management of urban development.

The first attempt to address urban problems in Tanzania was made in 1976 in response to the Habitat call and this was followed by five successive models (Stren, 1990). Habitat I adopted the ‘providing model’ through the government centralized structures of intervention. The ground was laid for linking urban issues to the social and economic development of countries. Then the Global Shelter Strategy for the year 2000 followed with a 12 years agenda for addressing the question of urban poverty and shelter needs by advocating a multi-sectoral approach (Habitat, 1991). The strategy established a connection between people, human settlements and sustainable development, by identifying key technical interventions in areas such as access to land & finance, physical planning, water and sanitation management policies, energy and urban transport (ibid.).

The two models discussed above failed, however, to alleviate the overwhelming urban problems in Tanzania. As a result of this failure, there was a shift in focus as to manage processes involved in urban planning and management (Wily, 2003). Issues like the participation of a wider segment of stakeholders and the empowerment of grass root actors were addressed, with the aim of spearheading development at the local level. This was governance at play, where urban development and housing production were being construed in the context of processes, institutions and interaction of formal and informal actors as propounded by Turner (1972) and Healy (2007). The roles of the private sector organizations and individuals in the housing process and delivery of urban services were finally being recognised (Stren, 1990). Connected to this shift in thinking could have been the realization that formal governments world-over
were becoming just one component of a much more fluid and complex system of governance in which many actors had to join hands (Cars and Sydow, 2001).

The *Millennium Development Goals* (MDGs) constitute an overall strategy for guiding domestic and international efforts to alleviate extreme poverty by 2015. The MDGs were articulated in 2000 as a world consensus on the vision and action plan for addressing extreme poverty including aspects related to lack of adequate shelter. The approach banks on the development partners who are to contribute to the effective implementation of the MDGs.

As part of the governance process, it emphasizes on the institutional arrangements and actors who should partner in the financing, coordination and management of city activities.

Upon the basis of the shifts in thinking documented above, the adoption of housing paradigms in Tanzania is summarized in table 3.1.

**Table 3.1: Three phases of urban housing programmes in Tanzania**

<table>
<thead>
<tr>
<th>Period</th>
<th>Housing Paradigm</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>1950s and 1960s</td>
<td>State provision (<em>The Provider Model</em>)</td>
<td>This extended from colonial times to independence.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Slum clearance, public housing estates, tight central planning controls using master plans.</td>
</tr>
<tr>
<td>1970s and 1980s</td>
<td>Aided self-help (<em>The Enablement Strategy</em>)</td>
<td>Relaxing of planning standards, extending state aid to low-income groups to build or improve owned houses (upgrading schemes).</td>
</tr>
<tr>
<td>1990s onwards</td>
<td>Urban managing of infrastructure facilities (<em>The Governance Model</em>)</td>
<td>Emphasis on role playing for the efficient local management and effective controls in the use of scarce resources. This is variant form of aided self-help in the wider context (community-based mutual aid)</td>
</tr>
</tbody>
</table>

Source: Own compilation

### 3.3.2 The Provider Model

Directly succeeding Tanganyika (now Tanzania) independence (1963), the newly-elected Tanzania government made some efforts to address urban housing problems through the national policy. Several steps were taken to establish institutions that would deal with land development and housing. They included, *National Housing Corporation* (NHC) (1962) for building and managing urban housing;
Revolving Housing Loan Fund for workers (1962); Acquisition of Buildings Act (1971); Tanzania Housing Bank (THB) (1972) for giving housing loans; Building Research Unit (BRU) (1971) for researching on building materials; Ardhi Institute (ARI) (1972) for training of land-based professionals and the squatter up-grading and Sites and Services Scheme (1972). Most of these institutions were directed at facilitating development of housing for the low-income earners. Land was also given zero value, so as to facilitate the acquisition of urban plots at minimum costs (URT, 1994). The National Urban Development Policy (1980) and the National Housing Development Policy (1981) were also produced to guide implementation.

Despite these attempts, housing production remained a big challenge. A policy to clear urban slums was adopted, with the objective of offering affordable housing for the urban low-income dwellers (Kulaba, 1981). This was done through construction of new residential housing by the state, through the created National Housing Corporation (NHC, 1962). This policy directive extended to the 1970s. Evaluation of the state providing model shows that it ran short of achieving intended social equity objectives. Out of approximately 5,700 units cleared, only 2,800 could be re-built by the NHC, accommodating 11,200 people (Gabrielsen, 1981). The NHC planned to build approximately 10,000 units over a period of five years (1969-1974) but only 50% of this could be achieved. Within the following period of five year (1976-1981), the NHC had planned to build 7,500 units but only about 200 could be built by 1981 (ibid, p.4.11 - appendix). Poor performance of the NHC was attributed to problems of finances and low construction capacity (The NHC, 1996). There were inadequate funds for financing the programme. The NHC for example managed to get 25% of the funds expected from the government coffers and the donor community. Moreover, funds were needed to compensate for increased construction costs. Despite the corporation’s efforts and contribution to the housing needs of the urban population in the country its contribution was less than 1.0% of the urban housing demand. Its catchments area in the production of housing units has been in urban formal areas, predominantly in Dar-es-Salaam. By July 1996 the NHC had a stock of 18,464 residential and commercial housing units and out of these 71.4% were located in Dar-es-salaam (ibid.) As a result, the number of constructed dwelling units dwindled over time. Chart 3.4 demonstrates the unsatisfactory performance of the NHC. It can further be noted that the role of the NHC gradually changed from constructing houses for renting to constructing houses for sale (URT, 2000).
From the 1980s, the urban housing problem was getting more complex and the rate at which plots were being made available was also marginal. For example, figures from the Ministry of Lands show that on average, 8,000 housing plots were being surveyed per year over the nine years period from 1992 to 2001 as chart 3.3 indicates.

By the 1990s the plots delivery mechanisms had collapsed partly because of corruption and favouritism (URT, 1996) and partly because of a shift in policy orientation. During the 1990s there was change of
policy that emphasized rural development, which could also have contributed to the collapse. The government had abolished local governments in the 1970s leaving the survey of more plots and issuance of title deeds in the hands of regional staff. The Ministry of Lands spared no budget for surveys and the regional staff emphasized on village plots than urban plots. The housing situation improved marginally despite production of more policy documents to guide implementation. The documents included the National Land Policy (1995) and the subsequent Land Act (1999) and the Human Settlements Development Policy (2000). According to Lugoe, (2007) many towns could not meet even 10% of the urban plot demand and plot output nationally continued to diminish in the 1980s and 1990s. By the end of 1990s even those plots that were readily available for delivery constituted less than half of all surveyed plots - a result of a number of plots being surveyed for titling of existing developments (ibid.).

According to the Survey and Mapping Division of the Ministry of Lands (2005), there were about 150,000 documented applications for surveyed plots per annum during the 1990s. The gap between supply and demand meant that urban dwellers had no other option than to find alternative means for accommodating themselves outside the formal channel of land allocation and house construction.

There are other causes that are associated with the failed policies of state-dominated approach. One of the causes is the use of inappropriate methods and engagement of costly import-intensive undertakings (Habitat, 1994). Several authors have contributed to this debate, discussing contributory reasons for poor performance of this approach. Knocke, (1982); Mushumbusi, (1981 & 1987); Fekade (2000); and Vestbro (2004) all blame the imported concept of low-cost housing in the 1960s. This concept prescribed unaffordable high standards for minimum plot size, rooms required and conventional materials in house construction. The state economy was too poor to afford subsidizing the construction of houses (Campbell, 1990). It is also noted that the concern for producing formal housing tended to neglect critical inputs of land and credit into the housing process – a factor revealed in the study of 21 Africa countries (Wegelin & Borgman, 1995).

Gabrielsen (1981) adds another dimension to the discussion of contributory factors behind the failure of the provider model. He argues that shelter allocation was treated as a socio-political issue, with special consideration for class and ethnicity, resulting into allocation short cuts. Citing the example of the NHC, he presents that out of the total housing units/plots intended for low to middle-income people, 25%-60% were allocated regardless of recipient incomes (ibid.). Similar experience is reported for the cases of Kenya and Zambia (Campbell, 1990). By way of a summary of the above debate, Habitat (1996) argues that the provider model was
based on shelter in the context of western democracies where the state was strongly involved in the total delivery package from, design, construction and allocation.

3.3.3 The Enabling Strategy

The philosophy behind this approach was that residents in communities should be involved in the process for their own shelter as discussed in chapter two (section 2.5). Following the failure of the provider model, self-help modes were invoked by communities in their quest to provide for themselves. Agenda 21 of the UN Conference on Environment and Development (1992) had placed high priority on shelter and employment needs of the poor. It stated that:

“Shelter efforts of the urban and rural poor should be facilitated by facilitating access to land, finance and building materials and by adapting existing codes and regulations…” (chapter 7, section 7.9).

The enablement strategy was embarked on in line with the United Nations shelter intervention policies documented in the Global Strategy for Shelter to the year 2000 (GSS)\textsuperscript{10}. Efforts to translate the enabling approach to actions in Tanzania can be traced in two implemented schemes: Sites and services scheme and the upgrading model, which cover the period between 1974 and 1981 (Lugalla, 1995). In the first scheme, the intention was to give people some plots and also to encourage them to form cooperatives to build their own houses through loans from the Tanzania Housing Bank (THB, 1973-1993) or through individuals’ own resources.

Table 3.2: Quantitative outputs of the Sites & Services scheme

<table>
<thead>
<tr>
<th></th>
<th></th>
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<tbody>
<tr>
<td>Dar es Salaam</td>
<td>6182</td>
<td>14150</td>
</tr>
<tr>
<td>Upcountry</td>
<td>2750</td>
<td>4835</td>
</tr>
</tbody>
</table>

Source: Adapted from Lugalla (1995, p. 56)

Table 3.3: Quantitative outputs of the Upgrading scheme

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dar es Salaam</td>
<td>7600</td>
<td>9138</td>
</tr>
<tr>
<td>Upcountry</td>
<td>1200</td>
<td>6673</td>
</tr>
</tbody>
</table>

Source: Adapted from Lugalla (1995, p. 56)

\textsuperscript{10} GSS is a General Assembly Resolution 43/181 of 1988, following a 1976 Vancouver Declaration on Human Settlements. It advocates a holistic and multidisciplinary approach to affordable housing
The evaluation of the National Sites & Services scheme has been with mixed reactions. It is generally pointed out that the programme did not benefit the targeted population (Kironde, 1979; Nnkya, 1980; Stren, 1982; Kulaba, 1981; Mghweno, 1984). The main problem with the scheme was (again) the way it set standards that were simply too high for local conditions to be afforded by the poor\textsuperscript{11}. Its shortfalls were also connected with the bureaucratic set up of the regulatory procedures (Kombe and Kreibich 2000a) and the delay in the project implementation, which escalated the costs, hence magnifying the affordability problem. Dwellers were not able to contribute to the costs of the provided core housing and the associated infrastructure.

In the second scheme, the intention was to upgrade squatter settlements because the government had recognized the need to do so. The concept of self-help had moved from the spontaneous mode, where residents carry out housing activities independently, to organized collective action by the state. This was self-help in its wider context as discussed in chapter 2. Through this approach, the state was supporting local resources and physical intervention in planning on the basis of incremental development, using self-help. This strategy that accommodated dwellers initiatives in developing housing using local, cheap building materials and local skills was aimed at improving their living conditions (Stren, 1982). Communities were also mobilised to jointly work on community infrastructure projects (\textit{ibid.}).

Tanzania had a National Housing Policy (1981) - which addressed issues of housing - could not deliver because it had no realistic programme and plan for action at national and local levels (URT, 2000). The Urban Development Policy was formulated in 1995 to address the problems of unplanned settlements. Although the policy had planned to designate special serviced areas for low income housing with simplified building regulations, nothing was done to that effect. A National Human Settlement Development Policy was formulated in 2000. One of its main goals is to facilitate the provision of adequate and affordable shelter to all income groups in Tanzania (URT, 2000). Whilst the document lays down good policy statements followed by implementation strategies, it does not adequately address the enabling strategy for making affordable serviced land available to low-income groups.

Despite the government’s efforts to facilitate urban housing, those efforts are still quite marginal in addressing the core issues of housing for the urban majority (Kombe & Kreibich, 2006).

\footnote{\textsuperscript{11} Also see, Ward, 1984; Laquian, 1983; Mgweno, 1984; Kironde, 1991; and Vestbro, 2004}
3.3.4 The Governance Model

This model could be said to be an extended version of enablement whereby, according to Pugh (1995), the housing sector would be developed in its urban and national context - the Urban Management Agenda. Governance was a global approach aimed at promoting the sub-national level development instead of the large-scale nationally dominated development strategies of the 1960s and 1970s (Jenkins, 2004; Nnkya, 2007). To respond to the urban management crisis, this new approach emphasized on local institutions and practice in addressing urban environmental planning and management problems of rapidly growing urban centres (Wily, 2003), as well as the partnering of state agencies, markets, NGOs and individuals (Pugh, 1995). The approach was principally based on the global concern for sustainable development as defined by the Brundtland’s Commission Report (1992). The UN and UNDP then came up with the concept of Environmental planning and Management (EPM) under the Cities Programme (SCP). Tanzania was one of the selected countries to test the concept and was fully funded from UNDP and the World Bank (Kombe, 2000b).

The planning doctrine of the SCP constituted a collaborative planning approach hinged on the spirit of Agenda 21 (chapter 28) that would build capacity for democratic practices at the grass roots (Kofi, Nnkya and Watson, 2002). An urban management approach which focused on processes in problem solving was perceived as a solution to the unrealistic proposals of the general planning era (Nnkya, 2007). The pilot programme in Dar es Salaam city (1992) was christened ‘Sustainable Dar es Salaam Project’ – SDP.

Although the programme created some awareness of the environmental issues, it could not contribute adequately to urban land and housing because of different priority focus of the donor community (Kombe, 2000b). Moreover, implementation problems and a lack of institutional capacity and subsequently failed to set in place adequate participatory processes through which all actors could effectively play a role (ibid.). An evaluation of the project reveals that the programme could not succeed in building institutions and in reaching the grassroots, and forging partnerships for marshalling resources (ibid.).

The conclusion one can draw from the above is that the state machinery continues to exhibit a lack of capacity to mobilize actors and resources for planning and servicing land. As a result of this planning deficiency most of the Dar es Salaam city and the rest of the Tanzanian urban centres continue to develop informally. The government has also conceded this fact (URT, 2000). The country assessment report by the World Bank (2002) also showed that
informal housing settlements provide shelter to the urban poor who are the majority of the Tanzanian population.

In a recent publication by Kombe and Kreibich (2006), the current housing situation in Tanzania urban areas is documented, based on research work in informal settlements in three urban centres. The research concludes that in big cities of the country, settlements are developing and densifying in the urban periphery, adding a spatial dimension to the general trend towards informality in urban housing.

3.4 Regulating Urban Land for Housing

3.4.1 The Context

A regulatory framework – a term derived from the regulation theory - strives to formulate enforceable rules and mechanisms that are needed to ensure societal harmony. According to Villeval (2001) regulation theory addresses institutional endeavours that advocate collective processes of coexistence. Such endeavours are necessary for shared communal/social values when discharging community obligations.

It can be expected that regulating urban development would achieve, maximised use of scarce land and environmental conservation through guided development. Regulation can also be expected to improve accessibility in communities and to provide safe and healthy housing. A formal regulatory framework generally comprises legal and semi-legal instruments (Habitat, 1985; Meijer and Visscher, 2004). Legal instruments are based on legislation while semi-legal instruments may be based on administration or customary practice (ibid.; Baiche, Walliman & Ogden, 2006). It follows then that a formal regulatory system comprising statutory requirements would apply to ensure orderly urban development. Such requirements might generally comprise standards for planning and building, which include regulations, rules and codes to be observed in the construction, and administrative procedures for compliance (Payne and Majale, 2004).

The basic question that one may ask is: is the observed informal development undergoing formal regulation or in fact any regulation at all? Informal regulation systems do exist and have been identified as deriving from the traditional norms and practice by community members – these being mainly based on unwritten social rules and structures (Toulmin & Quan, 2000). In this type of system, social regulation is enforced basing on community conduct and social trust among community members (Kombe, 2000a). The term `social regulation` is similar to `self-regulation`, which also refers to common rules, codes of conduct and voluntary agreements for guiding the conduct of residents in their organised groups. Essentially, self-regulation does not involve a legislative act although it is binding as a
Voluntary agreements can, however, be concluded in a more binding and formal manner thereby enabling parties to enforce them. Cotula (2007) notes how social regulation for informal development is continually undergoing an evolutionary process. He argues that changes in the social regulation are made to accommodate social-economic, political and technological changes in society. This has witnessed, for example, the enforcement of agreement basing on minimum formal contractual procedures (Kombe, 2000a; Cotula, 2007). In this case, the use of some basic written formal documentation in the predominantly verbal agreements is gaining grounds. This may be the practice in the informal settlements as evaluated by Kombe (2000a).

3.4.2 Land Ownership and Tenure types

Discussion here is limited to tenure systems for landholders and it does not include tenants. Understanding the tenure systems used in Tanzania would assist in the understanding of land governance and its influence on urban housing for different income groups.

Land in Tanzania is officially owned by the state and the president is the custodian of that land on behalf of the Tanzanians. This has an implication on how land is used and the powers behind the use of land for various purposes, including housing. To follow up the process of land acquisition and land development and the rights accruing thereto, three distinct features of land processing could be isolated: customary practices, formal and informal land delivery systems.

First the customary arrangement for land administration that existed before the colonial area can be highlighted. This practice governs land rights basing in traditional authorities, who maintain rights to allocate land to various users. The word ‘customary’ applied in relation to tenure, denotes the unwritten social rules and structures which shape a community’s practice for land allocation and land use (Toulmin & Quan, 2000). Customary practice and legitimacy is founded in a tradition of shared communal values that have been built over a long period of time (ibid.).

During the colonial time, land was pooled together and was administered by formal authorities. The Land Ordinance of 1896 vested all land in the ‘Crown’, except land in the natives’ hands and other interested parties (URT, 1997). Unlike the customary tenure system, proof of ownership had to be by documentary evidence and tenure was now based on occupation, not ownership. Land could only

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12 The concept of social contract as propounded by Villeval Marie-Claire (2001, p.292) in her advocacy of collective processes of coexistence and shared social values.

be leased out for a specific period through a ‘granted right of occupancy’ from the state. Land administration that did not follow formal arrangements was then taken to be informal. Customary land received a ‘permissive right of occupancy’, but the Ordinance empowered the state to remove any native from land and be compensated (ibid.). There were some revisions in the law to accommodate rights of the natives over their land. For example the Land Ordinance of 1923 Cap 113 and subsequent revisions in 1928 to recognize the rights of natives over their land but the established legitimacy was without a title deed. Only a ‘deemed right of occupancy’ was given (ibid.). With ‘granted right of occupancy’ one has to go through established formalities of cadastral survey, registration and records for proof of land ownership. With the ‘deemed right of occupancy’ processing for ownership is through informal means mainly handled through local administrative and legal institutions. Some sort of documentation is also involved in this arrangement, depending on the level of contracting awareness by transacting parties. With reference to urban areas, the ‘deemed right of occupancy’ was given to landholders in unplanned areas who had no formal documents.

After independence in 1961, land was formally administered by the government but informal practices also continued. A year later (1962), the Land Ordinance was revised to reflect the independent Tanganyika (now Tanzania) but principally the main provisions remained the same. The enactment of the Land Acquisition Act (1967) reinforced the power of the state to evict a holder of land rights under the customary tenure ship. The Act, which is still in force to date empowers the president to acquire land for ‘public interest (“compulsory purchase”). Section 2(a) 4(1) of the Act authorizes the President to “acquire any land for … any public purpose”. Owners of acquired land have to be compensated before the acquisition is sealed.

From this discussion, we can identify two main systems from which land for urban housing could be accessed in Tanzania. These are: the formal land delivery system and the informal land delivery system. This position is supported by Rakodi’s (1992a, p.42) also presents, that urban land in developing countries is in two categories of formal and informal. Fekade, (2000) and Kombe & Kreibich, (2000b) have identified another form, which they call neo-customary land delivery tenure system. They argue that this form blends pre-colonial land management procedures and the low-income household strategies for securing access to land. This form of land delivery may be taken as an evolution of customary land tenure combining factors of formality, cultural interaction in settlements and socio-economic changes. Land owners sub-divide land on the peri-urban fringe and sell plots for housing. This is done on the basis of the informal process although sometimes borrows elements of the formal
process. Land parcels transacted in the informal sector generally vary in size and shape, sometimes measuring less than 100m² and could be bigger than 4000m² depending on the location (Kombe & Kreibich, 2000b).

Since 1990s the government has carried out some reforms in land administration with the purpose of addressing weaknesses in land rights and improving tenure security. Of importance in all the reforms carried out is the aspect of more recognition of customary tenure rights and the way they could be integrated into the mainstream formal land system. The reforms have culminated in the enactment of policy documents and Acts that include: Land Policy (1995), Land Act (1999), Human Settlements Development Policy (2000) and Urban Planning Act (2007). The social legitimacy of informal land occupation is now recognised and defined within law. The Land Act (1999), The National Human Settlements Policy (2000) and Urban Planning Act (2007), all recognise and accommodate informal land and informal housing activities. Prior to the Land Act (1999) the old Land Ordinance was quiet about unplanned settlements and their legal status. In contrast, the Land Act (1999) recognizes two main types of land ownership in urban areas: long-term leasehold ownership (granted right of occupancy for 25, 33, 66 or 99 years) and now the short-term ownership in urban informal settlements. The latter refers to a ‘derivative right’ of occupancy through a residential licence, which is renewable every three years. The law provides for the regularization of interests in land within the boundaries of any urban authority in order to record, adjudicate, classify and register the occupation and use of land (Land Act, 1999, section 56; Urban Planning Act, 2007, section 23). The intention of regularization schemes is to formalize informal settlements through the formal planning process and implementation, in accordance with formal procedures and approvals (URT, 2007, p.315).

3.5 Regulating Human Settlements

3.5.1 General Provision

Housing involves institutional processes wherein many actors come into play (see chapter two, section 2.5). The system of regulation considered in the human settlement field entails land planning and housing development (Malpezzi, 1990). While effective utilization of land through proper planning minimizes conflict of use, building control (through building codes and standards) addresses construction in relation to safety, fire prevention health and sanitation (Barritt, 2000; Ben & Demola, 2000). Building Regulations set standards for the design and construction of buildings to ensure the safety and
health of the people who use the buildings. Such regulation (carried out through enactments and passing of bylaws in connection with formulated building regulations) has been achieved in different countries at different times.

In determining the optimal regulations to be applied in a given situation care must be exercised as regulations have costs and benefits that result in distributional consequences. The adoption of imported regulations without critically reviewing them for adaptation could therefore be counterproductive. Malpezzi (1990) presents the experience of a number of countries where the applied regulations, for example, those addressing zoning, do not consider economic costs and benefits to the society. At one extreme, the author reports that about 25% of land developed for residential purposes is wasted in form of excessive road areas, arbitrary setbacks, and sometimes in redundant community facilities (ibid.). Using international best practice, Bertraud & Malpezzi (2001) have used the Bertaud Model 14 to show that some land-use standards and practices are over generous and even extravagant. At the other extreme, studies reveal that in some settlements, small parcels of land are overcrowded with activities that could threaten human safety, health and comfort (Kombe & Kreibich, 2000; Payne & Majale, 2004).

3.5.2 The Tanzanian case

The regulatory role of urban development is vested in the Tanzanian state. However, Mgweno (2000) argues that the regulatory role for land development is actually placed in different institutions, which enact uncoordinated laws that sometimes placed in conflict by fulfilling the same land development role. Further, a lack of clarity in the roles of the government and non-governmental actors (among others), have been cited as a hindrance to the effective contribution of these actors to housing programmes and urban development (URT 2003). Most players in land delivery and urban housing development and control in Tanzania are fragmented, and they act in isolation with no proper coordination (URT, 2000; Shewiyo, 2008). These reasons may explain why there is little compliance to regulations in settlements. Records show that out of the total urban housing only 35% are in compliance with the existing building regulations (De Soto, 1999; URT, 2000; Mukama, 2002).

A study on the regulatory framework for affordable shelter in Dar es Salaam by Kironde and Payne, (2002), gives an indication that the existing planning regulations and administrative procedures constitute the most significant barriers to shelter provision to the urban majority. The findings of another earlier study on housing

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14 Bertaud Model is used to compare the cost-benefit of alternative project designs in describing efficient land-use.
in low cost informal settlements in all the three administrative districts of the Dar es Salaam city (Mushumbusi, 2000) reveal that formal building regulations have little effect on house building and the incremental development of those houses. This observation is similar to experience of authors in Kenya (Yahya, et al., 2001), Zambia (Campbell, 1990), Zimbabwe (Mafico, 1991) and Botswana (Viking, 1995; Yahya, 2001; Bourenanne, 2007). Knocke (1982), Mabogunje, et al. (1978), Fekade, (2000) and Tipple (2000) support Kironde and Payne’s observation by arguing that the top-down bureaucratic nature of the regulatory process results in overly high standards and lengthy processes that do not satisfy demand of various income groups in urban areas. Knocke (1982) observes that regulations, most of which have been inherited, are not appropriate to low-income housing projects. According to Yahya, et. al. (2001) the use of regulatory standards without proper adaptation has enhanced social stratification instead of reconciling shelter needs. A study by Kombe & Kreibich (2006) shows that plot sizes in Mlalakuwa, Dar es Salaam are as small as 48m². Lower standards have been reported in informal settlements of Navi, Mumbai with 18m² plots (Payne & Majale, 2004). Upon the basis of the preceding analysis, the main reasons for non-compliance with regulations seem to lie in the lengthy nature of the land allocation process and the general inappropriateness of building standards.

3.6 Regulatory Reforms in Tanzania - Salient Features

3.6.1 The Urban Planning Act of 2007

This Urban Planning Act replaced ‘The Town and Country Planning Ordinance (Cap 378) of 1947’ and its revisions of 1956 and 1961. The main objective of the Act is to ensure that urban land development is orderly and progressive. It has powers of control over the use of land and it establishes the Planning Authorities that are responsible for granting development consents and controlling development in their respective areas.

Access to land for housing is granted by Local governments. The law requires urban authorities to define land use and implement zoning and planning controls in line with the set national standards. The Authorities have a greater influence in acquisition of planned land and in overseeing its development process by residents. However, the main obstacle to development is the lengthy process involved in making surveyed land available, which impedes the quick delivery of planned land for housing, despite the ongoing reforms. An evaluation of procedures in the regulatory framework shows that this duration may go up to about 8 year (Kironde, 2003). However, responding to the requirements of the
Land Act (1999) the Director for housing in the ministry of Lands, Housing and Human Settlements Development (MLHHSD) says that the land acquisition process has been reduced to 2 years (see table 3.4). The law stipulates that application for plot and issuance of a Certificate of Occupancy should be completed within six months. This in theory reduces the waiting/processing time to about 13 months. However, the law does not offer any remedy for delays beyond this duration. It simply states that if the Certificate of Occupancy is not given within this period then;

“...the offeree may apply to the Registrar of Documents ... for the purpose of creating a notice of impeding ownership”, (Land Act, 1999, sect.30 (1)).

After getting the right of occupancy, further processes follow. According to the Land Act (1999, section 34(2)), conditions for developing a plot demand that a planning consent under the Urban Planning Act (2007) and a building permit under the Township Rules (1930) and the Development Control Regulations (2008) be obtained. This could take another year of waiting before accommodation is made available.

Table 3.4: Steps involved in the land allocation

<table>
<thead>
<tr>
<th>STEPS</th>
<th>SEQUENTIAL ACTIVITIES</th>
<th>AVERAGE DURATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Submitting an application form to the Authority</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Registering the application and initiating the process (documentation)</td>
<td>3 months</td>
</tr>
<tr>
<td>3</td>
<td>Land Allocation Committee considering applications</td>
<td>1 month</td>
</tr>
<tr>
<td>4</td>
<td>Advertising/announcing successful applicants</td>
<td>1 months</td>
</tr>
<tr>
<td>5</td>
<td>Issuing letter of offer</td>
<td>1 months</td>
</tr>
<tr>
<td>6</td>
<td>Acceptance of offer and making payment</td>
<td>1 months</td>
</tr>
<tr>
<td>7</td>
<td>Ministry preparing advice of payment</td>
<td>3 months</td>
</tr>
<tr>
<td>8</td>
<td>Preparing and approving Deed Plan</td>
<td>2 years</td>
</tr>
<tr>
<td>9</td>
<td>Draft Certificate of Occupancy prepared in duplication for owner signature</td>
<td>3 months</td>
</tr>
<tr>
<td>10</td>
<td>Submitting draft certificate to the Commissioner for Lands</td>
<td>1 months</td>
</tr>
<tr>
<td>11</td>
<td>Commissioner signing and sealing the draft certificate</td>
<td>1 year</td>
</tr>
<tr>
<td>12</td>
<td>Certificate of Occupancy registered by Registrar of Titles</td>
<td>6 months</td>
</tr>
<tr>
<td>13</td>
<td>Owner notified to collect certificate</td>
<td>1 months</td>
</tr>
<tr>
<td></td>
<td>TOTAL DURATION</td>
<td>24 months</td>
</tr>
</tbody>
</table>

Source: Adapted from Payne and Majale (2004, p.29) and interview with Ministry (LHHSD) official
3.6.2 Development Control Regulations

Development control rules are set out under the Local Government (Urban Authorities) Act of 1982 (Cap 288) and are referred to as the Local Government (Urban Authorities) Development Control Regulations of 2008. These regulations operate in parallel with the Township (Building Rules) of 1930 Cap 101 because the old rules are not yet repealed. All these regulations apply complementary to the provisions of Urban Planning Act (2007).

Under the Development Control Regulations, a person intending to erect a building should submit to the Authority for scrutiny and approval of plans (Rule 126). These should include a building plan, elevations and sections showing all the technical requirements in the design as per the urban planning requirements. Matters of safety, structural stability, sanitation, plot coverage and compliance to Town Planning Scheme are scrutinized. Compliance with the regulations enables an applicant to get a building permit (Rule 124) to start construction. Construction should begin within six calendar months of issuance of the permit otherwise fresh application should be made (Rule 137). Inspectors are supposed to follow up the process on site to ensure that the original building permit is obeyed during construction. If any necessary modifications are needed, approval from the Authority is mandatory. With respect to materials for construction, the Regulations make it clear that before erection of buildings in any materials, approval should be sought from the Authority (Rules 117 & 174).

The law requires that, prior to starting the site works a notice in writing be given and subsequent stages of construction within the specified time (Rule 130). The Authority is also to be notified after completing the building to certify if it is fit for occupation (Rule 134).

3.7 Housing in Dar es Salaam within the Formal Planning Context

3.7.1 Administrative Structure of Dar es Salaam

The City of Dar es Salaam is divided into three municipalities, Kinondoni, Ilala, and Temeke. The administrative structure has four levels of governance; city/municipality, ward, sub-ward (“Mtaa” or neighbourhood) and ten cell (the lowest level composed of ten residential houses), as shown in figure 3.1.
Director Council (City/ Municipal/ Town)

Ward Executive Officer (Local government appointee)

Sub-ward (Mtaa) Leader (elected by residents)

Ten Cell Leader (elected by residents)

Ward 1  Ward 2  Ward n
Subward 1  Subward 2  Subward n
Ten Cell 1  Ten Cell 2  Ten Cell n

Figure 3.1: The administrative structure of local government in Tanzania (Also see Appendix 7 for Local government levels in Tanzania)

Source: Adapted from Kombe & Kreibich (2000, p.45)

Section 14 (3) of the Local Government (Urban Authorities) Act No. 8 of 1982 stipulates that the area of an urban ward shall be divided into sub-wards (Mtaa\textsuperscript{15}) consisting of a number of households, which the urban authority may determine. Urban Councils are planning authorities within their areas of jurisdiction. The Act stipulates that, land management functions are to be exercised by the relevant Town, Municipal or City Council with the cooperation of lower council levels (Wards and Mtaas).

The population in Dar es Salaam districts is shown in figure 3.2, and it is noted that 78% of the population in Temeke, 70% in Kinondoni and 52% in Ilala are absorbed in informal settlements (CUP, 2004).

Figure 3.2: Districts in Dar es Salaam Region and their populations

Source: Tanzania Population and Housing Census of 2002

\textsuperscript{15}”Mtaa” is the plural of ”mtaa” a Swahili name for a sub-ward
Alongside the administrative structure of the city there is a political structure that consists of three levels: region, district and divisions. Divisions are political structures of local government for ease of political oversight on council developmental matters at the Ward level. The number and size of Wards under the divisions depend on the population density, size of the council area and geographical characteristics of the district, town, municipality or city in question. In Dar es Salaam there are ten divisions, out of which, four are in Kinondoni, three are in Ilala and three are in Temeke as shown in table 3.5.

**Table 3.5: Dar es Salaam city administrative structure**

<table>
<thead>
<tr>
<th>District or municipal area</th>
<th>Divisions</th>
<th>Wards</th>
<th>Sub wards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kinondoni (521,695 km²)</td>
<td>4</td>
<td>27</td>
<td>113</td>
</tr>
<tr>
<td>Ilala (272,677 km²)</td>
<td>3</td>
<td>22</td>
<td>65</td>
</tr>
<tr>
<td>Temeke (786,515 km²)</td>
<td>3</td>
<td>24</td>
<td>97</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10</strong></td>
<td><strong>73</strong></td>
<td><strong>275</strong></td>
</tr>
</tbody>
</table>


3.7.2 Planning for Formal Settlements

**Formal City Expansion and the Master Planning**

The planning and the provision of human settlements in Tanzania urban areas bases on policies and laws discussed in 3.4.1 and 3.4.2 above. Dar es Salaam in this case is used as an example to demonstrate how the planning practice has been shaped by different planning doctrines and their impact on the practice of urban dwellers overtime. Dar es Salaam being the capital city of Tanzania has had greater emphasis in the planning and provision of human settlements compared to other urban centres in the country. For that reason, there are good records of the city’s planning history and the growth of human settlements around it could be accessed and evaluated accordingly.

The history of Dar es Salaam, the capital city of Tanzania dates back to 1862 from the time of the Arabs, the Germans and finally the British. The Arab ruler (the Sultan) planned, designed and built the core of the city from 1865 to 1867 (Hayuma, 1981).
The Germans (1890-1918) and the British (1919-1961) introduced the formal urban planning. The Germans shifted their capital from Bagamoyo (about 70 Km to the north) to Dar es Salaam in 1891 and they developed the ‘Baourdnung’ (Building Code). This distinguished three residential areas according to the designated house types (zoning as per the race). The first area was for the Europeans composed of houses in solid materials, the second area was for the Indians, also composed of houses in solid materials. The third area was intended to harbour the first wage earning Africans and had no specific definition of house type. This third area covered Kariakoo and Ilala spontaneous settlements - figure 3.4. The Township Ordinance of 1920 was a continuation by the British administrators on the German zoning scheme. The origin of the planning of Dar es Salaam thus began from the city centre and expanded on all sides, with geographical boundaries being adjusted accordingly (refer to figures 3.4 and 3.5).
Figure 3.4: Growth of the City and its Suburbs (1969)

Source: Journal of Tanzania Society, 1970, p.8
Figure 3.5: Dar es Salaam Settlement Planning (1969)

Source: Survey and Mapping Division (2004)
Settlements Planning in the Master Plans

The first Town Development Plan (Master Plan) for Dar es Salaam was prepared in 1948, creating the general guidelines for development of the city (appendix 5). In the following year, Dar es Salaam was declared a Municipality (URT, 1994). The colonial state had set up strict laws restricting Africans to migrate to urban areas. New land use pattern had emerged to accommodate industries, open spaces, transportation, etc. However, due to overcrowding in shanties around the city, the question of housing for the Africans had to be addressed (Iliffe, 1979). The dangers of overcrowding, slum dwelling, and inadequate sanitation were apparent as a result of low working wages, underemployment, and the city’s constant rising population. African population in Dar es Salaam had increased from 25,000 in 1944 to 56,765 in 1948 (Iliffe, 1979, p.254). ‘Low cost’ houses were built in the neighbourhoods of Ilala, Magomeni and Temeke. Also, thousands of plots were demarcated in Kinondoni, Magomeni, Temeke and Kigamboni. These places were carefully chosen for providing factory/ estate/ farm labour (ibid.).

After independence (1961), the rate of urban growth in Dar es Salaam was high. Tanzanians of African origin came to the city in big numbers for several reasons, including filling the gaps left by the colonialists and their associates. According to Ilife (1979, p.255), the city population increased from 87,000 in 1957 (about 75% of the total city population) to 196,200 (about 88% of the total city population) in 1967.

Subsequent master plans followed in 1968 and 1979 (appendix 3). Several sites were earmarked for formal settlements (figure 3.4) but many other sites continued to grow informally, almost doubling by the year 2002 when the national census was conducted. Conventional plans had little capacity to cope with population increase in the magnitude they were occurring. As a result, informal settlements proliferated and there was overcrowding in slums. In the period succeeding the 1979 Master Plan, development led by private investors in the city has been grossly uncontrolled. This trend followed the liberalization of trade and the privatization policies in which the economic model of planning influenced this phase of development. The model was dictated by the global competition where financially squeezed states were forced to liberalize their economies and to move to “property-led” type of development. It was argued that government regulation and planning were harmful because they stifled entrepreneurship initiative, impeded innovation and imposed unnecessary financial and administrative burdens on the economy (Klosterman, 1998; Chuo 1999). However, as could be followed up in figures 4.3a this model did little to check the advances of the informal housing in unplanned areas. The period between 1980
and 1990 where most of the development was uncontrolled was seen therefore as a crisis in urban management.

Under the Sustainable Dar es Salaam Project of the global Sustainable Cities Programme an Urban Development Planning Framework was initiated and completed in 2002 ready for use. However, as of today it has not been put into use. According to Kyessi (2008)\textsuperscript{16} the Framework has some inadequacies in the future development vision. Preperations to put another master plan in place continue.

During all the time that a comprehensive planning document has been absent, development of planned settlements has tended to follow the routes outlined in the Strategic Urban Development Planning Framework.

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{Figure_3.6_a.png}
\caption{Growing Informal Settlements in Dar es Salaam in the 1970s}
\end{figure}

\textbf{Source:} Gabrielsen, 1981, p 3.5; based on 1979 Dar es Salaam Master Plan

\textsuperscript{16} Kyessi Sarah is a planner and the Project Manager for the Dar es Salaam settlements regularization project under the Ministry of Housing and Human Settlements Development
3.7.3 Formal Land for Housing

The acceleration of urbanization for the Dar es Salaam City during the last decades has created a large deficit in housing. Chart 3.5 shows the number of applicants for surveyed plots and the number of plots subsequently allocated. The chart shows that the number of applicants decreases overtime, despite the fact that demand for housing land remains strong. The decrease in number of applicants could only point to despair by applicants who accordingly resorted to other alternative (informal) routes for accessing urban land.
Chart 3.5: Number of applicants for plots and plots allocated (surveyed by government surveyors) in Dar es Salaam 1990 – 2001

Source: Adapted from Kironde, 2000, p.2

Chart 3.6 shows a slight increase in the number of surveyed plots from 1996 onwards because of the government’s special project to increase the number of plots in Dar es Salaam. According to Mollel (2006, p.85)\(^{17}\), before embarking on the special project, the city of Dar es Salaam had a deficit of 25,000 plots a situation that called for an addition of 5,000 plots yearly.

Chart 3.6: Number of applicants for plots and plots allocated (surveyed by government and private surveyors) in Dar es Salaam 1996 – 2001

Source: MLHSD Surveys and Mapping Division, 2002

### 3.7.4 Informal Practices within the Formal Planning

From the overview presented in the previous section (3.7.3) it is clear that formal planning practices have not been able to arrest the

\(^{17}\) Mollel Lazarus is a Director of Survey and Mapping in the Ministry of Lands, Human Settlement Development, Tanzania
momentum of the informal development. As discussed in 3.4.2, despite some reforms in the land ownership, informal housing is still prevalent. It is argued that with the rapid urbanization like that of Tanzania and the dwindling capacity of the states, informal development is expected to continue (Tannerfeldt & Ljung, 2006). Moreover, rapid urbanization, economic growth and financial globalization are having their toll on the land costs making formal land in good locations unaffordable to many urban dwellers (Habitat, 2007; Davis, 2007). These arguments however present one side of the coin. As presented in chapter 1 (section 1.2) an alternative reason behind the spread of informal settlements may be sited in the inappropriate planning and building regulations, which are currently in place. It could further be argued that even low-income household in the formal settlements are likely to be affected by the regulations despite owning initially planned plots (De Soto, 2000).

Some attempts have been made to control the informal development. While provisions in the Land Act (1999) recognize the inevitability of land occupation prior to planning, both the National Human Settlement and Development Policy (2000) and the Urban Planning Act (2007) advocate a stop to the practice. The National Human Settlement and Development Policy document proposes timely planning of peripheral urban land for development (see p.26 of the Policy, sub-section 4.1.4.2 (iv)). It also proposes the designation of special areas affordable for low income groups (ibid., (vi)). However, the policy documents and the legislations are silent on the formal settlements and regularized informal settlements whose development activities proceed informally.

3.8 Concluding Remarks

This chapter has highlighted some inherent problems in solely relying on the formal approach to urban housing. The preceding analysis demonstrates the problems presented by housing models that based on conventional approaches, and discusses their shortfalls in meeting the demand for urban housing. The formal system of urban land delivery, it has been shown, achieves a level of supply that is lower than the demand for land and it is this shortfall, which necessitates and supports the informal delivery route. It can be concluded that solutions to problems of access to adequate and affordable urban land and housing still remain elusive, despite the paradigm shifts in urban planning and management and the recently introduced land reforms. The documented housing practices presented herein suggest that housing development on both formal and informal land proceeds either without being proper regulated or without being regulated at all. This clearly does not constitute a healthy situation for achieving orderly and sustainable urban development.
Chapter Four: **Research Design and Methodology for the Empirical Study**

4.1 **Introduction**

This chapter addresses research design, research process, research strategies adopted within this study; as well as setting out the grounds for selection of key people for interview and selection of case studies; and considerations relating to data reliability and validity. The chapter also explains methods used for collecting information and for analysing data. Two parallel approaches for studying the formal and informal processes involved in the delivery of urban land and land development activities are adopted. The first approach deals with formal institutions and actors who govern the formal process, the top-down process: government ministries, departments, municipals and government officials. The second approach focuses on residents in the settlements who govern the informal, bottom-up process.

4.2 **Research Design and Strategy**

Research design may be taken as a conceptual structure within which research is to be conducted. Kothari (2000, p.39) defines it as; “the arrangement of conditions for collecting and analysis of data in a manner that aims to combine relevance to the research purpose with economy in procedure”. The purpose of research design is to avoid situations where evidence could be collected but without addressing the research questions in place. The logic that links the data to be collected and the conclusions to be drawn to the initial questions of the research should be clearly spelt out at this stage of design (Yin, 1994).

This research explores the extent and quality of housing development in the informal settlements and the level of intervention by government authorities and other actors in facilitating the provision of decent housing. The same processes are followed up in the formal settlements for comparison purposes. The research adopts a case study approach because it is well suited to research work in social science, bridging as it does the gap between qualitative and quantitative methods (Johansson, 2005). In defining a case study Yin (1993, pp.31-32) emphasises the need to look for multiple sources of evidence when conducting an empirical inquiry into a phenomenon. He argues that it is always difficult to separate the phenomenon being investigated from its real life context. The context bound situation in case studies is underscored by Flyvbjerg (2001) who poses that through case studies, a researcher gets an opportunity to interact with...
people while studying a phenomenon thus being able to give live and powerful examples of reality.

This research is therefore based on a multi-case study with embedded multiple units of analysis. A unit of analysis or the case of a particular study can be an individual or a group of people (Patton, 1987). The key issue in determining the unit of analysis lies in a prior decision on what should be said at the end in connection with the study revelations. Multiple case designs are more robust - hence more advantageous - than single case designs (Yin, 1994). Through the chosen strategy it should be possible to draw comparison between two or more settlements as to the extent of variations and/ or similarities in their practice. To make such a comparison, land and construction processes at work in settlements need be studied and understood first. The present study identifies three units of analysis: the central authority which formulates planning and building regulations; informal settlements; and formal settlements. Practices of informal and formal settlements and the factors that influence those practices are compared. Households (encompassing plots, houses and construction activities) form the sub units of analysis, within which extensive examination of specific phenomena in operational detail is conducted.

Whilst a mix of quantitative and qualitative evidence is employed, the main approach of the study is qualitative. Qualitative evidence was solicited from the settlements by seeking to understand the processes through which residents engage in housing construction activities and other communal and income generating activities. Quantitative evidence was derived from structured and standardized data generally from observations in settlements in order to corroborate qualitative evidence. Through several methods of data collection both qualitative and quantitative data are therefore used.

By handling a variety of documents, conducting interviews and making observations, the chosen research strategy for this study makes it possible to study real-life situations, issues, and problems. The methodology is exploratory in nature and it is preferred because it enables to ask questions of ‘what’, ‘how’ and ‘why’ about a contemporary set of events over which the investigator has little or no control (Yin, 1994). The questions are targeted to a limited number of events and their inter-relationships in case study areas. By following up what is taking place in settlements and at the same time that houses and their surroundings are being observed, analysed and placed in a context, the questions of ‘what’, ‘how’ and ‘why’ are asked and answered concurrently.
4.3 Selecting Case Study Areas

4.3.1 The Basis

The case study was conducted in Dar es Salaam the capital of the United Republic of Tanzania. For a description of the historical setting of the Dar es Salaam city refer to chapter three (sections 3.2 & 3.7) for urbanization trend and population of Dar es Salaam. The city is endowed with the best services of any urban centre in Tanzania thus attracting many rural dwellers. Apart from the natural increase, estimates by the Community Infrastructure Upgrading Project (2002) put the number of migrants to the city at 300,000 people annually. Out of the four cities\(^1\) in Tanzania, Dar es Salaam has seven times the population of Mwanza, the second highest city. The biggest proportion of Dar es Salaam city residents (75%) live in unplanned settlements, a higher figure than in other urban areas (URT, 2000). Informal settlements have developed in all directions of the city, from 16 in 1970, to 43 in 1980, to 55 in the late 1990s and to over 70 today (Lugoe, 2007).

It is estimated that about 15,000 new houses are constructed per year in the informal settlements of Dar es Salaam and that most of the individual developers obtain their land through the informal urban land market (Kironde 2003). Although informal settlements continue to grow in all direction their greatest concentration is in Kinondoni district\(^2\). A study conducted in urban Tanzania led by De Soto in 1999 on archetypes, revealed that out of 1.447 million extra legal properties identified, most of them (78%) were found in Dar es Salaam. Out of all extra legal properties in Dar es Salaam, about 90% were in unplanned areas.

The city has a Strategic Urban Development Planning Framework (SUDPF) that was prepared under the sustainable cities programme (1998). It included a very detailed land suitability analysis that indicated the presence of considerable land available for development (chapter three, figure 3.3).

4.3.2 Criteria for Choice of Case Study Areas

The selection of settlements in the city of Dar es Salaam was purposive and the cases were considered to be of intrinsic interest to this study (Johansson, 2005) as they highlight the informal, unregulated nature of housing activities being undertaken in Dar es

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\(^1\) Other cities include, Mwanza, Arusha and Mbeya

Salaam. The selection was facilitated by the background knowledge of the city and long experience of the author living in Dar es Salaam.

Two informal settlements were selected for the study. This was necessitated by the exploratory nature of the study, hence the need to consider elements of diversity in composition and densification in settlements including locational factors relative to the central business district. Table 4.1 gives the criteria used for selection of the informal settlements.

Table 4.1: Criteria Used for Selection of Informal Settlements

<table>
<thead>
<tr>
<th>FIRST SETTLEMENT</th>
<th>SECOND SETTLEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Undergoing conspicuous transformation</td>
<td>1. Undergoing conspicuous transformation</td>
</tr>
<tr>
<td>2. Information rich</td>
<td>2. Information rich</td>
</tr>
<tr>
<td>3. High densification</td>
<td>3. Low or medium densification</td>
</tr>
<tr>
<td>4. Near to or great influence of CBD life</td>
<td>4. Far from or less influence of CBD life</td>
</tr>
<tr>
<td>5. Long established</td>
<td>5. Relatively ‘recently’ established,</td>
</tr>
</tbody>
</table>

Source: Own construct

In order to facilitate comparison of formal and informal processes in the urban housing provision (a research question), two formal settlements were also selected for the study. Selection of formal settlements followed the same criteria as for the informal settlements, with the exception of the added criterion that formal settlements were initially surveyed and planned. Another additional criterion was that one selected informal settlement should be paired by one formal settlement in the same district so as to rule out administrative differences. A search into the available study documents on various settlements in Dar es Salaam also facilitated the choice of settlements. The choice was, finally, confirmed further by a survey conducted physically in settlements and some initial discussions with ward leaders in the settlements including officials in the relevant local authorities. Central to the choice was the ease of accessibility of cases, the robustness of cases to the study objectives and the level and availability of documented information for the cases in question.

The selected settlements (both informal and formal) exhibit comparable features of urban development in terms of development pattern, physical characteristics, livelihood activities and problems related with human settlements. This is despite differences in the age of each settlement which correspond to varying degrees of development and, as a result, which could be supposed to lead to considerable variation in their characteristics. Formal settlements that
are supposed to be governed by formal regulations are not expected to undergo dramatic changes over time. But informal settlements that are not regulated in terms of expansion are expected to be going through a process of change in a gradual consolidation process. Such a process might, for example, become evident in structures being added, settlements densifying or expanding, occupants changing and rental markets emerging and some forms of regulations taking place.

According to these criteria, two informal settlements - Hanna Nassif in Kinondoni district and Kinyerezi in Ilala district - were selected for the operational detailed study. Two formal settlements - Sinza in Kinondoni district and Tabata in Ilala district - were added as control cases for comparison purposes. In total, four settlements were studied. With respect to the temporal dimension of individual settlements raised earlier, it is noted that Hanna Nassif and Sinza are over thirty years since they were established. Tabata and Kinyerezi are over fifteen years but less than twenty years.

Figure 4.1: Location of case study areas
4.3.3 Carrying out the Study

Fieldwork for the study was carried out in 2006 and 2007 as indicated in table 4.2.

Table 4.2: Timetable for the Main Field Study

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>DURATION</th>
<th>REMARK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main questionnaire developed</td>
<td>Jan-Apr 2006</td>
<td>Pre-testing questionnaire</td>
</tr>
<tr>
<td>Field work</td>
<td>Jul-Sept 2006</td>
<td>Interviews in Offices and to informed individuals</td>
</tr>
<tr>
<td></td>
<td>Jan-Aug 2007</td>
<td>Ditto and Interviews in settlements plus observations</td>
</tr>
<tr>
<td></td>
<td>Nov-Dec 2007</td>
<td>Verification</td>
</tr>
</tbody>
</table>

4.4 Methodological Approach

The case studies have been carried out in the following stages:

Stage 1: Literature review  
Stage 2: Pilot study  
Stage 3: Focus group discussions and specific category interview  
Stage 4: Questionnaire review and main field surveys  
Stage 5: Analysis of interview responses and documentary evidence  
Stage 6: Writing a thesis

The research design and the research process went through the steps illustrated in figure 4.2.

Figure 4.2: Research design and process (Case study method)

Source: Adapted from: Yin, (1994, p. 49) and Kothari (2000, p.14)
4.5 Data sources and collection techniques

The research work utilized both primary and secondary data that captured meaning, processes and context. This approach renders itself appropriate to the study of interplaying institutional processes for housing provision and human settlements issues generally related to the economically disadvantaged urban majority. Primary data were obtained through several data collection techniques, involving documentary study, physical observations, focus group discussions, household interviews and interviews with officials, professional bodies and local builders. Secondary information was obtained through literature reviews, which in principle served two purposes:

1) To establish an understanding of the existing knowledge gap with respect to the research issues to be investigated and to avoid repetition of similar studies, and

2) To provide documentary analysis needed to supplement the interviews and discussions made with relevant independent sources.

Collection techniques used, reasons for their selection and use of the data obtained are all detailed below.

4.5.1 Review of Documents

Documents reviewed included literature from other researchers, read for the purpose of obtaining secondary information. This material provided information about past policies and programmes, planning and housing processes, and the regulatory framework for regulating land development activities. Official documents were also reviewed, including planning laws/ Ordinance (1956, Cap 378); the Urban Planning Act (2007) and the Land Policy (1995); the Land Act (1999 & revisions of 2001); three Dar es Salaam Master plans (1949, 1968 and 1979); the Dar es Salaam Urban Development Programme (SUDP), of 1999; and the Township rules (1930, Cap 101 and four versions of draft regulations of 1976, 1980, 1985 and 2001). Other documents reviewed included, the National Human Settlements Development Policy (2000) and the Construction Industry Policy (2002), which are both government housing policy documents. Various reports, magazines, journals, and media writing on housing issues were also accessed.

The review of these documents was intended to inform the preset study with respect to the nature of the laws and regulations used for land administration and land development. Knowledge of the applicable laws and regulations was thought to be of assistance in the discussion of their relevance in delivering urban land and in controlling development on urban land. It was also important that these documents be studied in order to determine the extent to which
they were complementary in achieving their respective land and urban development goals.

4.5.2 Interviews with Key Persons

Another category of collection techniques constituted interviews with officials in relevant ministries, in professional bodies and individual professionals/academicians in their official and personal capacities. Although structured questions were prepared, in most cases the interviews took the form of conversations. Official interviews were conducted with officials of the Ministry of Lands and Human Settlements Development and its Departments/Agencies; Ministry of Local governments; Dar es Salaam Municipal Councils (DMC); one NGO; Local government office bearers like Ward Executive Officers (WEO); and Mtaa leaders. Also, in this category were the local builders (‘fundis’) who were accessed in different residential sites in different parts of the Dar es Salaam city.

Interviews with key persons in ministries and in municipalities were considered important for this study because policy directions from formal institutions in which interviewees were based are to guide activities in the settlements. Moreover, given the positions interviewees have in ministries and municipalities, they were well placed to speak their minds and describe their perceptions of what might be influencing various human settlements actions. Still, it was believed that seeking audience with these key persons would initiate a dialogue for feeding-forward into the urban housing process.

Interviews with key persons in NGOs and Ward Executive Officers in the settlements were aimed at focusing interview questions for the settlements. Being key actors in the settlements, their responses were also informative with regard to how issues of land delivery and development activities in settlements were being handled.

Responses from all the interviewees were also used to corroborate evidence from the settlements during data analysis.

4.5.3 Focus Group Discussions

Discussions were conducted with architects and quantity surveyors as stakeholders involved in the professional services for design and construction of urban housing. Their views on the regulatory process and governance matters were considered to be informing to the practical approach towards provision of urban housing. Members from professional bodies and professional associations in the field of architecture, quantity surveying and engineering are involved as key actors in the housing process. As professionals they engage in the design, costing and supervision of housing projects as per the statutory regulations. These professionals also engage on technical workshops that discuss salient issues of the construction industry with the aim of
influencing on policy decisions. Professionals are also employed in government ministries that handle matters related to urban development and housing.

Focus group discussions were conducted twice, in 2006 and 2007. For convenience of getting participants, the timing of the focused group discussions coincided with the annual workshops of continued professional development, in Dar es Salaam (2006) and in Arusha (2007). The focus group constituted a group of 10 people drawn from the large group of workshop attendants. Members were drawn from a list of participants at the secretariat desk by taking the first ten names of architects and the first ten names of quantity surveyors. Then participants were approached during the break time. Some declined and they were replaced by other names on the list using similar approach. The meetings were held at the end of the general workshops with the author being the moderator of the discussions. The discussion in 2006 dwelt on what professionals could do to direct orderly development in the built environment and the 2007 discussion was on the role of a professional in improving urban housing economically disadvantaged.

Information from the focus group discussions was considered to be valuable for the way that it expressed views of professionals regarding how problems of urban settlements could be solved from a professional stand point. In particular, the views and suggestions of professionals with regard to how laws and regulations could be streamlined to enhance urban housing were expected to form a valuable input into this study. It was expected that these individuals would be of use in putting up proposals as to how they could be engaged in assisting with technically feasible solutions to affordable urban housing to the low-income urban majority.

4.5.4 Interviews with Residents

The main category of interviewees constituted, structured interviews that were administered to residents (tenants and owners) in the settlements forming case studies. Prior to the interviews, questionnaires (appendix 1) were handed to the would-be respondents at least one week in advance. This was intended to allow ample time for the would-be respondent to prepare for the interview but in most cases respondents had either not read the questions or they had misplaced the questionnaires. People in the settlements showed little regard to the questionnaires. It is possible that people do not have time to sit down and answer questions, not even perusing the questionnaire. As noted in some cases some people were asking whether there was any incentive for them to spare their time preparing for answering the questionnaires instead of doing other things. As it was known later, such people meant being given a monetary consideration because they perceived the study to be generating ‘good money’ to the researcher.
Some residents said that in previous studies some researchers offered them a token for answering questions or for helping them to take physical measurements. However, the use of interviews with guiding questionnaires improved the response rate and facilitated the data collection exercise. Instead of respondents answering questions on the questionnaire to be collected later, we made face-to-face interviews with each one using the same questions in the questionnaires and answers were transcribed as they were given. In order to get the best from respondents, probing questions followed each interview in order to clarify points that were not considered to be clear to the interviewer. Respondents were sometimes asked to put the questions asked in context by providing their own perspective on the question and in this way, explain how they comprehended them.

Administration of questionnaires in the studied settlements was based on a systematic sampling, adopting a pre-established pattern – in the case of this study, every tenth house. The exercise started with the closest house to the ward office, and proceeded in all the possible directions, depending on the orientation of the ward office. The established procedure had to be adjusted in cases where houses/buildings were not used for residence - example, houses under construction, buildings used for commercial activities, etc. In some cases where it was difficult to access a household the next house was taken instead. Interview routes (directions from the ward office as the reference point) are shown in figure 4.3.

![Figure 4.3: Routes followed for the interviews in settlements](image)

In each household within the sample, only the household head (landlord or tenant) was interviewed. In some houses there were several ‘households’ (tenants) but in order to cover as many houses as
possible in the sample only one owner tenant in a house was interviewed depending on those present at the time of visitation.

**Sample size**

The target sample size for the household interviews was around 15% of all the households in each settlement as shown in table 4.3. These numbers would make it possible to create meaningful frequency tables and to compare between settlements. This sample size was not guided by the principle of random representative samples, but rather by the results of the pilot study conducted in 2005. The pre-testing of the main questionnaire gave an indication of the sample needed to obtain saturation of information (Morse, 1995, p.147). If the sample size increased above this target, it was considered that the amount and quality of information became redundant and hence constitute a wastage in resources. The recurring thoughts, perspectives, and responses from participants would, in such a case, add little value for learning.

<table>
<thead>
<tr>
<th>Settlement cluster</th>
<th>Total Households (P)</th>
<th>Sample size (N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Hana Nassif (Mkunguni sub-ward)</td>
<td>484</td>
<td>75</td>
</tr>
<tr>
<td>2. Kinyerezi (Mnembwe &amp; Zimbili ‘A’ sub-wards)</td>
<td>690</td>
<td>105</td>
</tr>
<tr>
<td>3. Sinza (Sinza ‘C’ sub-ward)</td>
<td>1039</td>
<td>155</td>
</tr>
<tr>
<td>4. Tabata Kimanga sub-ward (NHC Project)</td>
<td>150</td>
<td>50</td>
</tr>
</tbody>
</table>

Reconnaissance trips in settlements for first hand information and assessment of the physical patterns and social characteristics of residents led to the conclusion that populations from which samples were to be drawn had similar characteristics in each settlement.

**4.5.5 Observation Mapping and Photograph**

Observations, mapping and photographing of existing situation in case study areas was undertaken whilst walking across the settlement area being studied. These walks enabled the author to capture development activities on land – for instance, the occupied areas in plots, dwelling layout and construction, built-up area, dwelling growth, spatial organization of activities and densities per plot area.

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20 The total number of people in settlements is available in e sub-ward offices.
The settlement patterns in unplanned as well as planned areas can be established through study of the four physical elements of the settlement: streets; blocks; plots; and housing. These levels were followed up in the case study areas. The study focused on the definition of these elements (i.e., layout, construction and transformation over time) and the extent to which developments complied with planning and building regulations.

4.6 Data Analysis Method

Data analysis is a process of making sense out of the data collected. The goal of data analysis is to understand social phenomena through holistic pictures and drawing conclusions based on reasoning from the facts of a case. The process involves a number of operations performed with the intention of summarizing the collected data and organizing them in a manner that would answer the research questions and achieve the research objectives. The data analysis process/exercise started in the field during the debriefing exercise. This was a continuous exercise done at the end of every week after a set of observations by the main researcher and two assistants. The debriefing took the form of group discussion in order to compare notes from field experience and making summaries and adjustments in the approach to fieldwork where this was found necessary. As data was being collected and organized, notes would be read out so as to get sense of the collected data and kept on re-adjusting it by going back to the field for confirmation where it was found necessary to do so. At the end of the fieldwork, a large amount of data had been collected, which was not organized in a readily consumable format. Therefore, the first task in the analysis was to search and become familiar with these data and identifying main themes. Then the information was classified and categorized by physically grouping data into themes as summarized in Appendix 3. These groupings were then examined in depth through a descriptive analysis which aimed to provide detailed descriptions of the setting, participants and their activities. In order to verify notes and insights by the respondents, field revelations and other secondary sources were used corroboratively. The use of statistical procedures was limited to the use of spreadsheets for converting figures to charts and histograms.

Response data were analysed separately in each case so as to identify unique patterns within the data for that single case. Detailed case study write ups were then prepared for each case categorizing interview questions (themes) and answers and examining the data for within-group similarities and differences. A cross-case analysis followed, which examined pairs of cases categorizing the similar features and different features in each pair. Similar pairs were subsequently examined for any differences and the dissimilar pairs were also examined for any similarities. Differences and similarities
were organized by settlement pattern and activities, plot utilization, mode of construction, state of infrastructure and existing services. In all these examinations documentary evidence and physical verifications in plots (on-site observations and photographs) were used to check on and corroborate evidence from the cases. Responses from interviewed officials and professional bodies including focus group discussions were also used to gauge how different perceptions of and beliefs about urban development matters impacted on dwellers’ living status in settlements. Finally, attempts were made to synthesize (integrate and interpret) the organized data to generate a broad general understanding and a series of conclusions.

4.7 Reliability and Internal Validity

In natural sciences, reliability is taken to be the degree to which the survey results are free from random or systematic error (Alreck & Settle, 1995). The transparency with which data collection method is made helps to make clear how data were gathered for traceability purposes. For reliability it must be possible to repeat the operations under similar conditions so as to generate similar results. In order to ensure this process, Saunders, Lewis & Thornhill (2007) argue that the data sources should be critically assessed and ways for their reliability evaluated. The case study areas were purposefully selected, with a rich information base. There exists a sizeable official amount of documentation concerning the studied settlements. For each settlement, a database was created where information was built up and systematically stored. The same methodology was used for all the studied settlements. As described in section 4.5.4, structured interviews were done and probing questions were used where clarification was needed. For reliability of information from respondents, efforts were made to increase field-generated data in both informal and formal settlements for better judgement. This was achieved by way of building relationships with the respondents (households) for soliciting information and cross checking the information as well as direct observations. Gathering of information from the settlements utilized research assistants who went through two orientation seminars run by the principal researcher prior to carrying out the pilot study and the main survey. The seminars were conducted in order to achieve a common approach and knowledge among interviewers. The pilot study and the pre-questionnaire testing exercises proved valuable in assisting the researcher and the assistants to map and acclimatize to the research field environment and familiarize themselves with the strategy to deal with the respondents.

Internal validation is aimed at establishing the extent to which “research findings are about what they profess to be about” (Saunders, Lewis & Thornhill, 2007, p.614). Through the use of multi-sourced evidence (triangulation) it is believed that internal
validity was ensured. Apart from interviews, observations were made and documents were sourced (viz. books, reports, journals, seminar proceedings and media coverage). It was also noted at early stages that qualitative variables could easily lend themselves to subjective errors in their compilation where the observer was not careful (Ahuja, 2005). To validate the research findings and ensure internal validity as presented earlier, de-briefing sessions served as a feedback and feed forward mechanism to the exercise in ensuring that deviations from the research objectives were addressed in good time. It is therefore believed that the above instituted measures served as appropriate interventions from which the research findings are derived.

4.8 Generalization

Saunders, Lewis & Thornhill, (2007, p.599) give a general definition of generalization as that of putting up “…more widely applicable propositions based upon the process of deduction from specific cases”. Beyond deduction, two more models on which generalization may be based are induction and abduction. Johansson (2005) poses that one or a combination of these different modes may be used to make a generalization. Patton (1987) and Yin (1994), argue that results from case studies cannot be generalized but that they can only be related (or transformed) to another context if conditions are similar. Quoting Johansson (2005), Svane (2005, p.337) argues along similar lines, stating that case study generalization is not statistical but rather depends on analysis that finally enables creation of contextual meaning. There are, however, counter arguments to these views. Flyvbjerg (2006) argues strongly for the possibility of generalizing from a case study, saying that it depends on a selection strategy, as it does in hard science. Such a focus on strategy poses the centrality to scientific development which hinges on a single unique case (ibid.), or where a researcher picks on a strategic case that has characteristic features similar to other cases of its type (Denscombe, 2008). There are, however, some particular limitations that may affect the extent to which cases in particular contexts can be generalized. These limitations may include, for example, housing traditions and beliefs, general level of the economy, political culture and the extent to which tolerance is exercised, etc. In such cases Denscombe (2008) - like Patton (1987), Yin (1994), Svane (2005) and Johansson (2005) - argues that the determination of the extent of generalization is finally the reader’s responsibility after inferring from the presented information.

The arguments about generalization show how the credibility of generalizing from case studies can be both questioned and, sometimes, even misunderstood. To avoid misunderstandings, the use of the term ‘transferability’ is preferred than the use of the term
‘generalizability’ in qualitative research. The similarity in the characteristics of informal settlements have (see chapter 2, section 2.3) would merit comparison in a broader sense. These main characteristics constitute: the unguided plans leading to haphazard development with limited access to most of the plots; lack of infrastructure services; and most houses being of low quality built incrementally. Formal settlements are however governed by statutory planning regulations and development control codes. Since the concept of transferability is chosen for this study, it is expected that findings from the case study areas will be debated as to the general trend and patterns and that this debate will in turn lead to an appropriate interpretation. Whilst the results of the study may not be generalized to other areas but are expected to add to the knowledge needed to handle similar situations.
Chapter Five: Findings from Study of Documents and Responses From Key Persons

“The poor are bound to accept higher risks than the rich. Imposing upon them the same degree of safety as those imposed upon the rich may simply exclude the poor from any housing at all”
(Knocke, 1982, p.13 of Appendix ‘C’)

5.1 Introduction

This chapter discusses findings from the reviewed literature and policy documents. Responses from interviews with key persons are also presented and discussed. The main written sources were both primary and secondary. Primary sources included both policy and legislation documents. The policy documents reviewed were the Land Policy; the Construction Industry Policy; and the National Human Settlements. Legislative documents reviewed included: Land Ordinance (Cap 113) of 1923, revised in 1947; The Land Acquisition Act No. 47 of 1967; Land Surveying Ordinance (Cap 390) of 1957; Township Ordinance (Building Rules), (Cap 101) of 1920, revised in 1930 and in 1954; the Local Governments (Urban Authorities) Act of 1982 (Cap 288); draft rules for Simplified Building Regulations (1976); draft rules for Tanzania Building Regulations (1980, 1985 & 2001); Act no.16 & 17 establishing the regulatory boards; Urban Planning Act (2007); and other related documents. Secondary documents included various documents from the general literature and reports. Interviewed key persons are as indicated in chapter 4, sections 4.3.2 & 4.3.3.

The study discusses formal institutions, including actors within those institutions and their roles in relation to urban land delivery and land development. Some shortcomings in the formal regulatory framework for planning and building are also considered, particularly with regard to their application in controlling human settlements development in urban areas.

5.2 Access to Urban Housing

In chapter 3 sets out a discussion of various land tenure types leading to formal and informal land delivery systems for urban housing. Tenure can be taken as one component in a package of policy measures for improving efficiency and equitable use of urban land. Formal and informal urban housing derive from the formal and informal delivery systems. Each system has its norms, rules and procedures governing land delivery. Delivery of formal land is governed by formal regulations and procedures aiming at maximizing land utilization and safeguarding the interests of the public. Delivery of informal land occurs through minimum written rules - or none at all

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and it is the social institutions that guarantee security of tenure sanction its use. This sanctioning bears little or no regard to optimizing land utilization, nor to safeguarding the interests of the public. Consequently, informal urban housing is developed incrementally and without regulation. This finding partly responds to the two operational research questions of: how development control is carried out in the informal settlements; and whether formal regulations are applicable at all or not. These questions will be addressed in greater depth following an analysis of the case study results.

The discussion of formal urban housing can proceed through consideration of three specific concerns. The first constitutes the making available of formal land for housing. For acquiring formal urban land, one has to follow the formal rules prescribed in the land laws. The second frame for discussion is the housing process itself, which depend upon the requirements of formal development as prescribed in the development control code. The third is the relationship between demand and supply for affordable housing. This last concern is dependent on a number of factors – for instance the ability of the government to deliver land at a rate that matches the demand for urban land and the ability of urban dwellers to afford housing of a certain level of quality. Development control rules may pose another constraint to housing, as not all urban dwellers would meet the requirements of these rules. The rules have a cost implication both in time and resources.

The inappropriateness of regulations was echoed by most of the interviewees. For example, all the interviewees from the three ministries acknowledged that the existing regulations were constraining the availability of formal land to the urban majority. A respondent from the ministry of Land, Housing and Human Settlement Development said that, in recognition of this problem the government continues to carry out some reforms aimed at streamlining the regulations and procedures. He cited the Land Policy of 1995 and the Human Settlements Development Policy of 2000 as forming the basis for the reforms to benefit the urban low-income dwellers. He further highlighted that, revision of planning regulations and development control codes and the new Land Act were aimed at consolidating the land reforms and development control. However, a respondent from an NGO involved in housing activities in Hanna Nassif said low-income households were not part of the housing equation when it comes to accessing formal land. She considered poverty to be behind it all, saying increasing demand for housing and high costs for urban land and housing materials have made most of the residents unable to afford a decent shelter. She gave her experience that developers were making the situation worse in Hanna Nassif settlement because properties of the poor were being bought in order to erect structures to be rented to the already economically advantaged population. In her opinion, therefore, providing new and better housing to the urban low-
income majority should not be the first priority. She rather considered recognition of land tenure on which the poor were to build to be the most important pre-condition for improving the social and economic situation in settlements. For enabling the residents to help themselves, she said, affordable housing policies were crucial by making sites available through subsidized land schemes.

5.2.1 Access to formal land

The mechanisms available for accessing formal land rely on surveying land and its registration before it is allocated to an applicant. As discussed in chapter 3, the entire process does not guarantee adequate land/ plots for the ever-increasing demand of urban plots. The enablement strategy instituted in lieu of the provider role of the government was to ensure that shelter efforts of the urban majority were supported by the government through facilitation of access to formal land for housing. But even the enablement strategy has not been able to solve the urban housing problem in a substantial way. Despite the commitment of the government through policy statements and policy documents, like the Human Settlements Development policy of 2000, little has been achieved on the ground. The land reforms barely touch on improved land delivery modes for urban housing. The National Human Settlements Development Policy of 2000 resolves to make timely intervention in the provision of low-cost land for the urban poor, however its operationalization is not in place yet.

As discussed in chapter 3, excessive bureaucracy in the surveying and registration process of land and issuance of title deeds still persists. Shortage of planned and surveyed land for housing may therefore still be a major contributor to the persisting informal land market. Most of the low-income urban majority have not been able to acquire formal land. For example, in an attempt by the government to reduce the gap between demand and supply for urban land for housing, a special project was initiated in Dar es Salaam. In a period of three years (1999-2001) the project created more than 20,000 plots (Mollel, 2006). Land for the project was acquired through compulsory purchase where original owners were compensated. Most of the individuals who previously settled on the acquired land were using the land for housing and/or for farming while some held it for speculative purposes (ibid.). Chart 5.1 shows that a total of 30,655 plots were surveyed out of which 22,428 plots had been allocated shortly after the plots were made available.

Of interest is the fact that the special project created more surveyed plots than the rate at which they were being allocated. This could be explained by the fact that surveyed plots were being sold at market rates that could not be afforded by many at once. Buyers of plots were in the middle-income and high-income
categories. Moreover, the lengthy process in the plot acquisition could have affected the delivery rate.

![Chart 5.1: Number of plots surveyed in Dar es Salaam under the special project (1996-2001)](chart)

**Source:** Adapted from figures by Mollel, 2006, p. 86

The ministry of Lands, Housing and Human Settlements Development administered the twenty thousand plots project. Interviews with the planners in the ministry who were involved in the project (the Director for Surveying and the Director for Human Settlements Development) confirmed that low-income households could not benefit from the project. They said plots had to be allocated on a fully cost-recovery basis. The planners said the project had no special arrangements for considering formal land delivery to the low-income households. Going by these responses, it is evident that Tanzania lacks a planning system that can ensure availability of sufficient land and additional investment in affordable housing. Development plans were supposed to ensure allocation of sufficient land for the provision of affordable housing locally, and this clearly did not happen.

From the above, it is also evident that although formal urban land delivery under the special project partly solved the urban housing problem, urban households in the low-income income bracket could not benefit at all. As discussed in chapter 3, section 3.3.3, one of the objectives of the enablement strategy is to facilitate access urban land for the low-income households. This objective is still far from being achieved.

### 5.2.2 Access to informal land

It has been argued that scarcity of formal urban land for housing is one of the major contributory causes behind the existence of informal
land markets. The other equally strong contributor (as shown in section 5.2.1) is the affordability problem. From the perspective of the economically disadvantaged urban majority, access to formal urban land remains elusive. This is because the delivery is based on the cost recovery approach and market forces that determine land prices for plot sizes based on prescribed density categories. Low-income households find it difficult to afford current land prices. As the respondent from an NGO in the Hanna Nassif settlement remarked, comprehensive urban land policy that provides affordable formal land to the low-income dwellers is needed. However, it should be noted that the apparent inadequacy in the supply of formal land has made even households in other income brackets to end up in the informal settlements, where land can be transacted easily.

For urban dwellers in the informal settlements, the neo-customary land delivery tenure system is dominant. The evolutionary process of the neo-customary tenure practice and the informal regulation more generally is discussed in chapter 3 (section 3.4.1). These processes are important to take into account in the consideration of whether other forms of land ownership could be integrated in the mainstream of the formal land administration system. Prior to the land reforms of 1999, the informal land arrangements were subordinate to the state executive (URT, 1997). Now the land law recognises the rights of landowners in the informal settlements. However, urban land falling under neo-customary ownership is still regarded as informal, because its development does not follow formal planning requirements as stipulated in the Land Act (URT, 1999) and the Urban Planning Act (URT, 2007). Even planners in the ministry of Lands, Housing and Human Settlements Development and municipalities insisted in interviews that all urban development should follow regulations. Respondents in the ministry and municipalities see informal settlements as an urban development deficiency to be corrected through regularization. However, experience shows that authorities do not consider informal settlements ready for regularization until the settlements have saturated (overcrowded). Residents in the informal settlements feel secure enough because neighbours and local leaders respect their property boundaries. Public and private authorities that provide basic utilities like electricity, telecommunication and water, promote development in the informal settlements. Experience elsewhere shows that residents in the informal settlements feel secure enough - despite not having legal titles - because of being tolerated by the state (Tannerfeldt and Ljung, 2006).

The informal approach to land for housing may signal the existence of innovative partnering initiatives working towards solving the problem of the supply and regulation of urban housing. Land reforms that have so far been carried out by the government to recognize the informal rights over land are quite timely. A follow up of the informal land process and the governance structures through
which urban land is made available at the grassroots level is important in order to evaluate the informal system as an alternative route to urban land for housing.

5.2.3 Informal development

Chapter 3 (section 3.3.4) and chapter 5 (section 5.2.1) of this study describe the way in which most of the urban development in Dar es Salaam - and all other Tanzanian urban centres - proceeds informally. It was argued in chapter 2 (section 2.6) that the informal land delivery system should be seen as an alternative route to complement efforts of the formal efforts for availing urban land for housing. A number of negative effects of informal delivery were also noted – for example situations where development has proceeded in a fragmented manner or land is sub-divided without leaving space for infrastructure and community services. More often than not, ignorance of good planning and construction practice also produces irregular patterns of generally sub-standard housing with limited access routes. The concept of neo-customary land tenure is used along side the formal delivery system to solve housing needs of the urban dwellers but so far this type of tenure is not controlled in a manner that ensures guided development. Regulating urban development is therefore necessary in some form in order to safeguard the community interest as well as the interest of individuals.

Chapter 1, section 1.2, and chapter 3, sections 3.5.2 and 3.7.3, demonstrate that apart from the unregulated informal development, formal settlements are increasingly not being regulated as required. The regulatory climate is of extreme concern because it appears the majority of the beneficiaries do not observe urban development regulations. This lack of compliance could imply that the regulatory framework for planning and building that is in place is inappropriate, an explanation that several authors have echoed (chapters 1, section 1.2 and 3, section 3.5.2). The process of implementing development control rules may sound perfect but in practice the length of time one has to go through for the approval is tedious as described in chapter 3 (section 3.6.1 & 3.6.2).

The inappropriateness of regulations was echoed by all interviewed professionals, except the planners. Planners from the ministry of Land (MLHHSD) and from Ilala and Kinondoni municipalities considered existing development regulations to be enforceable. They blamed politicians for interfering with the work of the planner by defending developers who violated regulations. Interviewees from Ilala and Kinondoni municipalities also considered poor enforcement of regulations to be attributed to scarcity of resources (manpower, transport and office equipment). Two officials, one from the ministry of Infrastructure and Development and one from the ministry of Land, Housing and Human Settlements
Development, both considered some aspects of outdated laws to be making the whole exercise of regulation difficult. They also acknowledged the presence of obstacles brought about by the uncoordinated laws, which hold potential for regulatory conflicts. The deputy mayor of the Dar es Salaam City Council shared this observation, believing that there are several uncoordinated laws in the land development under different ministries, which tend to conflict. According to him, the absence of role definition causes interferences by ministries not mandated to act in land development.

In contrast, the Director for Human Settlements argued that although the aspect of uncoordinated laws needed immediate attention, some ongoing reforms would help to iron out these and other regulatory impediments affecting accessibility to urban land. He cited reforms in the land rights and property development, noting that some of these - like the Land Act, the Land Policy, the Urban Planning Act and the Local Government reform - have begun to bear fruit. Interviewees from the two ministries also were of the view that inadequate resources affected enforcement of planning regulations.

Two planners from Ardhi University were of the opinion that the incompetence and unethical practices of some planners contributed more to the problem than conflicting laws. Interviewees from the two regulatory boards (AQRB and CRB) blamed the political interference, but also supported the view that unprofessional practices of some planners were the main obstacle. They proposed the establishment of the planning regulatory board to help check out dubious deals of some unscrupulous planners.

The responses from other professionals deviated from the responses of planners from municipalities and from ministry officials. These other professionals were in agreement with the planners that the existing regulations were generally appropriate, but not to the low-income people. Interviewees working as consulting architects and quantity surveyors said they themselves were to blame because they were not doing enough to solve technical problems of urban housing for the poor. They blamed their training background for failing to offer them mechanisms to intervene in the urban housing of the poor. One interviewee (architect) said the professional training offered to trainees is based on imported designs and that it imposes unrealistic solutions to urban housing for the majority. Another interviewee (a quantity surveyor) called for careful analysis of shelter options and standards, taking into consideration resource scarcity (finance, land, manpower and institutions, building materials and technology).

Discussion of the focus group dwelt on the growth of informal settlements and the increasing trend toward formal

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21 Mr Mwilima, the Deputy Mayor was a panel discussant in the Television program (ITV) on What should be done to arrest conflicting land laws (27.03.2009)
settlements being developed informally. The group made a plea that professional boards had to ensure that professional ethics were upheld when serving the wider community. Members of the focus group believed that the reason for unregulated settlements was because of the town planner’s dominance and the way in which planners did not want to cooperate with fellow professionals in the construction industry to offer appropriate solutions. Participants for example emphasized administrative structures in municipal councils that maintain a planning post but not posts for architecture and quantity surveying. This view emphasizes teamwork and regulation of the planners’ practice in controlling the built environment.

Figure 5.1: Formal and informal development in Dar es Salaam

From the foregoing discussion, it is evident that there are divided views among categories of professionals and government officials. Planners consider existing regulations to be generally appropriate. Architects and quantity surveyors partly agree with the appropriateness of regulations. They disagree that regulations are appropriate to the low-income people. They also highlight the role of the planner as an expert, which they see as an impediment to team work in solving urban housing problems mainly for the low-income people. Architects and quantity surveyors acknowledged the inadequate involvement of professionals in the planning and development of urban housing. Lack of professional involvement contributes to poorly developed informal settlements, which go on without guidance for basic planning and basic construction skills. The fact that formal settlements were also mentioned as not being regulated as required means that Tanzanian urban centres were undergoing an informalization process in Tanzania urban centres at present.
These answers relate back to the operational research question addressing the extent to which formal regulations are useful as a development control tool in settlements. While it is generally understood that regulations should be useful in guiding urban development, reasons for not using them in this case is an issue that is taken further in the case study areas. An attempt is therefore made within this chapter to evaluate both the content and intent of formal regulations.

5.3 The Existing Formal Regulatory System

5.3.1 Regulating Human Settlements Generally

The regulatory framework for accessing urban land in Tanzania is formal in approach (top-down) and, as discussed in section 5.2.2, although it recognizes existing activities on informal land it does not legalize informal land access as an alternative route (also see URT 2000; URT 2007). Centralized formal procedures are only used to declare and to approve informal developments on land for regularization. In other words, the laws do not provide for informal land delivery and land development as an alternative route for accessing urban land for housing. The law stipulates that urban development should be through declaration of land as a planning area. Once urban land is declared a planning area it reverts back to the state after original owners are compensated. The right of occupancy should be granted after land has been surveyed and registered under the Land Registration Ordinance. However, since the early 1970s the government policy has been to advocate improvement of existing informal settlements instead of demolishing them\(^{22}\). The law now recognizes informal land ownership and informal developments on land as discussed in chapter 3 (sections 3.4.2 and 3.7.4). To legalize existing informal developments they have to be regularized (URT, 2000). In practice, regularization is normally carried out through the upgrading process when housing densities in some informal areas have reached saturation point. Such a late intervention has two disadvantages: firstly, it makes the costs of regularization schemes hard to bear by governments and affected residents. Secondly, it results in the displacement of residents to pave way for access roads and for basic community facilities. It is also not obvious that regularization helps to place the informal into the formal because new developments in regularized settlements proceed informally.

As reported in chapter 3, section 3.7.4, the National Human Settlements Policy (URT, 2000) mentions timely intervention

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\(^{22}\) In 1972 the Government changed the policy of clearing slum/squatter settlements and endorsed a progressive policy of upgrading and sites and services.
in the peripheral land to stop informal development. During an interview with an official in the ministry of Lands, Housing and Human Settlements Development, the need to intervene in the informal settlements by stopping their spread was also repeated. However, the practicality of this proposal is not explicitly stated and the informal land development continues unabated. So far, there are no deterrent measures for regularizing settlements that are still at their infant stage. Little is known of efforts by the formal system to look into ways of working with the informal system for regulating human settlements. Although several studies have made some recommendations to that effect (chapter 1, section 1.2 and chapter 3, section 3.4.1), not much has come out of these suggestions in terms of effective implementation.

5.3.2 Planning and Building Regulations

An attempt is made to evaluate the formal regulation in Tanzania in order to determine the extent to which it serves as a control tool for land development. Provisions in the new Urban Planning Act (2007) indicate that planning for housing is still inherently top-down. The Minister, the Director for planning and Planning Authorities have retained almost all powers to determine the standards and procedures for urban development at the expense of communities’ priorities. There is still little planning from below (the grassroots). The Director for planning has, recently, even been given more powers to determine standards for planning and building that are to be used by developers. Communities and other stakeholders are only given a consultative role in the planning process. And even so, in the existing conventional planning model, authorities are not obliged by law to incorporate ideas of communities in the planning process (Urban Planning Act, 2007, sections 12 & 19). The Director for planning argued that even if residents were asked to contribute to planning schemes, they rarely do so, hence forcing the planning schemes to proceed without their input. He however said that, in contrast, residents are generally actively involved in upgrading programmes, because the planning affects land on which they already exist.

The above may imply that mechanisms for true participation are not yet in place. Planners still consider themselves as experts with the final say of how development should proceed in technical terms. Bearing in mind that residents have limited planning knowledge, meaningful participation ought to recognize this weakness. This would enable planners to devise a participatory system that would capture the residents’ views. Planners in the ministry of Lands (MLHHSD) were of the opinion that the role of town planning in organizing land uses in urban areas was basically a planning domain. They considered themselves as an arm of the government through which land development activities were regulated in the
public interest. However, as presented in section 5.2.3, the planner’s perception of his role is not supported by views of the focus group who consider the town planner’s dominance and uncooperative attitude to be behind unregulated environment of both formal and informal developments. It could be said that the perception of an expert role by a town planner contributes to denying communities the right to determine their own destiny through participatory processes.

Building regulations in use are still based on the Township (Building) Rules of 1930 (Cap 101) and some colonial amendments during the period (1931-55). This Ordinance is no yet repealed although there are building regulations that have been enacted under the Local Government (Urban Authorities) Act of 1982 (Cap 288). These are known as Local Government (Urban Authorities) Development Control Regulations of 2008. The two sets of regulations that are still legally enforceable can be a source of conflict in the implementation of urban development laws. Interviewed officials from the two ministries dealing with urban development and the regulatory control acknowledged existing conflicting laws and roles in regulating urban land and urban housing development. Apart from the conflicting laws and roles the question of inappropriate regulations as presented in chapter 1 (section 1.2) and discussed in chapter 3 (sections 3.5 and 3.6) and above (section 5.2.3) remains unresolved. Clashes between the law enforcing authorities and the practice in the informal settlements and in the formal settlements could potentially be a direct result of these inappropriate regulations. Such legislation is considered inappropriate on the basis of discrepancies between what the regulations want and what the households can afford.

5.3.3 Administrative Procedures

The administrative procedures employed in Tanzania assume a development process that is free from interruptions, through which a developer acquires formal land and constructs to completion. The fact is, however, that formal land is difficult to acquire and the construction process depends on the financial status of developers most of whom do not have regular incomes. This experience is shared by other developing countries where studies have found out that administrative procedures are the greatest constraint to the people in their efforts to search for decent and legal shelter (see chapter three, section 3.5.2).

In Tanzania, planners through regulatory authorities often strive to enforce laws and regulations as they are stipulated without interpreting the spirit of the regulations (see section 5.2.3 for planners’ responses from interviews). Given the inappropriate nature of regulations (as discussed in sections 5.2.3 and 5.3.2), their enforcement is likely to end up more in clashes than compliance.
Evaluating Formal Regulations and Standards

In order to have a picture of the regulatory impact on human settlements development, an attempt is made below to evaluate some of these standards. The existing regulations stipulate standards that deal with densities, communal facilities and traffic network and buildings. Their application and relevance within the substantive requirements of the urban development may be debatable given the reportedly limited relevance of regulations in both formal and informal settlements (see chapter 3 sections 3.3.2, 3.3.3 and 3.5). The question that follows is, why then have the regulations been maintained despite their limited relevance?

One of the objectives of Urban Planning Act (2007) is;
“**To ensure planning legislation, building regulations, standards and other controls are consistent with the capabilities, needs and aspirations of the various sections of the population**” (Part II, section 3 (i)).

It is not, however, clear how the Act intends to achieve this. Other provisions of the Act seem to contradict the above objective. According to the Act, planning authorities are to receive guidelines from the Director of Planning regarding the formulation of these standards (Part II section 6 (2) (d-f)).

What is the nature of these standards? Planning standards are considered at three levels - the neighbourhood, the plot and the dwelling. A neighbourhood is a settlement that contains several plots for residence and other uses like community services including access routes and open spaces. Planning standards at the neighbourhood level are concerned with the zoning regulations that earmark and apportion urban land for providing adequate space to different categories of development. Zoning sets maximum density/intensity of development and it specifies heights of buildings.

It does this in order to optimise on the use of available land in conformity to physically and socially ‘accepted’ standards, while considering potential hazards that may emanate from the poor exposure of houses to ventilation and air circulation.

The Town Planning Space Standards Regulations (1997) provide a schedule of absolute values for land use, based on universal parameters of scientific analysis. It is however difficult to use these values universally without reviewing them to reflect the technical realities within the local socio-cultural context. For example, allocation of plots follows a categorization of size into high density, medium density and low density as table 5.1 shows. The planning practice is quite rigid and it does not condone practices that do not follow regulations per se (see chapter 3, section 3.5).

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23 Density means dwelling existing in a unit area or persons living in a unit area
Table 5.1: Recommended plot sizes for one family house

<table>
<thead>
<tr>
<th>Plot category</th>
<th>Plot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low density</td>
<td>1601-4000 m²</td>
</tr>
<tr>
<td>Medium density</td>
<td>801-1600 m²</td>
</tr>
<tr>
<td>High density</td>
<td>400-800 m²</td>
</tr>
<tr>
<td>Sites and Services (upgrading standards)</td>
<td>288 m²</td>
</tr>
</tbody>
</table>

Source: Government Notice No. 157 of 1997 for residential development in urban areas

According to Bertaud’s Model (chapter 3, section 3.5.1), plot sizes in table 5.1 may be considered as being so generous that they ignore the needs of the low-income settlements. A low-income earner could probably only afford a smaller plot. Paradoxically, even if bigger plots were to be afforded, the law does not allow any development other than the single-use permitted in the land-use plan (e.g. residential only). The Development Control Regulations (URT, 2008) set limits on the plot coverage on a residential plot. An area covered by a structure should not exceed 25% of the plot while coverage for commercial purposes is allowed to go to 60% (Rule 136). The logic of the coverage figures could be questioned since different towns are bound to use different figures. The rule on coverage is difficult to observe by many urban residents some of who reach 90% of plot utilization. As reported in chapter 3 (section 3.5) smaller plots than allowed by formal regulations and standards are used in the informal settlements. This is not to say that such small plots are recommended. What is important is to exercise flexibility in the use of figures while technically evaluating the situation to suit a particular context. Therefore, stipulating formal plot sizes does not take into consideration equitable distribution of land as a scarce resource.

Lessons could be taken from upgrading programmes. Although there are guiding standards/values for upgrading of overcrowded informal settlements these values are hardly used in practice. Standards/values used would depend on the existing situation in the settlements to determine what is technically allowable. For example, in the case of upgrading Hanna Nassif, Ubungo Darajani and Manzese informal settlements in Kinondoni district, lower planning standards/values than what official regulations provide were used (UCLAS, 1999 & 2000).

Development Control standards at the dwelling level deal with floor spaces (area) and the number of rooms in a dwelling compared to number of occupants. The standards are intended to ensure comfort for health and a certain degree of privacy. The number of rooms and their floor areas specified in those standards for certain
sizes of families are bigger that would be provided by most low income households in settlements.

What can then be said of the insistence of these standards in the planning and building of urban housing? The strong traditional role of a planner being retained in the new Urban Planning Act implies that the planning system is not yet ready to accept changes so as to incorporate participatory planning. There seems to be a professional rhetoric, mostly influenced by training and ideology, for high standards that are unattainable. An interviewee from Ardhi University commented that the majority of Tanzanian planners, especially those in the government still conceptualized planning as production of plans. He said the planners’ belief was still in the top-down planning with the central government as the main actor.

The general reforms discussed in chapter 3 (section 3.6) - apart from introducing features of rights to urban land - are yet to make reforms in land planning and development standards. The existing regulations for planning and building standards still advocate normative standards and attributes, and judgement needs to be exercised with regard to the suitability and practicability of these norms within economic and social requirements. The task to formulate appropriate standards cannot be vested in one person without participation of other actors in order to reach a consensus. According to Kelly & Barbra (2000), a planner has to act as a mediator since land-use decisions often bring out conflicting community interests.

Another reason for maintaining rigid and unrealistic standards may be that such maintenance acts as a defense mechanism by the elite to safeguard the mode of existing regulation. This may be orchestrated by clashes on vested interests within the state machinery, between requirements by politicians, administrators and at times the international community.

5.4 Governance Issues for Land Development Control

5.4.1 Regulatory Governance in Place

It is now evident that urban land is under pressure from both formal and informal development. The discussion in chapter 3 (section 3.3.4) reflected on the shortcomings of the governance model in trying to solve urban housing problems. Using the discussion on the governance concept in chapter 2 (section 2.5) and the enablement strategy in chapter 3 (section 3.3.3), it could be argued that for the enablement strategy to succeed, institutional governance needs to be in place. Institutional reforms and increased clarity in the state’s role in mobilizing other actors could facilitate access to urban land and urban housing. Coordination of regulatory roles of the central and
local government, the private sector, and the civil society may therefore be central if land and housing development programmes are to be effective. However, as discussed in chapter 2 (section 2.5) and chapter 3 (section 3.5) and sections 5.2.1 & 5.3.3, institutions that are mandated to oversee formal urban development are resource-starved and their governance structures are not effective for regulating urban development.

Local authorities have for long been constrained in dealing with land development (URT, 2000). The titles to formal land are obtained at government headquarters after a long process. Local governments are not allowed by law to grant rights of occupancy (Land Act, 1999, section 14 (1)). The right of occupancy is granted by the president, on land that has been surveyed (ibid., section 22 (a) & (c)). In an attempt to cut down red tape in the land control process, local authorities are now authorized to grant planning consents for land development (Urban Planning Act, 2007, section 7 (5) (k) and 28 (d))\(^{24}\). However, there are a number of institutional constraints in the operations of local authorities. Local authorities working with the Urban Planning law are under the direct control of another ministry. This has a potential to create conflicts in the implementation of land delivery and housing programmes. Therefore, reforms reported in chapter 3 (section 3.6) notwithstanding, formal and informal land delivery systems are still with some obstacles, which necessitate further reforms. The investigation of the existing institutional framework, which follows, reveals a number of areas requiring reforms in order that appropriate interventions in the issue of access to urban land and housing activities might be achieved.

### 5.4.2 The Existing Institutional Framework

Discussion in chapter 3 pointed out several hiccups that pose hindrances to implementation of existing formal planning and building regulations geared towards providing formal shelter to the urban majority. That discussion of institutions is extended here, responding to the operational research question of which institutions are involved in delivering urban land and land development; and the additional operational question requiring identification of their shortfalls. Institutional hiccups pointed out in chapter 3 may be grouped under two sub-headings of, *institutional arrangements* and *capacity*.

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\(^{24}\) Four zones were recently (2008) established in Dodoma, Mbeya, Moshi, Mwanza and Dar es Salaam allowing title deeds to be signed by Deputy Commissioners for Land in those zones
Institutional Arrangements

The interaction of different actors in the housing production constitutes what has been referred to as ‘governance’ (refer to chapter 2, section 2.6). Discussion of the governance concept in chapter 2 highlighted the criticality of good governance, resources and ability to mobilize as well as to coordinate all stakeholders if various programmes related to human settlements development were to be successfully implemented. The role of the government is to retain the legislative and fiscal powers to influence events as expressed through the national policies. The government as the overall regulator is to oversee on the actions of other actors.

According to the existing set-up, the direct regulatory function for land and housing activities falls under three different ministries: the Lands, Housing and Human Settlements Development (LHHSD); The ministry of Regional Administration and Local Government (RALG) and the ministry of Infrastructure Development (ID). The following is noted with respect to these ministries:-

1. Housing development is the responsibility of the ministry of Land, Housing and Human Settlements Development (LHHSD) where the minister holds all the powers of land acquisition and land use (see Urban Planning Act of 2007). The LHHSD minister is responsible for lands and approves plans for the development. Local Authorities that belong to the ministry of Regional Administration and Local Government (RALG) are required to work together with the Minister responsible for lands to ensure proper land administration in their respective areas of jurisdiction. At the same time, the Minister for Local Government is also given some powers over decisions by his/ her urban Councils.

2. The Minister for Regional Administration and Local Government (RALG) is responsible for the management of housing activities and urban development through the Urban Local Authorities and District Councils (Town Councils).

3. The Minister for Infrastructure Development (ID) regulates construction activities in the country through its Boards established under Acts no 15, no 16 and no 17 of 1997. These boards include the Architects and Quantity Surveyors Registration Board (AQRB), the Engineers Registration Board (ERB) and the Contractors Registration Board (CRB). However, the Boards do not necessarily collaborate with the local authorities that carry out the same functions.
The arrangement in figure 5.2 has possibilities of inherent conflicts and double handling of responsibilities if not well coordinated and if the laws are not synchronized. For example, during the interview with the Director for Housing in the Ministry of Lands, Housing and Human Settlements Development he indicated that the institutional arrangement for human settlement planning and management was fragmented and with overlapping authorities, roles and lines of accountability.

Several line ministries (at the same level of authority) in the government handle functions related to land development and human settlements as shown in table 5.2. These ministries are independent of one another in discharging their duties.

![Diagram of roles and authorities in three key ministries]

Key:
- **Solid lines signify authoritative communication (direct implementation of land development laws and regulations)** while **dotted lines signify consultative communication (advisory role only)**

LA = Local Authority

**Figure 5.2: Roles and authorities (top-down) in three key ministries**

Source: Own construct

The various Acts in place under different but related ministries are not synchronized to remove functional overlaps and conflicts in regulatory mandates. For example, the land administration system operates through a dual system of services in the lands sector Ministry (the MLHHSD) and in local government (the RALG). The new Land Laws and supporting sub-sector laws and other sectoral laws on water, energy and infrastructure development do not necessarily support one another.

Additionally, there is a multiplicity of other institutions and actors, both formal and informal, which interact in the housing production process and urban development (URT, 2003).
Table 5.2: Ministries with land development functions

<table>
<thead>
<tr>
<th>S/N</th>
<th>Ministry</th>
<th>Main Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lands, Housing and Human Settlements Development (LHHSD)</td>
<td>• Land registration and allocation,  • Formulation of housing regulations,  • Land (housing) development.</td>
</tr>
<tr>
<td>2</td>
<td>Regional Administration and Local Government (RALG)</td>
<td>• Land development,  • Land development control,  • Delivery of urban services.</td>
</tr>
<tr>
<td>3</td>
<td>Infrastructure Development (ID)</td>
<td>• Development of Construction Industry,  • Construction of government buildings &amp; Roads including maintenance,  • Formulation and implementation of construction standards and regulations + Land development control,  • Communication and transport.</td>
</tr>
<tr>
<td>4</td>
<td>Energy and Minerals</td>
<td>• Energy production and distribution.</td>
</tr>
<tr>
<td>5</td>
<td>Water and Irrigation</td>
<td>• Water resources development and distribution.</td>
</tr>
</tbody>
</table>

Key actors who have been addressed within this study include the government and its ministries involved in housing, developers, NGOs, and communities. Table 5.3 summarizes factors that have a potential to hinder efforts to provide urban housing (URT, 1977, 1991, 2000 & 2003). Beyond these factors, the fragmented functions amongst various players, and players discharging the same functions without coordination (see chapter 3, section 3.5) may also create conflicts.

The important role of the government in mobilizing and coordinating all stakeholders in the human settlements development is conspicuous. Essentially, government Ministries, public and private institutions whose functions are associated with land development are required to work together. The Minister responsible for Land is to ensure efficient implementation of the national land policy.
Table 5.3: Key Actors for Housing and Urban Development

<table>
<thead>
<tr>
<th>ACTOR/ INSTITUTION</th>
<th>ROLE</th>
<th>LIKELY CONSTRAINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Government</td>
<td>Policy making, providing enabling environment, coordination</td>
<td>Resistance to change/ lack of political will, state control, and housing accorded low priority.</td>
</tr>
<tr>
<td>2. Government ministries and departments</td>
<td>Land supply, land development and land controls</td>
<td>Inadequate resources, rigidity (bureaucracy) in land controls, partial devolution of powers.</td>
</tr>
<tr>
<td>3. Developers/ Clients</td>
<td>House production</td>
<td>Not facilitated (bureaucratic land processing, inadequate credit facilities), limited skills in planning and construction.</td>
</tr>
<tr>
<td>4. Users/ communities</td>
<td>Occupation and use</td>
<td>Not sufficiently involved in planning of their settlements, affordability problems, limited choice of housing materials, limited skills in planning and construction.</td>
</tr>
<tr>
<td>5. NGOs</td>
<td>Link between communities and government</td>
<td>Few have entered the housing market due to lack of support/incentives from the government.</td>
</tr>
</tbody>
</table>

**Capacity**

Effective regulatory control would depend on competent institutions in which local governments would assume an active role. The Local government structures have been assessed as not being conducive to the promotion of participation and democracy with reference to transparency and accountability. According to Kassege (2004) discharge of local government responsibilities is constrained by inadequate staffing and paucity of resources. There have been ongoing local government reforms that started in 1996 aimed at improving capacity in local governments. In an interview with the local government reform manager for governance, he revealed that areas focused on in the reforms are so far limited to health, roads, water agriculture and education. He also said that the reforms are finally expected to address the issue of power transfer to the people by developing appropriate legal and institutional framework at Ward and Sub-ward (‘Mtaa’) levels.

The process of reforms in the land administrative regime by the government might bear results. Policy matters relating to the ability of the private sector to play a crucial role in providing affordable shelter to urban residents are finally being addressed.
According to the *Global Shelter Strategy* (GSS), these matters cover an array of issues, which can be viewed as either demand constraints or supply constraints or both. The government has started to address the former, which include: security of tenure; laws and regulations protecting property rights; and access to finance by the poor. Supply constraints which need to be addressed include: prohibitive regulations for land development and house building; the use of local (innovative) building materials; and construction technologies. While the land laws seem facilitative enough, the challenge is in the government’s willingness to release power to execute provisions of the laws.

### 5.5 Concluding Remarks

This chapter has presented findings from reviewed literature and policy documents, and the views of key actors. Issues of formal and informal urban land delivery mechanisms and subsequent housing activities by urban residents have been presented and discussed. The discussion has depicted the way in which most urban development in Tanzania proceeds informally. It has also been noted that informal settlements and a growing number of formally established settlements are developing without being monitored for proper regulation. Shortcomings in the regulatory framework for planning and building have been discussed within the governance framework, with consideration given to actors, institutions and processes involved in the delivery of urban land and urban housing.

The background the chapter provides on the regulatory framework is used to discuss findings from case study areas, and to monitor how urban land is acquired and how housing activities are carried out within or outside the existing regulatory framework.

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25 Refer to UN Global Shelter Strategy (GSS) to the year 2000, Part III, paragraphs 31-110
Chapter Six: Findings from Case Study Areas

“... peripheral land has often been discussed as the magic secret of Third World urbanism: a huge unplanned subsidy to the very poor”
(Davis, 2007, p.38)

6.1 Introduction

In this chapter, an introduction on the case study areas is given. Then findings from individual case study areas are presented, then compared and finally analysed. Comparison and analysis of cases are carried out at three levels. The first level looks at a broader settlement development where land accessibility and plot acquisition were involved with respect to the formal and informal processes, identifying actors and institutions involved. The second level looks at the self-help practices in construction activities and governance processes involved in the housing planning and house construction practices. The third level deals with issues of planning and building regulations as they apply to levels one and two. A discussion at this level intends to find out how housing activities in settlements are organized and if the existing regulations facilitate or hamper housing initiatives in the settlements. The chapter is divided into three parts. Part one presents findings from individual settlements, part two compares findings from the formal and informal settlements. Part three presents a summary of issues arising from special category of interviews with key persons.

6.2 Information About the Case Study Areas

6.2.1 Hanna Nassif Informal Settlement

Introduction

The settlement is located about 4km North-West of Dar es Salaam City centre. It is one of the oldest informal settlements in Dar es Salaam. The physical area of Hanna Nassif ward as a whole is around 50 hectares and according to Sheuya (2007) it has a population density of 500 persons per hectare. This means the settlement has a population of 25,000 people an increase from the population of 19,000 people in 1994 when Ardhi Institute carried out a household survey. The urbanization trends of the 1960's led to rapid development of informal housing in this area. By 1975 there were already 955 houses. The settlement has overtime been used as a model for upgrading exercise using donor aid. Until 1993, Hanna Nassif was a settlement with poor housing, lacking all basic infrastructure such as roads, storm water drainage channels,
water supply networks and solid waste management systems. The high residential densities are attributed not only to the settlement’s proximity to the city centre but also to the social characteristics of informal settlements that are associated with continuous housing transformations. Many studies have been conducted in the settlement to monitor its progress. It is a settlement that is known to have been successful in community initiative endeavours championed by donor agencies. According to Sheuya (2004), it has managed to put in place a functioning micro credit scheme through its community-based organization (CBO) where residents continue to have access. Also, the flooding problems facing the settlement made the residents to organize themselves and formed a local Community Based Organisation (CBO), the Hanna Nassif Community Development Association (HNCDA) for mobilizing self-help community activities. With the aid of international aiding agencies (ILO and the WB) the settlement managed to implement a community upgrading infrastructure project through labour-based technology. In 1999 through negotiation with the residents, the students of UCLAS assisted in the preparation of a regularization plan. The plan would serve as a framework for regulating land use and development in the area. The plan was later ratified by the Urban Planning Committee of Kinondoni municipality and approved by the Minister responsible for planning. Through one NGO by the name Women Advancement Trust (WAT) in Kinondoni, already cadastral survey and land registration have been completed and the processing of land titles was in its final stages.

The Physical setting

Source: Field photos, 2007

Generally, housing in the settlement may be put into two categories. Category one is the temporary housing built in mud and poles or low

quality cement and sand blocks, without foundation and roofed in second hand corrugated iron sheets or pieces of tin. Category two is permanent housing constructed in permanent conventional materials of sand cement blocks and roofed with corrugated iron sheets or tiles. The transformation process covers a diversity of house types being erected, ranging from simple huts to bungalows and two-storey structures. There is an incremental and progressive improvement of houses in the settlement. The upgrading baseline studies conducted by Ardhi Institute (1994) and UCLAS (1998) indicated that houses in permanent materials were about 73% in 1994 and had increased to 90% by 1998. However, the quality of materials and the construction skills used to provide quality and durable building elements are in some cases unsatisfactory.

6.2.2 Kinyerezi Informal Settlement

Introduction

This settlement is located about 20km West of the Dar es Salaam City. The physical area of Kinyerezi ward as a whole is around 2,000 hectares with a population of about 12,000 people, an increase of 7,000 people from the population of 2001. Its population density is still low, estimated at 150 persons per hectare in the parts of the ward that have consolidating settlements. Basically, Kinyerezi was a farming area, with the majority of the people staying and practising agriculture in their respective farms or plots under customary ownership tenure. Plot sizes were considerably big ranging between 100 m² to two hectares.

The grouping of the majority of Kinyerezi houses used to fall into two categories. That is, the semi-permanent houses (mud and pole with corrugated iron roofing sheets) and the temporary houses (mud and pole with grass thatch). The transformation process is going on in the settlement where houses in traditional materials are being replaced with houses in conventional materials. The settlement was also characterized by lack of almost all basic infrastructure services like, potable water supply, reliable road network electricity and drainage systems.

Kinyerezi is partly planned (1994-1998) and partly unplanned27. It was declared a planning area in 1993 at which time negotiations with the local population started. A set of surveying instruction for plots in the settlement was issued in 1995 when the exercise commenced but because of resource constraints it was completed in part (1997) and

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27 Due to population increase and part of a re-settlement programme for flood prone victims and the displaced by the Songosongo gas project, Kinyerezi was declared a planning area in 1993 through GN No. 231 of 13.08.1993
finally in 2001. Yet in some areas land could not be allocated because until 2008, residents to be displaced were yet to be compensated for their land and for their property on the land. Since the planning was completed, substantial development has been going on in terms of infrastructure facilities, houses, commercial centers and other community buildings. Also, formal land transactions and informal sub-divisions for development have been taking place in parallel.

**The Physical Setting**

![Figure 6.2: Kinyerezi settlement](image)

Source: Field photos, 2007

According to UCLAS (1996), land ownership was previously based on customary tenureship and most people had acquired their land through inheritance (52%), few through allocation by the government during the "Nguvu Kazi" Operation (12%) and several through buying from original owners (34%). A bigger part of the settlement is being developed into mixed use, with residential-use dominating. People continue to buy plots from owners who either sell their land in whole or they sub-divide it into smaller plots for ease of disposal. Middle-income and high-income people are attracted to this area because of the large size of the land that can be acquired. The settlement has a rich mix of housing that include, huts in temporary materials, simple core (expandable) units, elegantly designed bungalows and emerging two-storey structures. All the ongoing construction activities are done using conventional materials. Houses in traditional materials (mud and poles and grass thatch) are gradually

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28 *Ngwu Kazi* is a Kiswahili slogan for the 1984 re-settlement programme by the government where urban peripheral land was made available to the needy for agricultural purposes.
being phased out as buyers demolish them to pave way for new houses. In some cases, owners upgrade their houses by either step-by-step replacement of traditional materials with conventional ones or demolishing and putting up new structures. The study on social impact assessment by UCLAS (1996) indicated that most of the houses in the area were built of local building materials.

6.2.3 Sinza Formal Settlement

Introduction

This is the second formal high-density low-rise settlement in Kinondoni district located about 9km from the Dar es Salaam City center on the Northwestern side. Sinza was developed in the 1970’s alongside the development of Kijitonyama and Mwenge cooperative housing in the sites and services scheme. Sinza ward a whole was originally a vacant area with only a few native huts by residents. The low incidence of habitation in this area compared to other areas in Dar es Salaam was mainly due to its flat topography and high water table. This made it prone to floods during the rainy season. Proper drainage was a pre-condition before settlement could progress. Sinza was designed with high-density plots (288 m²) for low-income settlers with monthly incomes of less than Tshs 1,000 (US$ 125 in 1974) who were being displaced from neighbouring settlement of Manzese. The size of plots of 288 m² (12m x 24m) was a reduction of plot sizes from 300-400 m², a World Bank pre-condition, which called for higher densities and cost effectiveness in implementing the project. Further reductions were made in the sizes of open spaces, road widths, right of way and other infrastructures (Mosha, 1995, p.353). The revised standards produced plots just adequate for two-roomed houses plus the accompanying waste drainage facilities. This was disadvantageous to the project beneficiaries because they preferred larger plots for market gardening other survival activities (ibid.). The small size of plot made residents to invade open spaces in the neighbourhood for ‘urban agriculture’. Efforts by the local authorities to stop the invaders always met fierce resistance. Although the target group for Sinza were the low-income earners the settlement ended up being predominantly inhabited by the medium income earners who would purchase adjacent plots and combine them into one plot. By 1985, only 30% of residents were low income (Kulaba, 1981), partly due to high initial fees and high housing standards set (Mosha, 1995, p.346). Today the medium income feature is conspicuously evident in the type of housing found in the settlement. Transformation has seen changes from the famous original ‘Sinza-type’ designed houses to a diversity of designs ranging from bungalows to increasingly several storeyed buildings for residential-cum-commercial use. In other plots this has led to high plot coverage and reduction of outdoor spaces.
It has a population density of about 250 persons per hectare.

**The Physical Setting**

![Sinza ‘C’ settlement - Aerial photo, 2002](image1)

![Sinza ‘C’ settlement - Field photo, 2007](image2)

Figure 6.3: Sinza ‘C’ settlement

Source: Dar es Salaam Survey & Mapping Department (Aerial photo, 2002)

Source: Field photo, 2007

Sinza is a high-density formal settlement in a continuous process of transformation. Although the settlement was planned for low-income households, this objective could not be achieved, due to reasons already given in chapter three. Continuing displacement has changed the pattern of the settlement from the original intention to the presently unveiling pattern. Land use has been changing and now the settlement exhibits a rich mix of residential and commercial housing as well as institutional buildings.

### 6.2.4 Tabata Formal Settlements

(NHC Estate, Block “G”, Tabata, Kimanga)

**Introduction**

The NHC Estate, Block “G”, Tabata, Kimanga is a formal settlement within Tabata ward in Ilala district. Tabata Ward as a whole is composed of predominantly low-income formal settlements and informal settlements. It is located about 12km from the Dar es Salaam City centre on the western side. Tabata is about 171 hectares big with a population of about 14,000 (Kyessi, 2002). It has been growing rapidly, particularly since 1985 in terms of economic and social
development. It has a population density of about 400 persons per hectare.

National Housing Corporation (NHC) developed the Tabata housing project from mid 1990 by acquiring 7 hectares of land from the local authority through leasing arrangement. This was initiated as part of the response to the high level of demand of houses in the city. The land was allocated to NHC as one piece of land and NHC divided it into three project packages (phases I, II and III) and each phase was further divided into smaller plots. Using the loan from the World Bank, NHC constructed residential housing in three phases. Houses in phase one and phase two were constructed in full (to completion) and sold to public organizations for housing their workers. Phase three was a ‘low cost’ package, approached using the concept of ‘core housing’. In this arrangement in order to offer a variety of designs to customers, six different designs prototypes were used to build on a core unit system. Most people purchased the houses and completed the units themselves at their convenience. The construction process from the time residents assumed ownership is the focus of this research.

**Physical Setting**

![Figure 6.4: Tabata settlement](image)

*Source: Field photos, 2007*

The wider Tabata is composed of both formal and informal housing living side by side. Within Tabata there is the NHC project forming
this case study. It is a settlement comprising high-density and medium-density housing for middle-income households. In terms of transformation it exhibits similar features and trend as reported in the case of Sinza settlement.

6.3 Results of Hanna Nassif and Kinyerezi Informal Settlements Compared

6.3.1 Land Delivery System

Both settlements are governed by neo-customary land tenure. Informal land sub-markets are flourishing where land is sub-divided and transactions are carried out at an individual level. Most land in the sampled population in both settlements has been acquired through informal land sub-divisions and transactions where buyers either got bare land for housing or got land with existing buildings. Some good structures have not been demolished but improved upon, depending on the financial status of owners. Some plots/houses have been acquired by inheritance. Charts 6.1 (a&b) show the nature of land ownership where purchase of land from original owner has the highest incidence and ownership through inheritance has the lowest incidence in both settlements. Other means of ownership differ for each settlement. In Hanna Nassif, purchase of built house from original owner has the higher incidence while in Kinyerezi it is the allocation of planned plots.

While in Hanna Nassif no single case of plot allocation from authorities was evidenced, in Kinyerezi there were several of allocated planned plots. The reasons for allocating planned plots have been given in the introduction of the Kinyerezi case (section 6.2.2). However, as reported in 6.2.1 and 6.3.1, Hanna Nassif previously benefited from the donor funded upgrading programmes and now it has undergone a regularization scheme.

6.3.2 Settlement Densities
Hanna Nassif and Kinyerezi are two informal settlements that are at different stages of growth. While the former could be said to have reached saturation point, the latter is consolidating. Charts 6.2 (a&b) demonstrate how residents of each settlement have different distribution densities.

Charts 6.2 (a & b): Plot Densities

Plots in Hanna Nassif are highly diverse, from the super high density to medium density. Most of the plots in the sample fall in the high-density category. Competition for plots is high due to the proximity to the city centre. Also, the upgrading of the settlement to improve existing vehicular accessibility, supply of piped water and infrastructure drainage\(^ {29} \) increased the value of the plots in the settlement and now people in the middle-income category are competing for the plots by displacing residents.

Plots in Kinyerezi are considerably big ranging between super high-density to low density, depending on one’s ability to acquire more land. A bigger number of the plots in the sample fall within the medium-density category. Although the settlement is fairly established, house construction on several plots is an on-going process, at various stages of development. This is due to both the transformation process going on for more rental space and commercial space. The trend indicates that development on plots will exhibit great variations because of the diverse composition of owners in terms of incomes as reflected in type of houses coming up.

Apart from the above factors densities also are a reflection of how long the settlement has consolidated in term of length of time is has been established. Hanna Nassif is relatively old compared to Kinyerezi hence being highly densified. This is also reflected in the responses given by residents as to the length of time they have stayed in the settlements. As charts 6.3 (a&b) show a greater percentage of house owners have been in Hanna Nassif for more than ten years. This is not the case with Kinyerezi where many respondents indicated that they have stayed in the settlement less than five years.

It was observed that development on the land in both settlements takes place organically. Plots are of a mixed-use nature, used for residence and for generating income through petty trading or through provision of rental space. Because of the uncoordinated development on plots and within settlements generally, there is no space left for future provision of infrastructure and community services.

The shelter condition in both settlements is average, indicating that the condition of over half of the houses is good. In assessing the overall condition of constructed houses, consideration was made to the structural adequacy, health and sanitation requirements for the houses. That is, structural determinacy, presence/absence of foundation, proportionality of elements and height of walls. Other considerations made in the assessment were, roof construction, adequacy of ventilation & lighting devices and safe sanitary disposal system (appendix 6). The assessment was intended to determine the extent of technical expertise involved in the construction of houses. Out of the total households interviewed, 38.7% and 41.9% were rated as living in poor houses (Charts 6.4 (a&b)).

Several houses are at different stages of transformation/densification with new construction forms coming up. Upgrading of poor houses is done on a continuous basis.

In both settlements, conventional materials are preferred to indigenous materials. These include cement and sand blocks and corrugated iron
sheets. Several huts and houses in indigenous materials are being replaced with structures in conventional materials. Choice of construction materials is limited to what is available in the market. Other factors that may influencing choice of materials include, affordability level and perceived value and prestige attached to some materials.

The nature of development in both settlements is based on self-help where individuals on their own gradually improve their shelters overtime. The mode of self-help approach in both settlements is family-based mainly limited to plot activities. No incidences of self-help at community level for providing or maintaining infrastructural facilities were observed. However, some form of community action is derived from groups’ allegiance to political parties and some organized activities of the ‘mtaa’ leadership. The ‘mtaa’ leadership has been instrumental in mobilizing residents for meetings to discuss various issues pertaining to the development of their settlement. The issues dealt with normally include, community development projects, security, cleaning of drains, refuse disposal management, and other administrative issues. Respondents said Municipal officials offered little cooperation.

Most of the interviewed house owners built their houses incrementally over a period of time, depending on availability of income for construction. Different construction durations as indicated in charts 5 (a&b) prove the incremental process of building.

![Charts 6.5 (a & b): Duration of House Construction](image)

For preparing the design and carrying out the construction, respondents said that plot owners had their ideas, which in consultation with builders made ‘a design’ for the proposed houses. In some cases respondents said they got housing sketches from technicians accessed through firends. Three respondents in Hanna Nassif said they had used the services of professional architects who were either accessed through friends or they were friends/relatives themselves. The construction process is carried out using craftsmen who have acquired their skills either through formal (vocational) training or through on-job training.

Participation of respondents in the construction process was through buying materials as recommended by the builders and through directly
or indirectly, ‘supervising’ the work on site. ‘Supervision’ as used in this context means simply being on site keep an eye on the use of construction materials and attending to any financial problems by the builder. In some cases they took part in the construction process by doing some cleaning work, storing and moving materials and tools on site, etc.

Phasing of housing activities was observed to involve, assembling of blocks first and waiting for more income to invest in housing. Construction would then start and stop at ring beam level. Once houses are roofed, most owners move in or could rent them out. Then completion of the house would follow the sequence of window shutters then plaster work then flooring then roof ceiling then services installations and finally paintwork.

Some respondents said their houses had taken more than ten years to complete although they were residing in them. To some respondents, construction was perceived to mean achieving a habitable structure regardless of its finishing and services status. Respondents said it was because of lack of resources that their houses remain unfinished for long.

Most of the residents in both settlements finance the construction of their houses using their private means. Only few of them said they got loans either from the conventional banking institutions or from employers. Sources of finance for housing activities were reported as own savings, donations from relatives and interest-free short term credit facilities from suppliers/shops of building materials.

There are savings and credit associations that give small loans to residents for minor house maintenance and petty business activities for livelihood. They include, Finca, Pride and the Savings and Credit Co-operative Societies (SACCOS). Field observations revealed that few residents take small loans which are limited to economic livelihood activities. One NGO (Women Advance Trust – WAT) operates in the settlement but it is not resident. The NGO has been instrumental in the facilitation of the regularization scheme and small loans for improving individual houses. The loans are processed through an association known as Mkunguni and Hana Nassif Housing Upgrading Group (MKUHANA). This association registers members so that they could be given regular seminars on how to upgrade houses and how to make savings for more loans and loan recovery. Apart from the limited activities of WAT in the Hanna Nassif settlement, there was no evidence of other institutions giving out resources directly for housing activities in both settlements.

6.3.4 Compliance to Development Regulations
Development in the informal settlements is known to take place without any guidance from official (formal) authorities. Activities on plots in both settlements were being carried out as each owner wished, some with the assistance of technical people and some doing the work themselves.

Most of the respondents in both settlements indicated that they have different plans on how they wanted to utilize spaces on the plots they occupy as indicated in charts 6.6 (a&b).

Looking at the condition of houses and the improvements being done to them it is evident that residents are confident of their security of tenure. Hanna Nassif is more confident because of the regularization scheme but even residents of Kinyerezi are not worried because of the informal land transactions sealed. Views on future plans on plots were given by plot owners and by some of the tenants who sometimes enter into tenancy agreements with their landlords to make limited transformations on plots and recover their costs from accruing rental charges. Some residents indicated that the plots they occupied were too small to take extra activities. There are some new developments that are taking place in both settlements that involve wealthier people who in some cases were new comers displacing original owners.

Respondents were asked if they were aware of planning and building regulations. Responses from this question were put into two categories; owner category and tenant category. The aim was to follow up owners’ level of awareness of planning and building regulations regarding densities, plot sizes, the use of the building materials, drainage and waste disposal, environmental conservation, accessibility of plots and use of buildings.

The general level of awareness of planning and building regulations in both settlements compares well as charts 6.7 (a&b) indicate. It is high among house owners but low among tenants. Most of the tenants in both settlements (85% & 86% respectively) are not aware of the regulations.
The low level of awareness shown by tenants could be because of their indifference to construction matters. Most of the tenants do not get involved in the construction work as they consider themselves temporary occupants. Others could have been new tenants moving from the rural setting. Some tenants who were found to have some awareness of planning and building regulations said either they were technical people or were interested in knowing about the regulations by finding out what they say on urban development. Others were long established in the settlements and were involved in carrying out some extensions on plots by special agreement with their landlords. Residents were also asked if officials from regulatory authorities have ever visited them for enforcing regulation and all said no.

6.3.5 Governance Issues

Governance in the settlements was considered at two levels. Level one was on the response by the government and the local government to settlement development and to residents’ housing initiatives. At this level issues of land accessibility, programmes and resources mobilization from actors for housing projects at the local level were considered. Also, the setting up of regulatory and legislative environment was considered. Level two was at the settlement level looking at the organization of housing activities and actors involved.

Government/ Local Government intervention

As presented in the introduction, the origin of both settlements was a government initiative to provide land for the low-income urban residents. So the government originally identified suitable land and allocated it to residents from unsuitable land or from land acquired by the state. There is little evidence however to show that residents were involved in the planning of the settlements. Land identification and land administration was handled centrally and the two settlements could be taken as isolated projects. There after land development was left to individuals without being regulated by municipal authorities. Subsequent expansion and sub-divisions have been proceeding without intervention by the government authorities. There is a vivid absence of the local authorities in intervening in the local development
matters. The absence of other actors could be a reflection of the little action of the government to mobilize resources of other actors for specific development projects in settlements. Respondents indicated that they had problems they wanted the authorities to assist in solving. Their responses show what they consider to be the immediate needs of the settlements as indicated in charts 6.8 (a&b).

It was noted that each settlement has its own preference. In Hanna Nassif, most of the respondents (90.7%) indicated that they dumped refuse at collection points for disposing to designated disposal sites. Each household pays a standard collection charge to rubbish collectors/contractors. Some (22.7%) dispose refuse in open pits. Although respondents did not indicate that they were dumping refuse into the Msimbazi valley, inspection of the valley site revealed that the valley was being used as a disposal site.

Disposal in the valley is done regardless of the warning signs on strategic posts threatening to prosecute those who would be caught dumping refuse in that area. According to the residents, the management of disposal at designated sites is sometimes problematic because of inefficiencies in the timing of disposal to designated sites. Sometimes refuse are left to pile up to dangerous levels that threaten health of residents. For Kinyerezi, although there was no proper arrangements for refuse collection and disposal, safe water is their immediate need. Open pits are used to dispose solid waste and the pits are covered when full and new pits are dug. Some respondents (21%) indicated that they were collecting wastes in heaps and later burning it. This was considered a health threat because in most cases refuse contained plastics and rubber material that gave out carbon monoxide. The ward executive officer said that the appropriate disposal system would soon be deliberated upon to be resolved through collective community meetings. The water situation in the settlement is such that there are no pipes laid for water supply. So the residents depend on rainwater and shallow wells. Hanna Nassif has pipes for water supply revamped during the upgrading of the settlement but supply of piped
water is erratic. Residents also have rainwater, shallow wells and water bowsers as their main supply source.

There exists clear governance machinery that is expressed in a hierarchical structure of the local government (refer to chapter five section 5.3.3). This structure could be utilized for effective communication and efficient execution of local programmes. The governance structure at the top level of the government is ineffective but it was observed to function well at the grassroots level. The ‘mtaa’ leaders bind all community members together calling meetings for discussing matters of security, voluntary work for providing basic community services as agreed, and responding to local government directives. They also assist in resolving conflicts in the settlements arising from land matters and sometimes from family relations. According to ward secretaries of both settlements, residents cooperate very well especially in matters of security and unblocking of road drains. Beyond the settlement level there are neither reported nor observable meaningful responses in housing activities by high-level governance actors within the local government.

The Role of Other Actors

The role of actors in the local development is seen in the case of Hanna Nassif where there has been upgrading of community infrastructure programme and recently a scheme of land regularization.

Hanna Nassif was upgraded through assistance of the World Bank and ILO where access routes and water network were upgraded. The programme raised the awareness for NGOS and CBOs for dealing with income generating activities and solid waste collection and cleaning the storm water drains. Residents were empowered in acquiring technical skills in infrastructure construction and maintenance. With the ending of the upgrading project in 2000, these groups have not been quite active in the community for development. Currently, only one NGO is active as reported in section 6.3.4. The important role of NGOs in coordinating the efforts of residents and linking residents (bottom-up) with the government (top-down) was proved in Hanna Nassif settlement. One NGO initiated the regularization scheme in a participatory process with residents. The NGO also managed to mobilize other actors to carry out some roles in the regularization within their areas of expertise. Training institutions like UCLAS was involved in conducting seminars and short courses to local leaders in land administration matters. Professionals were engaged in the settlement re-planning and surveying of plots. Micro credit organizations also came in to give credits to residents.

In Kinyerezi, the work of actors in housing is yet to be experienced but the government is implementing a project to provide major roads
and infrastructural services (electrification and water pipelines) to the wide Kinyerezi. Regularization of the settlement has not been initiated for two possible reasons. First, because the settlement has not saturated as has been the tradition of regularization intervention and second probably because of the absence of NGOs that are motivated to offer services in the housing field. However, In Kinyerezi there was no evidence of direct intervention by municipal authorities in land and housing activities.

It could be said generally that the governance of informal settlement at the government level is not institutionalized because in both settlements there was vivid absence of government’s programmed action to facilitate housing activities. It appears that the existing institutions guiding and overseeing housing sector performance as a whole, have not provided a platform for effective interaction of public and private sector actors & CBOs in housing at the settlement level. Respondents in both settlements also said that active community organizations in the human settlements field were either few or non-existent.

**Local Initiatives**

At the settlement level, governance features most in the established social organizations, which are a potential source of capital for implementing local programmes. In both settlements there are social groupings that render assistance (physical, social and moral) during the times of grief-related events, especially bereavement (*kufa na kuzikana*). Most residents identify themselves with these groupings as charts 6.9 (a&b) show. Other groups that remain on the local scene uniting residents for various economic and social activities include, the traditional dancing groups, the micro-credit groups and some groupings for religious/spiritual advancement.

![Charts 6.9 (a & b): Community Groupings](image)

The working of these grouping is arranged on informal social grounds but with elements of formal structuring. The members in groups have their constitutions, some written others implied. They have agreed to carry out some specific assignments in defined social events. Groups
have leaders who guide groups in how to conduct themselves within their established aspirations. Leaders are also responsible for calling meetings collecting and keeping contributions of members. They also act on behalf of others in matters to implemented and then report back to members. For every action all group members have to agree in a meeting and normally failure to agree results in voting. Once an issue is agreed, if a member does not cooperate he/she is disciplined as per the group’s set disciplinary code. These groups are formal in setup because of the election of leaders, the formal meetings and the taking of minutes and keeping of members’ contributions. However implementation of some of the agreed issues may go beyond group membership to involve other members in the neighborhood who in one way or the other are positively or negatively affected by groups’ action. For example, a decision to contribute to night guards for the security of the settlement or a decision to contribute to maintenance of a community facility might affect all residents within the grouping’s area of jurisdiction.

Apart from membership in the said groupings, community bondage was observed to be strong in housing activities using self-help approach. Residents at individual level have established networks for sharing information on sources of credits on building materials and how to access the materials. Normally, members who are trusted by shopkeepers of building materials guarantee their colleagues to take the materials on credit and to pay within the agreed time. Residents have a way of communicating to each other information about good craftsmen who gives good quality work at affordable rates.

6.4 Results of Sinza and Tabata Formal Settlements Compared

6.4.1 Land Delivery System

The planning process as described in chapter four governs land ownership in the formal settlements. After acquiring land nothing stops the landowner from transferring ownership rights to another person. In Sinza most plots have been transferred as shown in charts 6.10 (a&amp;b). Land in Sinza is changing hands fast due to the area being transformed into a commercial zone. In Tabata the situation is different because most plots are still in the hands of the original owners.

The reason could be due to the settlement being relatively new, but also may be that Tabata being far from established known institutions
it continues to retain its residential status. However those who have bought plots have started to make extensions in both horizontal and vertical directions

Charts 6.10 (a & b): Nature of Land/Plot Ownership

Land use for formally planned plots is zoned for single use. The two settlements are therefore planned for residences. However, regarding the use of land, it was observed that development on some of the plots in both settlements has started to take the form of informal development. Mixed-use is increasing with structures being added for generating income activities, mainly shops/kiosks on the façade and in isolated incidences for residential renting. Planning regulations do not allow these activities on residential plots. Also, plot owners have future plans to carry out some extensions on their plots as indicated in charts 6.15 (a&b).

6.4.2 Settlement Densities

Sinza and Tabata are two formal settlements originally laid out as per the planning regulations. Both settlements were planned for low-income earners with predominantly high-density plots. Most of the plot sizes are therefore in the high-density category as shown in charts 6.11 (a&b). Sinza has undergone extensive transformation and change in the land use from residential to other uses is conspicuous. Tabata is relatively recent and although is also undergoing transformation, it is at its infancy because most houses are still residential.

Charts 6.11 (a & b): Plot Densities

6.4.3 Land Development and the Self-Help Approach
Activities on several plots in Sinza are a mixture of residential and economic supporting activities like kiosks, vegetable stalls, charcoal sheds, restaurants and bars, pharmacies, etc. A good number of plots along the street have frontages provided with structures for commercial activities. Plot coverage is high in several plots going up to 85%.

In the Tabata case, Activities on most plots are residential (owner occupied or rented) and some plots along the street have front spaces provided with structures for commercial activities. Plot coverage of 55-65% was observed in Tabata plots that have been transformed to accommodate commercial activities. Plots coverage for residential use is still low falling between 25-45%.

Unlike in the case of informal settlements where densities were a reflection of duration, in the formal settlements plot sizes are controlled. However, activities on plots are densifying. Moreover, an increasing development feature is the change of land use where more than one plots are combined to have bigger plots. This practice was found to be more pronounced in the long established Sinza settlement than in the Tabata settlement. Charts 6.12 (a&b) show a greater percentage of respondents in the category of house owners in Sinza have been there for more than ten years. It should however be noted that transformation of housing and change of land use in Sinza is not only a time horizon feature. Other factors are also involved, like proximity to academic institutions and some important trading centres.

\[
\begin{array}{c|c|c|c}
\text{Sinza} & \text{Tabata} \\
\hline
< 5 \text{ years} & > 10 \text{ years} & \text{< 1 year} \\
9\% & 23\% & 23\% \\
< 10 \text{ years} & \text{< 10 years} & < 5 \text{ years} \\
42\% & 15\% & 32\% \\
\end{array}
\]

Charts 6.12 (a & b): Duration of stay in the settlements

The general condition of housing in both settlements is good as they were rated during the condition survey as indicated in charts 6.13 (a&b). The assessment criteria were as described in the case of Hanna Nassif and Kinyerezi (also see appendix 6). Some houses that were rated as poor had poor cross ventilation, blocked lighting and blocked air circulation due to inadequate windows. Others have shorter ceiling heights than is minimally allowed (2.5 metres). Yet others have drastically reduced room sizes in a bid to increase the amount of lettable space.
Housing is predominantly single storey, constructed in conventional materials. The construction process that was reported in the informal settlements is also replicated in both formal settlements. All the interviewed households indicated that they were constructing incrementally using self-help in the process as previously described. Construction durations in most cases were also reported to be falling between three to ten years as shown in charts 14 (a&b).

In both settlements there was not observed any Institution involved in the financing of housing activities. There are savings and credit associations that give small loans to residents for petty business activities for livelihood. They include, Finca, Pride and the Savings and Credit Co-operative Societies (SACCOS). Respondent said they depended on personal savings to finance their housing activities.

### 6.4.4 Compliance to Development Regulations

All plots in Sinza and in Tabata are planned and are supposed to comply with the requirement of obtaining a building permit in order to develop them initially. Subsequent development in the formal settlements has to be approved by issuing building permits but it was observed that even those who got building permits, they did not construct as per the planning and building regulations because of several changes made during construction. Several (eight) respondents in Sinza said they built their houses without building permits. In the case of Tabata, all plots were developed by National Housing Corporation (NHC), which developed the area for sale to
customers. In developing the plots, NHC as a developer had three development approaches. To some plots, skeleton houses were constructed without finishes. To other plots, construction was up to the substructure level and a basic expandable core unit was added. The third approach was to enter into an Agreement with the customer to hand over a completed house. Customers who bought the structures (houses) had to complete them at their pace, depending on availability of resources. Several units were completed as per the original plans while others some extensions were made. Several house owners in the Tabata formal settlement have made substantial alterations, modifications and change of use to houses. Apart from observations on site an examination of the drawings used by National Housing Corporation (NHC) who was the developer confirms this. It was further confirmed during the interview with the project architect from NHC (Archt Gogadi). Completion of units and the subsequent extensions were being done without building permits. Respondents regarded extensions as being part of completion of their core units and therefore that they did not need fresh building permits. Respondents further argued that NHC did not require them to apply for building permit in order to alter, modify or change the houses. Respondents also said that no municipal officials had ever visited them to see the construction activities on their plots.

Generally, some respondents who were carrying out transformation activities on their plots in both settlements said they were doing so without seeking approvals from municipal authorities. In some isolated cases where municipal officials appeared occasionally for site inspection respondents said that the inspectors would finally allow developers to proceed with the illegal transformations without being prosecuted. Respondents have future plans to develop their plots as income permits (charts 6.15 (a&b)).

![Charts 6.15 (a & b): Future Plans of Plots](image)

Note that, reasons given by respondents on the future plans for the use of their plots are similar to those given by residents in the informal settlements. In Tabata the high percentage of respondents indicating that they have no future plans is because of their tenancy in houses belonging to their employers.
The general level of awareness of planning and building regulations in both settlements compares well as charts 6.16 (a&amp;b) indicate. It is also high among house owners but low among tenants for the same reasons advanced previously.

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<thead>
<tr>
<th>Settlement</th>
<th>Knowledge of Planning and Building Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sinza</td>
<td>Yes 13%, Little 28%, No 59%</td>
</tr>
<tr>
<td>Tabata</td>
<td>No 77%, Little 23%</td>
</tr>
</tbody>
</table>

Charts 6.16 (a & b): Knowledge of Planning and Building Regulations

6.4.5 Governance Issues

Discussion of governance is also organized as reported in section 6.3.6.

Government/ Local Government intervention

Apart from the government’ involvement in the formal planning of the occupied plots and allocating them to residents, the control of the housing activities and the overall development in settlements have been left to the residents’ uncoordinated actions. In both settlements the absence of government direct action in facilitating housing activities is evident. There have been capital projects carried out selectively in some settlements. For example in Sinza, major roads through some settlements have been tarmacked. And several settlements have their network of water pipes rehabilitated. Apart from these projects, no concerted programmes exist for implementing housing development projects in settlements. There are several problems in the settlements but immediate preferences that each settlement wants facilitated by the government are as shown in charts 6.17 (a&amp;b).

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Preferences for Government Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sinza</td>
<td>Security 1%, Services (water) 10%, Loans 5%, Services (roads and drainage) 84%</td>
</tr>
<tr>
<td>Tabata</td>
<td>Loans 28%, Services (water) 52%, Knowledge of building regulations 6%, Services (roads and drainage) 14%</td>
</tr>
</tbody>
</table>

Charts 6.17 (a & b): Preference for Government Assistance
Sinza residents would like to be assisted in the construction of roads especially the drainage part. Tabata residents have the same problem of accessing clean water like residents of Kinyerezi informal settlement. It is to be noted that Tabata like any other formal settlements has pipes for the supply of piped water. But the erratic supply of water has caused a lot of inconveniences. Respondents said that alternative means of water supply are either expensive (water bowsers) or unsafe (water vending from unknown sources).

**Role of Other Actors**

Actions of developers, NGOs and CBOs in the housing field have been marginal in both settlements. According to the ward secretary of Tabata, four groups have been formed for but they are dealing with women development, HIV AIDs counseling. They are also savings and credit associations, which include, PRIDE and the savings and credit co-operative societies (SACCOS). These give out small loans to people for small-scale business economic activities. He said that there was no association for housing activities. However, the National Housing Corporation (NHC), which acted as a developer in the Tabata case, is one actor whose efforts have been the realization of the housing project in the settlement. NHC is a government parastatal company that constructs houses for outright sale. NHC has been involved in a number of similar ventures in Dar es Salaam and in other urban centers of Tanzania.

**Local Initiatives**

At the settlement level practices for social groupings are similar to what was reported in the informal settlements. Charts 6.18 (a&b) show membership subscription to these social groupings.

![Charts 6.18 (a & b): Community Groupings](image)

Apart from membership in the said groupings, community bondage was also observed to be strong in housing activities using self-help approach. The governance machinery and the role of the ‘mtaa’ leadership are similar as discussed in section 6.3.6.
6.5 Cross Case Analysis

6.5.1 Introduction

In this section a comparison is made between practices in the formal settlements and practices in the informal settlements. Issues for comparison include institutions and actors involved in the delivery of land for housing and housing activities in settlements. Also, compared are issues of compliance to planning and building regulations and governance aspects in land and housing processes including the actors involved.

6.5.2 Land Delivery and Tenure

Two forms of land delivery were observed in the case study areas. In the informal settlements and in the formal settlements, land was accessed through private sale transactions of sub-divided informal land or sale of houses on plots. Chart 6.19 shows different means with which land could be acquired in the formal and informal settlements.

Chart 6.19: Types of plot ownership in settlements
In the informal settlement plot sizes vary greatly and are specific to a particular settlement. This may indicate that residents have a wider choice to acquire land according to their needs and according to financial capability.
Some developing features in the settlements could be related to the time dimension for which the settlements are going through. In the informal settlements it appears that as time goes, development activities intensify resulting in further sub-division of land into smaller plots. The existence of super density plots may be partly associated with the densification process on the time horizon. For the formal settlements of Sinza and Tabata, which were in the beginning high density, it appears that they are not densifying by sub-dividing plots although there were cases of intensification on the plots. A conspicuous feature in these settlements is that of combining plots to have bigger plots mainly for commercial activities.

**Institutions and Actors in the Formal Land Delivery**

The formal land delivery mode was observed in Sinza and Tabata settlements and partly in Kinyerezi informal settlement. In the formal settlements there is a clear pattern of planned plots, which are accessible, storm water drainage facilities are visible, pipes for clean water are installed and electrical services are in place. Also there is planned land earmarked for communal services like markets, schools, police posts and health centres. This is an indication of the formal land delivery system by the government machinery basing on formal planning rules and procedures as were discussed in chapter three. A significant proportion of respondents indicated that they had acquired their plots through the formal delivery system.

Purchase of land from original owners also forms part of formal land delivery as was evidenced in the case of Sinza settlement. Wealthier people are buying off some low-income plot owners hence gradually displacing them. In the case of Tabata the displacement phenomenon
was not observed. The reason may be because the settlement is a fairly recent development and plot owners are in the middle income-bracket although part of the settlement was intended for low-income households. Several sampled houses in Tabata settlement belonged to some companies in which employees are accommodated. This makes displacement less likely. However, an interesting observation is the varying degree of the land delivery systems in the settlements indicating that formal settlements are also in a process of change like the informal settlements. In the formal settlements plots are continuously changing hands through transfer of ownership.

In the Hanna Nassif and Kinyerezi informal settlements land delivery is through land parceling. Land is transacted in varying sizes depending on location and financial ability of the buyer. For example, smaller plots are available in the densely built Hanna Nassif informal settlement due to its proximity to the central business district. Plots sold in the peri-urban Kinyerezi are both small and big, depending on affordability levels. Plots in this area range from slightly less than 100 square meters to several hectares. In both Hanna Nassif and Kinyerezi settlements the rich and the poor live in co-existence (figure 6.5).

Institutions and Actors in the Informal Land Delivery

Two storey house adjacent to densely built single storey houses in Hanna Nassif
Gated house and adjacent to simple two-roomed house on smaller plot in Kinyerezi

Figure 6.5: Coexistence in informal settlements

Source: Field survey, 2007

Middle-income households are found in some readily accessible areas of the settlements. In Hanna Nassif where upgrading was previously done, respondents said the participatory process managed to convince
residents to free land needed for community facilities and roads network. The upgrading exercise has increased land values in the area. Kinyerezi informal settlement, which is consolidating, is not ‘ripe’ yet for upgrading according to the policy of the government (see chapter five, section 5.2.2). People are buying plots from original landowners without coordination of the entire exercise at the settlement level. To wait for regularization intervention when the settlement has reached saturated point delays the process of participatory planning. This delay negates the role of community participatory planning that would facilitate decision making on user needs while guiding urban development in settlements.

In the informal settlements what is observed is a continuous sub-division of plots into smaller plots either for selling or for constructing income-generating structures. Some characteristics that determine diversity in the informal settlements involve land ownership, prevalence of tenancy relations, and level of consolidation and speed of transformation, extent of incremental development for income-generating or commercialized ventures. These characteristics are slowly being picked up in the formal settlements.

6.5.3 Land Development and the Self-Help Approach

Most of the plots in the formal settlements are incorporating other uses apart from residences contrary to the planning rules. The mixed use in the formal settlements is a clear testimony of the planning deficiency. In the informal settlements where there are no regulations mixed use is the order of the day.

In all settlements, a family-based self-help mode is used as previously described. House construction is organized and apportioned according to the requirements, preferences and available resources of the users. Field observations from case study areas have found similar construction processes in both formal settlements and informal settlements. Households depend on personal savings from their employments and/or from income generating activities on plots. Other sources of finances were reported as being from relatives and interest free credit facilities of building materials. Community-based mutual aid was not observed in any settlement except in Hanna Nassif where this was previously implemented through the infrastructure-upgrading programme. Family-based self-help is all based on incremental development with most of the house owners taking part in the construction of their houses through self-help approach as a strategy to cut down costs.

The use of skilled workers in construction was also negotiable depending on the financial ability and willingness of the owner to pay for the highly skilled worker. All respondents indicated that highly skilled labour was expensive while less skilled labour charged low.
According to them, by engaging lowly paid labour they would be cutting down construction costs in a bid to fulfil the self-help objective. But as discussed before, networks were being used to source out and pass over good craftsmen who charged reasonably. Shared information then became a source of material support for housing production as part of self-help mode of production by economically disadvantaged communities. The duration of construction depends on flow of income that could be invested in construction as chart 6.21 shows. The quality of houses was variant with a bigger proportion of poor houses being in the informal settlements compared to the situation in the formal settlements. This was an indication of the lower incomes in the informal settlements than in the formal settlements as discussed before.

![Chart 6.21: Construction duration](image)

Choice of building materials by residents is influenced by a number of factors that range from affordability and availability in the market to perceived modern values attached to some materials. Conventional materials are preferred to indigenous materials as presented in individual settlements.

Respondents were also asked to state their preferred building materials. All the respondents said they were for conventional materials. Respondents preferred the use of conventional materials (cement and sand blocks and roofing sheets) to indigineous materials for several reasons. The main reasons were durability and being modern. The quality of houses in settlements varies depending on a variety of factors. These include, affordability levels, technical skills available, construction materials and level of supervision. Houses in all settlements are of a diverse design, ranging from single room expandable house to simple huts to spacious bungalows. The quality of housing observed in the settlements match with the dwellers’ incomes. In the formal settlements that are considered to
accommodate people with relatively high incomes, the quality of housing is correspondingly high compared to that in the informal settlements as chart 6.22 shows. The quality of housing is also an indication of the income levels of the residents being reflected in the type of occupations they engage in. Residents with regular incomes in stable employments would invest in quality houses. However, due to a diversity of incomes the quality of houses even in the formal settlements differs depending on the income status of owners. Houses in indigenous building materials were observed in Hanna Nassif and Kinyerezi informal settlements only where the housing transformation process replaces the materials with conventional materials.

![Chart 6.22: Quality of Houses](chart)

Regarding sanitation, all settlements are affected by the erratic supply of piped water. Because of the water shortage, most of the residents with water closets have also constructed pit latrines. Solid waste management is good in some settlements Sinza, Tabata, average in Hanna Nassif but poor in Kinyerezi.

### 6.5.4 Development Control

All settlements regardless of status are practicing informality on plots development. In all settlements, some owners construct units on their plots for rental or commercial purposes. Residents in all the settlements indicated that they plan to carry on with improvements and extensions.

Land sub-division for transacting land is more evident in Kinyerezi and less evident in Hanna Nassif. In Sinza and Tabata formal settlements, sub-division was not observed. In the case of Sinza, there are some developments where some plots are amalgamated for construction of commercial/institutional buildings. In this case, some households sell their plots to wealthier people who combine adjacent plots for bigger land on which they could put up investment structures. Amalgamation of plots was not observed in Tabata but it was observed in Hanna Nassif informal settlement.
Households in all studied settlements carry out plot activities without being interfered with by regulatory authorities. According to ward executive officers in all the four settlements, interference on plot activities is not condoned even where planning and building regulations are violated. The ward leaders said that they only intervene to mediate in cases where one’s plot activities encroach in neighbouring plot boundaries or interfere with public/community property.

6.5.5 Governance

In all settlements governance processes were found to be similar in all respects. From the municipal level down to the grassroots level, levels of governance are clear and well structured. In all settlements residents reported on weak relations with the municipal officers who do not visit settlements for offering a facilitating hand in solving housing problems. Residents also talked of uncooperative gestures municipal officials show when specific settlement problems are forwarded for action. Residents mentioned issues of plot surveys for title deeds, permits for extensions on plots, improvement of access roads and drainage, etc. However at the local level (grass roots) there are strong ties where residents cooperate in social events and in the construction of houses. Residents at the local level are utilizing the potential in community groupings and social networks to implement various activities in the settlements. The role of the local government in mobilizing resources from other actors for investing in the housing field was conspicuously missing in all settlements. There are ward offices in every settlement but ward executive officers are more into administrative duties than settlements housing projects. As reported in individual settlements middle level institutions are missing in the
settlements except for Hanna Nassif where there was only one NGO engaged in housing activities.

### 6.5.6 Summary of differences and similarities of Cases

From the above discussion a summary of case features is made grouping the features into settlement parameters for comparison purposes. Table 6.1 summarizes similarities and differences between the studied settlements that are in the same category and those in different categories.\(^{30}\)

**Table 6.1: Differences and similarities in settlements parameters**

<table>
<thead>
<tr>
<th>Settlement Parameter</th>
<th>Informal</th>
<th>Formal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Settlement category:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>High-density</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Medium-density</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low-density</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixed densities</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Land delivery mode (tenure);</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Formal (planned)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Informal (unplanned)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Land use;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential only</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Mixed activities</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>‘Unauthorized’ transformation</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Economic status;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Predominantly low-income</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Predominantly middle-income</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Mixture of Low &amp; Middle-income</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>High-income</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Knowledge of planning and building regulations;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Good (&gt;50% of respondents)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Average (&gt;40% but &lt;50% of respondents)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Poor (&lt;40% of respondents)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Housing delivery mode;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self-help</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Both</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>(continue next page)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Compliance to planning and building regulations;

Yes

No

\(^{30}\) Refer to Appendix 2 for some categories of comparable details used to compile contents of this table.
From the table the main difference between formal settlements and informal settlements is in the procurement of land for development. However, in all cases the most pronounced land delivery method is the land sale through transfer of ownership (in formal areas) and through land sub-division (in informal areas). It is clear that no two settlements are similar in every respect even if they are in the same category. Inter-settlement variations are caused by a combination of factors. For example, the way the settlement was established and its extent of consolidation, which has to do with the time, span on which the settlement has been established. The longer the period the greater are the variations in terms of densities and sometimes the level of regulatory intervention. Other factors include the degree of community action and the level of external intervention, including government facilitation. Other differences between formal settlements and informal settlements are, quality of housing, available services and income status of the majority of residents. Residents in the formal settlements are generally better off economically, compared to their counterparts in the informal settlements. This could be told from the quality of houses in the settlements. Likewise, formal settlements have relatively better services than those available in the informal settlements.

Apart from the observed differences, there are some similarities in all the settlements. Findings from case study areas suggest that the ongoing activities on plots are similar in both formal settlements and informal settlements. Cases of violation of formal regulations in the

Key: HNF = Hana Nassif,  KYZ = Kinyerezi, SNZ= Sinza, TBT= Tabata

Refer to Appendix 6 for rating scores.
Refer to discussion in sections 6.2.1, 6.2.2, 6.2.3 & 6.2.4
housing transformation processes evident in the formal settlements are similar to those in the unregulated informal settlements. Residents’ level of planning and building regulations awareness is generally low in all settlements. The housing production process and other plot activities exhibit features of similarity in both informal settlements and formal settlements, being incremental and basing on self-help mode of production. The community bondage through social groupings and the self-help practices observed in construction of houses suggest a big potential for community participation in organized housing activities including community welfare.

6.6 Concluding Remarks

In this chapter findings from the case study areas have been presented and compared. The practice in the settlements shows that land transactions and land development for housing are shaped by informal practices even where initially formal processes are involved. Residents in settlements struggle to develop their plots individually with little or no institutional arrangements for land acquisition and housing production. The absence of the government action and other actors in the land transactions and housing processes is evident threatening the sustainability of the built environment. The residents’ efforts in shaping their environment are seen in the development activities on their plots. The potentiality for community action is great although undeveloped. In the following chapter these revelations are discussed with reference to the processes and actors involved in land administration and production of affordable urban housing.
Chapter Seven: Discussion of Findings

“The formal system of land allocation in a way guarantees bureaucrats and politicians an exclusive access to land. Without it they would have less power to legitimize their position”
(Kombe & Kreibich, 2000, p.165)

7.1 Introduction

This chapter discusses findings from the case studies. Issues that have been raised in the cross case analysis are followed up and discussed within the overall framework of land and housing processes. The discussion dwells on issues related to urban land from the perspective of the relationship between bureaucracy and democracy as introduced in chapter 2 (section 2.2) or, more specifically, the relationship between the formal processes by the government and the predominantly informal processes pursued by communities in settlements. The actors involved in both formal and informal housing processes for housing are also discussed, with particular attention to the roles they play.

7.2 Formal Practices

7.2.1 Formal Land for Housing

The discussion in previous chapters has shown that practices of land acquisition, which proceed through formal land delivery and land development strategies are advantageous for property rights and for producing neighbourhood that are livable. The formal land delivery mode follows bureaucratic steps as discussed in chapter 4 (sections 4.7.1 – 4.7.3). This delivery mode purports to promote collective public interest through intervention to ensure balanced growth conditions while minimizing negative externalities of urban development. However, the long and expensive procedures and unrealistic fixed standards governing the formal approach make it difficult for the low-income urban majority to access formal land and formal shelter.

Sinza and Tabata formal settlements in Dar es Salaam were earmarked for low-income urban residents, but most of the residents dwelling in the settlements are middle-income. It is not clear if this was the case from the beginning. Findings from case study areas further establish that most residents acquired their plots through sale transactions and transfer of ownership, actions which displace the original residents. The deficiency of the land allocation system based on the formal approach has been documented and discussed in chapter
2 (section 2.2) and chapter 4 (sections 4.2.3 & 4.3). Apart from the lengthy process involved before land is released for housing activities, issues of unrealistic standards were also addressed as a critical fault. Further, the formal land delivery process is top-down and emphasizes the expert role of the planner in the planning process, a prominence the the Land Act (1999) and the Urban Planning Act (2007) stipulate. The formal procedure for allocating formal land does not consider equitable distribution of this resource to residents in the low-income category. An example of the special project was given in chapter 4 (section 4.2.3) where land was acquired, planned and plots created for sale. A follow up of the mechanisms through which planned land is made available indicates that the rights and interests of the urban majority to housing are not guaranteed. Practically, there is no formal land earmarked for a growing demand for urban housing to the low-income majority. The twenty thousands plots project in Dar es Salaam is a clear testimony of the absence of arrangements at the national level to cater for the shelter needs of the urban majority. The project has been replicated in other municipalities of Dar es Salaam and upcountry urban areas (see chapter 4 section 4.2.3). In all these areas the low-income urban majority have not benefited apart from being displaced.

Bureaucracy, lack of targeted land policy, high land processing costs and weak governance structures may be said to be major factors creating shortage in the formal land for housing. The private sector operating in the land open market, has not been considering the low-income people for urban land and housing development activities. Instead, it has been targeting the middle-income and high-income individuals with regular employment who can access formal credit. The informal land delivery and informal housing development then become the only option for meeting the needs of low-income urban majority.

Existing laws provide for the facilitation of affordable urban land to the low-income households. The National Human Settlement Development Policy states the aim:

“To make serviced land available for shelter and human settlements development... to all sections of the community...” (URT, 2000, p.21).

The Policy states clearly that, efforts by the government will be directed to stop the growth of unplanned settlements by:

- Timely planning of all potential areas for urban development in the periphery of towns so as to pre-empt haphazard development (ibid., p.26(iv)) and
- Designating special areas for low-income housing with simplified building regulations and providing them with minimum level of services which the residents can afford (ibid., (vi)).
However, efforts made by the government to ease problems of plots in Tanzania’s urban areas through a special land allocation programme have hardly met the objectives expressed through the Land policy and the Land Act.

7.2.2 Formal House Production

Construction Activities

Chapter 6 described the way in which houses in the formal settlements vary in design, depending on the affordability level of developers. The development pattern in the formal settlements can be characterized as conforming to two categories. The first category describes the formal practices by which development on the formal land complies with planning regulations and building codes. The only informality in this model occurs where informal employees are informally engaged in the on-going construction. The second category extends the formal practice to take into account improvements to and/or extensions to existing houses, which proceed incrementally and with no reference to statutory planning and building regulations (hence exhibiting elements of informality). Two reasons may be advanced to explain why the second category is becoming more pronounced than the first category, namely the weakness of the appropriate regulatory framework for regulating urban development; and the unrealistic standards imposed on developers regardless of their affordability status. The quality of housing observed in the second category matches with the residents’ incomes, providing evidence that the construction process is organized according to both, user requirements and availability of resources. The mode of construction under this model is based on incremental development, with most of the house owners taking part in the construction of their houses through the self-help approach.

Credit facilities from conventional lending institutions are not available to most residents because they do not earn regular and reliable income. Residents therefore mainly depend on own savings, and interest-free short-term credit facilities from suppliers/shops of building materials. Lack of credit is the reason behind the long duration of construction. For the construction process there is a clear lack of technical assistance for the affordable but cost effective house design and construction. Very few owners get technical assistance from professionals for designing and construction. Lack of technical expertise tends to produce houses that do not meet performance standards in terms of stability, hygiene and aesthetics.

Obstacles that constrain house improvement and provision of community services are not yet removed. For example, the noted lack of support and coordination at community level for construction activities and for community services has tended to
produce poorly built houses as well as threatening health and safety of
built settlements. Moreover, local construction materials are not
promoted for local use in affordable housing. There is a limited choice
in the market for construction materials, which make building
expensive. Inadequate expertise and skills in the construction industry
is also a barrier which produces the negative effect that high costs are
involved in constructing generally poor houses.

**Regulation of Development Activities on Plots**

Housing activities in the formal settlements are supposed to be carried
out as per the planning and development laws, meaning that plot sizes,
plot area ratios, plans of houses, materials to be used and duration of
construction should observe the stipulated standards. But Housing
activities within plot boundaries are carried out in violation of the
existing regulations for planning and building (see chapter 4, section
4.6). As found out from case studies (chapter 6), law enforcement
authorities do not conduct regulatory checks to ensure compliance to
regulations as required. As noted in the literature review to this study,
several authors point to the lack of regulatory capacity and
inappropriate regulatory framework as the main cause of non-
compliance. During the interviews, a municipal official from
Kinondoni Municipality was asked why he thought enforcement of
regulations was poor. He answered that it was because of inadequate
resources for carrying out the regulatory role, citing inadequate staff
and lack of transport as the cause. The statement may be partly true
but there are more fundamental causes than inadequacy of resources.
One is that, although municipalities are resource starved they have not
considered involving other actors and the affected residents in the
formulation and enforcement of effective regulatory systems. The
second reason for the lack of involvement from the government hangs
on the question of the unsatisfactory level of regulatory competence
within the enforcing authority. Ward Officers representing Municipal
Directors in the settlements admitted that they were not fully
conversant with some details in the regulations. In all the visited ward
offices of the case study areas, not a single office had a copy of the
planning and building regulations.

Apart from authorities being resource-starved, difficulties in enforcing the regulations may imply that the regulations
are inappropriate given the local context of application. The standards
may be too high to be achieved given the affordability levels of most
residents. Also, the long approval system of different steps from
approval of planning, designing to construction may act as a hindrance
to compliance. At the moment, regulation of development activities in
the formal residential areas has been reduced to mere issuance of
building permits, which are not adequately monitored thereafter. The
regulatory void has also witnessed encroachment of some open spaces
that are reserved for public use. It is not surprising therefore that the cases of Sinza and Tabata formal settlements - which are, according to the municipal officials, supposed to be observing planning and building regulations - are also engaged in informal practices.

7.3 Informal Practices

7.3.1 Informal Land for Housing

Informal land delivery, a form of neo-customary tenure in urban areas (chapter 3, section 3.4.2), continues to maintain resilience in the presence of legislative land tenure reforms. The reality of urban development whereby land is occupied before servicing is likely to dominate over the other forms of land delivery (see chapter 2 figure 2.2). This is mainly because of low capacity to develop land before it is occupied. The fact that expansion of urban boundaries finds people in occupation means that existing settlements would be subjected to urban planning procedures.

Several buyers in Hanna Nassif and Kinyerezi have reported that land is transacted through agreements where a down payment is made and then paying the balance in agreed installments before being allowed to take possession of purchased plots. Similar experiences are widely documented in Kombe and Kreibich (2006). In order to accord legal status to this method of land delivery, the common practice in the case study is for local community leaders (i.e. Mtaa leaders) to sign land transfer agreement forms to authenticate or to seal land deals. There have been some cases of dishonesty in the land sales especially where buyers bypass the Mtaa office. Interviews with Mtaa leaders revealed that in some cases unfaithful land sellers have sold their pieces of land to more than one buyer. The system used for transacting land at the local level is so efficient that land security is guaranteed. Once the land sale transaction is concluded, the buyer may commence construction activities. It means that security of tenure in the informal settlements is guaranteed using social institutions and norms set by grass root actors. Moreover, the law reinforces the security of tenure by guaranteeing land rights as presented in chapter 3 (section 3.4.2). Due to the well-established nature of the informal land delivery system and the guaranteed legal status residents in the case study areas are composed of a mixture of the rich (middle income) and the poor. In all the studied settlements all residential land is rightfully owned through informal processes of land transactions 33.

33 Cases of squatting are few and they are limited to commercial activities squatting on public land (open spaces). Cases of residential activities witnessed on ‘hazardous’ land in Dar es Salaam are found along river valleys of Msimbazi, Sinza, Mbezi, Tegeta, Yombo, Mlalakuwa, Gerezani and Keko creeks and Ubungo.
In Hanna Nassif, land was held on a neo-customary tenure system but now the settlement has been regularized for subsequent granting of residential licences and eventually the rights of occupancy. In Kinyerezi, the settlement is undergoing consolidation and the government has not intervened to regularise it as yet. Activities of other actors in housing are limited to individuals’ efforts to provide housing for themselves. In both Hanna Nassif and Kinyerezi informal settlements land is procured through private sale transactions, which do not spare land for access roads and community facilities. Sometimes unsuitable land is sold and subsequent development activities on that land result into negative effect on both the occupant and the environment. This is a clear sign of absence of machinery to monitor the use of land in order to avoid negative externalities. The way informal land is procured and developed in the informal settlements suggests that there are several problems posed by various uses that are conflicting at times. Intervention to regularize informal settlements through upgrading has always taken place quite late when settlement conditions have worsened.

There are several snags that have been observed in the informal settlements as a result of the absence of regulatory mechanism in land development. Residents buy land and do not set aside any piece of land for community services like streets and places for schools, hospitals, solid waste disposal, etc. Some new developments and extensions block access routes. These negative actions always give rise to disputes in settlements. Private property is wholly fenced adjacent to one another leaving no space for public services. Regulation of the informal practice is therefore fundamental for guided and orderly urban development.

7.3.2 Informal House Production

Construction Activities

The housing situation in the studied informal settlements is similar to that observed in the formal settlements. The development pattern is characterised by predominantly single storey houses, used mainly for residential purposes. House types are diverse but the general level of quality is relatively lower than that observed in the formal settlements. A trend can be observed in the informal settlements towards the replacement of houses originally constructed in temporary materials with permanent materials as the economic status of owners improved. The observed self-help mode of construction in the settlements has already been discussed at length.
Regulation of Development Activities on Plots

Urban residents engaged in housing activities in the informal settlements, have a perception that planning and building regulations, affect the formal practice only. This perception is also shared by most of the interviewed professionals and academicians including some of the municipal officials, through the interviews presented in chapters 5 and 6. The response from Municipal officials, for example, was that legal provisions exclude informal settlements from being subjected to the existing development regulations. The officials maintain that regulations apply on land that has been declared a planning area and having been subjected to planning requirements as per the planning law and regulations. The argument makes legal sense.

Development control in the urban environment has a positive side and a negative side. The positive side lies in the need to ensure proper regulation for orderly and sustainable development. Development in the informal settlements takes place within the urban fabrics, which has to obey a certain pattern of development that is sustainable. The negative side is evident where stringent requirements in terms of space requirements, standards, time limits for delivering results (approvals and certifications) cannot be afforded by most of the urban residents, who exist in the low-income category. These people lack resources and time to fulfil the development control requirements, leave alone their lack of knowledge for observing the same.

7.3.3 Self-Help in Settlements Development Activities

As discussed in chapter 2, the self-help approach is offering a partial solution to the type of housing the economically disadvantaged urban majority could afford. Family-based self-help is all based on incremental development with most of the house owners taking part in the construction of their houses through self-help approach as a strategy to cut down costs. As observed in all the studied settlements, residents use self-help to invest their meagre resources, energy and ingenuity to improve their houses as well as generating income from them. If the government exploits and coordinates these self-help approaches, urban housing could most likely improve considerably. However, all the settlements studied showed that the facilitating role of the government in recognizing efforts of residents by appropriate intervention is missing.

At a wider scale of self-help application, all the settlements have developed networks for housing development through social interactions. Cases of information sharing were reported where owners use it to facilitate the construction process and other social issues. This represents a social capital at work that could
be enhanced to mobilize community efforts among residents. The fact that community bondage was observed to be strong indicates that if assisted, residents would contribute greatly to the development of their neighbourhoods. Lack of assistance in this area means that self-help does not exploited the mutual aid potential in which the state (through the local authorities) and other actors would assist the community efforts to construct their houses and to provide the required basic infrastructure in their settlements. Respondents in the settlements reported weak links with ward and municipal authorities. Housing activities by NGOs were also reported to be marginal. The absence of middle-level institutions that would have offered technical expertise in planning and building remains a barrier to self-help housing practices in settlements.

Building materials and construction skills are two main inputs that may have to be given attention if self-help approach is to be of an impact to urban housing for the poor. Choice of building materials is mainly influenced by what is available in the market and the price attached. In Sinza and Tabata formal settlements there was no evidence of houses in traditional materials. This may be due to a combination of reasons; such as, the interpretation of building regulations by authorities, income levels of households being able to afford conventional materials, or poor quality of traditional materials. In Hanna Nassif and Kinyerezi informal settlements, where some houses in traditional materials were observed they are either continually being upgraded using conventional materials or they are demolished completely.

**Hanna Nassif: Deteriorating quality of mud and pole houses**

**Hanna Nassif: Note the outer wall that is to replace the plastered mud and pole wall**

**This is the interior of the same house being improved using conventional materials**

**Figure 7.1: Upgrading of houses in indigenous materials**

**Source:** Field, 2007
Apart from the reasons given by respondents, for their preference for non-traditional materials (see chapter 6, section 6.4.4) there are other possible reasons why traditional materials are shunned despite their low cost nature and great building potential. Limited promotional activities have been carried out aimed to demonstrate their optimum use in housing. Research institutions like National Housing Building Research Agency (NHBRA) and others have for long been trying to work on these materials to improve their quality. It is possible that research findings are there but they are not disseminated through appropriate media. Also, the government and professionals have not promoted local production and use of indigenous materials by incorporating them in various implemented projects. A wide range of building materials exist in different parts of the country that can be used for low cost construction projects in Tanzania’s urban areas.

The adoption of traditional materials with improved quality, design and building techniques might reduce costs considerably. However, this would depend on many factors, like production costs plus overheads (economies of scale) and the associated transportation costs.

Figure 7.2: Improvement in traditional building materials

Source: NHBRA, 2007
Dar es Salaam for example, has a limited choice of traditional materials that would be considered cheaper than the costly cementitious products for walling and metal products for roofing. Basically, production of stabilised soil cement bricks (including clay for burnt bricks) requires suitable soil that is not found in many parts of Dar es Salaam. Stabilized soil blocks are a proven low cost technology in areas where soil of low shrinkage is available locally.

Likewise, production of sisal reinforced cement tiles has remained insignificant for a long time due to lack of demand for the product. It is heavy (2.5 kg although lighter than a traditional clay tile) hence requiring more structural timberwork for the roof structure. It is brittle and therefore prone to excessive breakages during handling and during construction. Also, it requires high degree of workmanship to ensure leakproof joints and ridges/valleys. The use of polythene sheets underneath and metal flashing along valleys introduces another cost. To a low-income household these do not make his construction life affordable and convenient. So far, technologies involved in improving quality of traditional materials have not been able to convince communities on their technical superiority and their economy over conventional materials. If these materials are adequately promoted, they would contribute to alleviating the housing problem in urban areas. However, promotion for their use in different parts of the country should be based on proper evaluation of their suitability and limitations.

The discussion of available construction skills is also relevant in promoting self-help initiatives. This is because craftsmen need the ability to interpret drawings and regulations and to adhere to good construction practice so as to improve on the housing quality. The use of construction skills in all the studied settlements was found to be limited to the engagement of local craftsmen, a good number of who have not acquired proper vocational skills. Using semi-skilled craftsmen results in low quality housing.

Going by the prevailing political as well as economic status of Tanzania and its people, self-help is still the available feasible option that would contribute to improving the quality of housing by the urban poor. Therefore the role of the state in intervening to improve housing and living conditions of the poor through self-help practices is critical.

7.3.4 Formal - Informal Interaction

In order to answer the question of how does the formal and the informal interact, the formal-informal land delivery systems must be understood if responses to regulate the land delivery systems are to be of meaningful impact. The complementary nature of formal and informal roles has been discussed in chapter 2 (section 2.3). The
discussion here extends that work towards the areas of land planning and land development.

The starting point in the discussion of the formal-informal interaction is the recognition of the superiority of formality in shaping the practice of formal institutions that run governments. As discussed in chapter 2 (section 2.2), formality - being about ‘the rule’, - should by far outweigh the advantages that may accrue from informality. However, for efficiency and effectiveness of urban planning and management processes, the complementary role of each is critical. Table 7.1 is an extended version of figure 2.2 (presented in chapter 1). It is intended here to show how the formal and the informal approaches for land delivery exhibit two extreme opposite practical approaches that could be adopted with varying scales in the urban planning and management.

Table 7.1: Two Approaches for Land Ownership and Development

<table>
<thead>
<tr>
<th>FORMAL APPROACH</th>
<th>INFORMAL APPROACH</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>(Bottom-up)</strong></td>
</tr>
<tr>
<td>1. Identify land</td>
<td>1. Identify land</td>
</tr>
<tr>
<td>2. Survey &amp; Compensate</td>
<td>2. Buy and Develop flexibly</td>
</tr>
<tr>
<td>3. A follow-up for Right of Occupancy</td>
<td>3. Identify, record and register (Residential Licencing)</td>
</tr>
<tr>
<td>4. Develop as per regulations</td>
<td>4. Upgrade and Regularize</td>
</tr>
</tbody>
</table>

Source: Own construct

Formality is top-down and informality is bottom-up in a process of providing urban housing. Each approach might borrow from each other in an interactive way in order to achieve efficiency in the use of land resources to provide affordable urban housing.

Following a discussion of formality and informality in chapter 2 and the discussion of formal and informal processes in subsequent chapters, it is now possible to summarize the pros and cons of both approaches. Table 7.2 and table 7.3 give a comparison of some strong points and some weak points of each approach. This comparison could form the basis for complementary initiatives for more efficient and effective delivery of urban land when applying each approach in the appropriate development context.
### Table 7.2: Strong Point of Formality and Weak Points of Informality

<table>
<thead>
<tr>
<th><strong>FORMALITY</strong></th>
<th><strong>INFORMALITY</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strengths</strong></td>
<td><strong>Weaknesses</strong></td>
</tr>
<tr>
<td>• Better planning and layout of land (accessible and houses distributed as per plans)</td>
<td>• Haphazard development (access routes blocked, overcrowded and poor sanitation &amp; environmental degradation)</td>
</tr>
<tr>
<td>• By ascribing to user conditions, undesirable uses are avoided (effective utilization of land)</td>
<td>• Unguided land sub-division leading to chaos and ineffective utilization of land</td>
</tr>
<tr>
<td>• Available communal services and adequate infrastructure services</td>
<td>• Lack of land for communal services &amp; Poor or no infrastructure services</td>
</tr>
<tr>
<td>• Good documentation and recording/ safe storage and retrieval of property details</td>
<td>• Ownership not adequately recorded (institutions and their roles barely known)</td>
</tr>
<tr>
<td>• Creation of better administration systems under legal provisions to secure land rights</td>
<td>• Insecurity of tenure &amp; land speculation creates artificial shortages and pushes the poor further out creating highly dispersed discontinuous pattern of urban growth</td>
</tr>
<tr>
<td>• Proper documentation and register of landed property enables conventional acceptance universally leading to functioning land and property markets</td>
<td>• Poor working property market systems (transactions sometimes held in secrecy hence difficult to identify people’s addresses and other property particulars)</td>
</tr>
</tbody>
</table>

**Source:** Own compilation

The first step towards solving the problem of urban land is to sort out elements that could be borrowed for improved performance of either practice. Looking at tables 7.2 and 7.3 it is possible to borrow elements from either practice. Despite the strong points identified in the informal approach its weak points may signify the low level of socio-economic status and inadequate technical know how for planning and building amongst urban residents. Weaknesses of the approach therefore would result to poor planning and low house construction skills that produce poor housing and unregulated environment. The same could be argued of the formal approach. The rigidity of the formal practice and the high standards prescribed by the formal rules and procedures are out of context for guiding urban environment. That means they have not been adequately adapted to the local context hence proving difficult to achieve the regulatory objective at the local level for urban development.
Table 7.3: Strong Points of Informality and Weak Points of Formality

<table>
<thead>
<tr>
<th>FORMALITY Weaknesses</th>
<th>INFORMALITY Strengths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning regulations have created single use zones that may produce lifeless environments</td>
<td>Mixed use stimulate life in neighborhoods and promote income earning capacity of the poor</td>
</tr>
<tr>
<td>Based on prohibitive and unrealistic imported standards</td>
<td>Based on what is achievable locally</td>
</tr>
<tr>
<td>Outdated (not coping with pace of urbanization)</td>
<td>Current (answering the present need of the new comers as they arise)</td>
</tr>
<tr>
<td>Bureaucratically slow (complicated surveying techniques and many steps involved in the registration procedure and approval systems)</td>
<td>Quick to deliver (few procedures for land transactions)</td>
</tr>
<tr>
<td>Inflexible</td>
<td>Flexible, adaptive and responsive allowing incremental development</td>
</tr>
<tr>
<td>Top-down (lacks inclusiveness/participatory processes)</td>
<td>Bottom-up (misses the top-down component)</td>
</tr>
<tr>
<td>Exposure to high taxes</td>
<td>Tax elusive</td>
</tr>
<tr>
<td>Operating within an old and conflicting legal structure</td>
<td>Avoids the conflicting legal structure by acting informally</td>
</tr>
<tr>
<td>Constrains demand for urban housing</td>
<td>Fills supply gap for housing to the urban low income residents</td>
</tr>
</tbody>
</table>

Source: Own compilation

Basing on the conceptual framework advanced in chapter 2 (section2.3) and borrowing from the revelations of tables 7.2 and 7.3, a mediating role could then be offered for the bottom-up, top-down interactions. The middle zone of the conceptual sphere could be considered in the integration of the formal approach and the informal approach.

7.4 Governance structures for housing

7.4.1 Governance for Housing in Settlements

Governance processes are not well developed in either formal or informal settlements. The formal process and the informal process do not collaborate in the provision of urban housing in settlements. Land delivery and land development are supposed to be achieved through an interaction of formal and informal institutions.
The contribution of the local government is conspicuously missing in land delivery and housing projects and, as a result, the work of municipal authorities in settlements in the housing field is marginal. This marginal intervention of municipal authorities may be due to the central government policies that have not prioritized housing issues for action in communities. For example, in the ongoing local government reforms, a housing programme agenda is conspicuously missing (refer to chapter 5 section 5.4.2). In all the studied settlements it was observed that even municipal response to community led actions was inadequate, especially when prompt responses are required. The weak link with the municipal authorities has also been discussed in the work of Kombe & Kreibich, (2006) who observe that, bureaucrats and planners resist innovative means for improving people’s lives because they are using rigid regulations. As a result of this weak link, households sometimes see local authorities as an obstacle.

The activities of NGOs in housing are almost non-existent except for Hanna Nassif where one NGO is active in land and housing matters. Credit associations are on the increase but potential members in the settlements do not yet feel their impact due to the difficulty of meeting credit conditions. It is clear that the potential of residents to form coalition and working together is yet to be exploited by the government and other actors like, NGOs and the donor community.

At the local level, the sub-ward (‘Mtaa’) leaders are active spearheading implementation of community infrastructure and other development projects through meetings and contributions from households. Residents in all settlements demonstrated cohesiveness through membership in associations and groups (see chapter 6, sections 6.3.5 & 6.4.5). These grassroots practices are not yet facilitated in order to initiate and spearhead planning for housing activities in settlements.

### 7.4.2 Institutional Arrangements for Housing

The discussion of institutional arrangements within the governance domain involves the nature of interactions between the three governance levels.

![Figure 7.3: Levels of Institutional (top-down and bottom-up) Arrangements](source: own construct)
They include, the central government the local government level and the community level as depicted in figure 7.3. It is evident that communities find it very difficult to communicate directly with the central government. Respondents in the case study areas further indicated that it is also sometimes difficult even to communicate with the local government (municipals).

### 7.4.3 The Central Government level

This level is critical because the structure of administration starts here, from the national level, down to the local government level and finally to community level where state policies are translated into programmes and actions. An assessment of the current state, as argued in chapter four, shows that the government is yet to create an environment that involves a broader range of actors and their contribution to urban housing. As noted in chapter 5 (section 5.4.2) the institutional framework at the central government level lacks the mechanism for efficient co-ordination of institutional activities that are directly related. This weakness is considered to be the root cause of all deficiencies in the provision of urban housing. This is because, without sorting out laws and roles, appropriate action cannot be taken. At this level, line ministries do not have a joint approach to deal with matters that advance a common course such as those of housing and infrastructure services in the urban areas.

As was discussed in chapter 5 (section 5.4.2), government officials in some ministries revealed that there are conflicting roles between ministries in executing land development and building activities. Also, that there were a lot of overlaps between ministries that discharged different obligations in land development.

The Prime Minister coordinates activities of autonomous ministries that operate in their own capacities. Cross-cutting issues between ministries are passed over to the Prime Minister who directs action as appropriate. Matters of synchronization of laws across ministries with related functions are dealt with through committees that may not function effectively because of fragmented decisions. There is an apparent lack of an apex mandate that would synchronise laws that have a potential of generating conflicts within themselves for similar missions (refer to chapter 5, section 5.4.2).

### 7.4.4 The local government level

The role of Local governments is to govern relationships of state institutions and the civil society in two major areas. One is that of providing a framework policy for the delivery of urban services and housing. Two is the delivery of core services to the community in line with the policy framework in place. These development programmes
at the local level are to be implemented within the spirit Local Agenda (LA) 21, which emphasizes a pronounced participatory role of citizens in such programmes. Local Agenda (LA) 21 urges Local Authorities to partner with other actors in the private sector to implement local projects.

The governance structures at the local government level, which deal with housing are both top-down and bottom-up. The local government acts as a link between the first level and the third level as figure 7.1 demonstrates (also, see chapter 3, figure 3.1 for administrative structure of local government). The top-down process starts from the municipal council level to the ward level while the bottom-up process starts from the grassroots (residents) to the sub-ward level and meets the top-down at the ward level. As discussed above, the link between the sub-ward level and the ward level is either weak or it is missing. It was presented in chapter 2 (section 2.5, figure 2.1) that, middle-level institutions could be considered for the ‘missing link’ to enhance the complementary endeavours of formal and informal interactions.

Operational huddles at the local government level emanate from the limited capacity of the central government and most likely, its reluctance to devolve power and authority to the local government. Also, the slow process with which the reforms take place may signify that there is lack of political will to make things happen. Devolution of power and authority to the local governments is too slow to make local authorities to mobilize communities and other actors to partner in local development as discussed in chapter 2, section 2.5. Kant (a German philosopher),34 describes a ‘political will’ as that which normally challenges leaders to understand and to facilitate the change process as required. The ongoing reforms in the local governments have been to ensure the transferring of power to the people by developing appropriate legal and institutional framework at Ward and Mtaa levels (URT, 2006)35. But the reforms have not yet addressed planning and housing issues (see chapter 5 section 5.4.2). Inadequacies in the reforms in the field of human settlements may explain why activities of local government in the studied settlements are marginal.

Although lack of funds is the main reason given for delays in reforming the grassroots units at Ward and Mtaa levels, resistance to change may also be cited to be playing a role. The Local Government reform manager for governance believes that some bureaucrats in the municipal council may be resisting reforms to the

34 Kant E. was a German thinker (1724-1804), an epistemologist who conceived theoretical reasoning to be conditioned by a priori categories, and an ethicist who identified morality with duty and the good will.

35 Local government reforms started in 1996 and the Urban Authorities Act of 1982 was revised in 1999.
bottom-up structures. Issues the manager thinks still need to be addressed in the reforms include:

- Low capacity of local authorities to handle bureaucratic processes that delay things and finally little or none is done.
- Poor strategies of raising resources at grassroots level.
- Resistance due to fear of the unknown and misunderstandings. The slow devolution of power is made on the pretext that local authorities were still young.
- Ignorance of citizens from understanding the concept, process, outputs and benefits of the decentralization process and what they should expect in terms of changing their lives.

On top of these points, it may be argued that presence of well-functioning government institutions and their legal framework is a pre-requisite for effective reforms in the governance structures. It is also a pre-requisite for operationalization of programmes at the local level\textsuperscript{36}. In the field of urban planning and management we need to look closely at devolution of power and authority as a tenet for properly regulated and coordinated land development and human settlement activities.

### 7.4.5 The community level

It is at this level of the community that residents are involved in housing development activities. As observed in the case study areas, residents in settlements are quite active at the two sub-levels (sub-ward and grassroots levels). Community bondage shapes their actions and it is considered to be potentially a powerful source of human, economic and social capitals for propelling residents’ development (see chapter 2, section 2.4 and chapter 6, sections 6.3.5 & 6.4.5). However, there was noted a missing link between the informal grassroots actions and the formal top-down structures. In the case study areas, there was no evidence of any deliberate endeavours by the government to assist communities to secure adequate and affordable housing. Little communication and coordination exists with upper levels regarding land and urban housing to the low-income majority. The only evident form of collaboration between the state and the local government in developing and implementing housing initiatives was limited to areas of donor assisted upgrading projects (Hanna Nassif). The efforts of other actors in land and housing delivery to the urban households were marginal in all the studied settlements (as reported in chapter 6). The collaborative initiative between actors for development projects at the local level may be suffering because of the absence of institutional capacities (chapter 3, section 3.3.4).

\textsuperscript{36} See chapter three, section 3.3.4 on why the Sustainable Dar es Salaam Project (SDP) failed to make it
7.4.6 The Role of the Middle level Institutions

As discussed in chapter 2 (section 2.5), effective housing programmes demand that the urban development process involves actors with varying interests, so that they might partner in decision-making and in the collective implementation of urban housing. It was observed in the studied settlements that actions of the middle level institutions were marginal due to reasons cited in chapter 6. Middle-level institutions needed to bridge the gap, include private developers, groups (NGOs), housing cooperatives, professionals, and training institutions. Activities of NGOs in planning and house construction were found to be either marginal (in Hana Nassif) or non-existent (in Sinza, Tabata and Kinyerezi). Individuals are either involved in the production and the supply of building materials or in the direct construction of their own houses and construction of houses for others.

From the field observations in the informal settlements, two categories of problems associated with failure to comply with the formal practice could be identified. First is a problem that has to do with the entire community; that is, poor accessibility and lack of adequate space for public facilities. Second are problems that affect individual plots: poor planning of plot activities in relation to the surrounding activities, poor design and construction of houses/extensions and improper sanitation. The institutional capacity of grassroots in settlements was found to be limited in application. Residents are constrained due to limited knowledge on land and housing issues, inaccessibility to affordable construction materials and limited construction skills. Also as discussed in chapter 6 (section 6.4), absence of appropriate urban planning laws and building regulations forms another hurdle. This lack, which takes in ignorance of residents to planning and building, tend to limit results expected of urban land development and housing activities in settlements. Residents fail to use their meagre resources in the optimal way to ensure safety and health on plots in terms of layout, space utilization and allowance for public services.

7.5 Concluding Remarks

The discussion set out in this chapter has demonstrated the way in which the supply of formal urban land continues to remain elusive for the low-income urban majority, who, in response, are finding shelter through the informal land delivery system and informal urban development practices. Strengths and weaknesses of formal and informal practices have been discussed and summarized with the aim of evolving improved practices for delivering urban land for housing. Further, deficiencies inherent in the governance structures have been discussed at different levels of the government. Issues in the
governance process believed to impede efforts of actors and their roles in pulling together resources for providing urban housing have been highlighted. The discussion also has shown how weaknesses in governance lead to residents in settlements succumbing to unregulated activities in land transactions and housing activities. These unregulated housing activities in the settlements and weaknesses in the formal system form the key challenges to improved urban land delivery and regulated housing activities.
Chapter Eight: **Recommendations**

“And even with the best intentions, conventional approaches tend to be unaffordable and in the end they rarely benefit the poor”
(Tannerfeldt & Ljung, 2006, p.130)

### 8.1 Introduction

The study has shown how the formal and the informal systems are involved in the provision of urban land and urban housing in Tanzania. The predominant mode of providing urban housing is the informal system. However, urban housing is generally still far from being satisfactory especially to the low-income earners who are the urban majority. Despite the good intentions of the government towards facilitation efforts in providing urban housing, there still exist several institutional barriers to achieving this goal.

A number of shortcomings in the delivery of urban land and in urban housing activities in both formal and informal systems have been discussed. The study has shown how informal urban development is not adequately controlled and how the formal urban development is being gradually informalized.

It is from these findings that recommendations are made in response to the third research question - the matter of required urban development policy interventions. Two categories of recommendations are put forward. The first category takes in specific recommendations that are applicable at the local level – those that are of a technical and administrative nature, and considered to have an immediate impact to the urban land delivery and to the regulation of development activity. The role of middle-level actors is spelt out in this type of recommendation, as facilitators of communities in technical matters relating to housing. The second category of recommendations takes in the general recommendations, which are applicable at the national level, and are of an institutional and legislative nature. Realization of these results from this category of recommendations may be far-fetched, because of the complex processes involved in bringing about change in institutions. It is, however, believed that the presence of well-functioning institutions at the national level would create conducive environment for effective implementation of the housing programmes at the local level.
8.2 Recommendations

8.2.1 Specific Recommendations for the Informal Framework

(Local level and Middle level Actors)

**Formal-Informal Land Delivery and Management**

Two parallel approaches for urban land delivery should be adopted: the formal delivery system and the informal delivery system. Since the former system has already a delivery control system, attempts should be made for the latter (the informal) system to also develop a delivery control system.

The following should control the informal delivery:

(i) Local authorities should put in place a strategy for marshalling resources from professional associations, training institutions and middle-level institutions to assist in the technicalities of organizing local leaders and development committees in settlements to play an active role in guiding informal land transactions.

(ii) Local authorities, through middle-level institutions, should coordinate the role of sub-ward and ward actors in facilitating the formal process of registering informal land and property in order to process tenure licenses. It is important that property documentation and record/register keeping are introduced and managed at the sub-ward level where things happen.

**Technical Assistance in Land Development**

Professionals should be engaged to work out affordable solutions that would guide self-help projects in settlements. Areas that require technical expertise include: planning for community utilities of mutual benefit, housing plans and detailing, the use of appropriate building materials, and basic construction skills.

Residents and informal designers should be educated on the use of locally available materials and guidelines on standards and quality control for producing and using materials should be formulated and disseminated. Programmes designed for educating residents in settlements should be administered through ward and ‘Mtaa’ leaders. The role of local authorities should be more pronounced in ensuring that councils facilitate and coordinate required training programmes. Specifically:
(i) Imparting Technical Skills to Residents

Training institutions like vocational training centres and Ardhi University, which train technicians and professionals, are well placed to contribute significantly to community development through housing and other projects. The training should emphasize grassroots action, working closely with local authorities in various community programmes related to planning and construction of sustainable housing. Ardhi University, which has rich previous experience working with residential settlements, could play a key role in equipping residents with the missing planning and construction skills. For training purposes, initial studies should be carried out so as to design tailor-made training programmes that cater for the needs of residents. By educating local leaders and representatives from the settlements, the transfer of knowledge to residents through their local associations can be facilitated. Parallel to the training, awareness sessions in settlements could be designed accordingly, using animators/ facilitators and students as part of their practical training.

(ii) Dissemination of Research Results

The National Housing Building research Institution (NHBRA) has carried out several studies in the use of improved locally available materials. Research results that would offer affordable solutions should be extended in the settlements by putting up demonstration projects that would continually transfer skills to residents. Local authorities should also work with the tested materials in community upgrading projects and should involve residents in the construction and maintenance of the same.

**Formal-Informal Networking**

The top-down role of the government should be maintained and strengthened. This should see the government defining the wider framework within which the community and the private sector are to operate. The government should also retain the overall function of overseeing development at the local level. A system should then be devised to solicit more involvement of middle-level institutions in the empowerment of communities for the bottom-up complementary regulatory initiatives. Empowered communities would be effective participants in the planning of their settlements and in the control of development activities on plots.
**Strengthening Governance Structures**

The active participation of residents in settlements would depend on their organization into functioning groups with clear roles to play in developing urban land. This would offer a good connection with the upper levels in the political governance machinery. Local authorities should therefore ensure that grassroots governance structures, operating ‘where things happen’, are well defined. Community groups and development committees should be established with clear roles for development activities in settlements. Religious institutions that have proved to be a unifying agent should be integrated in the grassroots governance structures.

**Development Control**

As per the recommendation for land delivery control systems, there should also be two sets of development control systems. One system should be for general building control, as it exists now. The other system should be for simplified control of buildings in planned and unplanned areas, for buildings not more than two storeys high. Formulation and enforcement of this system should be as follows:-

(i) **Formulation of Development Guidelines**

Simplified control of buildings should be in two parts, part one being the general development control, and part two being the specific control. The relevant municipality should prepare general development guidelines. That is to say, the task of formulating specific development guidelines applicable in urban settlements should be decentralized. A decentralized regulatory system could potentially enjoy positive control because it would impose development regulations based on unique local conditions, which are representative of the consensus of the community.

Conflicts experienced between authorities and communities in the case study areas, where existing regulations for land and housing are not implemented, should be replaced with appropriate regulations. Residents in settlements should participate effectively and be made aware of the planning and building problems that beseech them, as part of their empowerment. Appropriate development guidelines for urban housing should consider the following:

- Allowable sizes for acceptable access roads and paths;
- Plot sizes, setbacks on plots and optimal usage of space on plots;
- Basic construction skills;
- Sanitation rules and requirements;
• Permissible land uses; and
• Administrative procedures for land use development and control.

Assistance should be sought from technical NGOs that have expertise in human settlements activities. In doing that, technical NGOs should guide the process and maintain a constant dialogue, consulting with residents in settlements in order to establish a wide social agreement on rules making and the norms that underpin those rules. The medium of communication should be the language spoken by residents. In this case, all regulations should as much as possible be in Kiswahili.

(ii) Enforcing Development Guidelines

In order to evolve an effective building control system in settlements, residents in settlements acting through their development committees and local leaders, should practice self-regulation. Self-regulation is a regulatory method that may be adequate for the planning and construction of urban residential settlements appropriate for the majority of low-income residents. The form of self-regulation recommended is a hybrid (see chapter 3, section 3.4.1), which combines the rich informal networks and norms as observed in the settlements and the developed formal guidelines. This combination would ensure that residents conduct their housing activities in a well-regulated environment. In this endeavour, governance structures at the local level should be used to regulate housing actions in settlements, by essentially establishing a platform of regulatory enforcement through subward leaders and development committees.

8.2.2 General Recommendations for the Formal Framework

Institutional Arrangements

(i) The National Level

Institutional roles and coordination of housing activities should be streamlined by doing away with a multiplicity of legal provisions and roles, which result in problems of institutional coordination and conflicting laws.

Ministerial restructuring should occur, and one ministry should handle core functions in the land development process. This would provide a platform for effective interaction of all actors in housing. Since local authorities are close to communities and are under the direct control of the ministry of Regional
Administration and Local Government (RALG), it is logical that this ministry handles all the core functions as proposed in figure 8.1. Core functions in this case refer to land acquisition, land registration and allocation, and land development control.

To ensure effective coordination of housing activities at the national level, an apex organization may be considered under the Prime Minister’s Office to deal with cross-cutting (intersecting) housing issues and to coordinate housing efforts of different actors. Its role would be to coordinate and to regulate inter-institutional functional network for housing, which is formed by different ministries as identified in chapter 4 (see section 4.5.3, figure 4.5).

**Figure 8.1: Proposed levels of regulatory hierarchy (relationships)**

**Source:** Own Construct

(ii) The Local Government level & Ward Level

In order for local governments to be effective in urban land delivery and housing development, it is recommended that the political constituency of the central government should expedite
the devolution of power and authority of housing functions to the local governments. Direct intervention of the central government to the land markets should stop, so that local governments are able to attend to the land needs of the people. This move should be taken parallel to strengthening the management capacity at the local level and to ensure improved urban governance and efficiency in land management. Consolidating and utilizing the well-established structures at ward and sub-ward levels would improve governance structures for housing development at the grassroots level (see structure in chapter 5, section 5.3.3, figure 5.2).

High priority should be given to a reform programme for capacity building and awareness creation within urban Local Authorities, so that they might work and share power with the local communities. Leaders at both ward and sub-ward levels should be equipped in order to steer development in settlements. These levels should have more autonomy in decision-making and in the execution of their functions. Local Authorities should mobilize resources from middle-level institutions and ensure that CBOs and communities are equipped with technical skills and financial capability to undertake substantial improvements in their areas.

(iii) The Sub-wards & Communities level

The grassroots level should be empowered. The actions of residents would then be meaningful within their informal associations while the involvement of middle-level institutions would bridge the technical gaps (as recommended above). Residents need knowledge for making informed decisions with regards to land development processes, exerting pressure to the government for basic services, and preparing grounds for members to enforce established development guidelines (basic regulations) in their settlements.

The government through ward offices should exploit the potential in the well-established administrative structure in settlements. These offices should be equipped with resources for initiating and subsequently coordinating the implementation of housing projects for residents.
Creating an Enabling environment

(i) Supply of urban land

The government should increase the supply of urban land by facilitating private developers to assist communities to access informal land in the periphery using informal practices and to subsequently develop that land for affordable housing. To do this, the government should put in place a number of incentives for private developers to be attracted into urban housing for the low-income residents. Such incentives might, for example, include introducing flexible housing standards for low-income housing by, say, relaxing development standards; and adopting incremental development. New standards have to take into account the needs of the low-income population with respect to affordability, while guaranteeing safety and environmental concerns. Other measures to stimulate urban housing could include the provision of tax rebates for developers and materials producers for residential buildings. Further, small-scale industrial-building allowances could be made to persons producing building materials and constructing residential buildings for rental purposes to the low-income residents. Such incentives would make it possible for the government to partner with developers in developing and servicing urban fringe land in an integrated manner.

(ii) Revisions in the Development Control Legislation

The Land Act, Urban Planning Act and development control regulations should be revised to involve more stakeholders in the determination of general residential standards to apply. Since planning takes place in a context and touches all stakeholders, aspects of collaboration and participation in the planning by all who are affected by the planning itself as well as ensuring that democracy is practiced in the planning process, should be key elements of the process.

Regulations should also allow residents in particular formal and informal settlements to prepare specific development guidelines that suit local context and that allow mixed use on plots using self-help initiatives. The legalization of guided incremental planning and housing development needs to occur in line with the introduction of new regulations.

(iii) Incentives for Actors in the Housing Sector

The government should put incentive packages in place for attracting middle-level institutions to the promotion of housing in
the settlements. Through activities of middle-level institutions should be encouraged and supported through municipal actions.

**Partnership Arrangements for Delivering Urban Land**

The designation of land for urban housing should be undertaken in such a way as to capture all segments in all income brackets. Legal and institutional framework for the planning, registration and land disposal should be put in place in order to make land markets more effective. The government should engage in partnership with other actors to apply innovative approaches to housing urban residents in all income categories.

Land banking through compulsory purchase could be an option in achieving the above goal, but experience shows that this is expensive because of the compensation problem. This problem may be solved through negotiated approach (land sharing and land pooling) whereby the government could motivate private developers to invest in affordable housing if they are assured of making profits. The motivation could be in form of compromise on standards achievable in the low-cost housing schemes.

**8.3 Areas for further research**

The study has raised various issues that need to be considered for further research as follows:

**8.3.1 Land delivery processes and institutional interactions**

Housing is affected by a multiplicity of formal institutions that have overlapping and sometimes conflicting roles. Moreover, there is a complex pattern of interaction between actors in land and housing markets, which results from a variety of particular social and legal contexts within which housing is positioned. Apart from the formal institutional provisions, institutions and rules that are derived from deeper social structures, legal orders and political systems govern property relations. The lack of information relating to the relationship between the advances of informality and the land market adds to this complexity and conflict. There is a need to follow up the interaction of all the institutions (formal and informal) in the property market, and for analysis of how these institutions affect urban housing delivery. A study of the dynamics of informality and serviced land market would also assist in the formulation of a national strategy to improve the efficiency on the provision of land and low-income housing.
8.3.2 Community empowerment and building networks

The idea that creating networks (i.e. social capital) strengthens civil society and works to bridge deepening social divisions underlies the social policies of many countries today. Communities tend to benefit more from social capital in developing countries, where capacity is weakening and formal safety nets are inadequate. It has been established that this resource is in abundance in the case study areas, although it has not yet been tapped by the government to enhance the welfare of communities. There is a vast amount of literature on social capital in developmental projects including housing for the African communities. The exact channels, however, through which social capital impacts the regulatory environment for housing outcomes have not been defined. The need to explore theories underpinning social capital arises out of their value as tools for judging performance of urban programmes, especially the question of land markets and housing development. Government action in communities is seen as important for nurturing both bonding and bridging social capital. The potentiality and extent of these activities in settlements and their relationship with formal and other informal institutions ought to be investigated.

8.3.3 Local government actions in housing

Reforms have been going on in local government since 1996. Various local authorities are at different stages of implementing these reforms. Constraints and opportunities differ from each local authority although there are some commonalities. These include lack of a clear housing policy and central government influence (interference) in local development decisions. Opportunities include, a strong legal environment offered by the Local Government (Urban Authorities) Act No. 8 (1982), the Land Act (1999) that gives land rights to residents of different ownership status and the Urban Planning Act (2007) that gives local authorities development powers over their land. There are significant differences in roles played between local authorities as they correlate to programmes and planning frameworks governing local authority housing activities. It would be appropriate to investigate these practices and to make a comparative analysis of different actions being taken to address particular housing needs. Parameters are needed to define measurable indicators for evaluation purposes. These could include issues of making land available for housing, forms of cooperation (partnerships), extent of citizens’ involvement, and development control measures. Such an evaluation would assist in generating information on housing action in the whole country for addressing housing problems.
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APPENDICES

1. Questionnaires

QUESTIONS FOR STRUCTURED INTERVIEW

THE IMPACT OF BUILDING REGULATIONS ON THE PROVISION OF URBAN SETTLEMENTS IN TANZANIA: Case study, Dar es Salaam

(By: Mushumbusi z Medard)

2006

For Public Authorities Officials, Professionals, Academicians and Informed Pressure Groups

Introduction

I am a PhD candidate on a sandwich programme between UCLAS of Dar es Salaam Tanzania and KTH of Stockholm, Sweden. My research topic is as presented above and I am currently in my main fieldwork in Tanzania. The aim of this questionnaire is to seek views and ideas from informed resource persons on what should be done in the regulatory process for guided urban human settlements development. The study majors in the planning and building regulations applicable in the urban areas covering both formal and informal settlements.

The results of these interviews are strictly for academic reasons and the confidentiality of respondents is guaranteed.

(Processes – housing and its regulatory framework)

1. What is the state of housing development in the Dar es Salaam city?
2. What are the processes that should be involved in the provision and subsequent regulation of land for development?
3. Are you satisfied with the performance of the institutions dealing with the regulatory framework in the land development process?
4. If not, which institutions should deal with the regulatory framework in the land development process?
5. What arrangements are in place for ensuring coordinated efforts from all the involved institutions?

(Revision)

6. Most of the planning and development control guidelines (viz. regulations, laws standards and codes) in place were inherited from the colonialists. Why has it been difficult to adapt them to the local context!
7. In their current state would you say they are suitable for their purpose?
8. If not what are the areas that are more problematic?
9. How should changes (revision) be made in order to suite the prevailing circumstances for land development in the field of human settlements?
10. Who should be the actors in the revision process?
11. The current planning and development guidelines are for the formal land development. Are there any arrangements for regulating development in the informal settlements?
12. If yes, what are the arrangements in place for regulating development in the informal settlements?
13. If not what do you think should be done to regulate development in the informal settlements?

(Implementation/ Enforcement)

14. Who are the actors involved in the enforcement of building regulations?
15. It is considered that the steps involved in the process of complying with planning and building regulations are too many cumbersome and expensive?
16. If you agree, what do you think should be done to make them more effective?
17. What are the problems encountered in the enforcement process in the formal settlements?
18. What are the problems encountered in the enforcement process in the informal settlements?
(General)
19. Please give any other comments you may wish to make in that connection.

People/institutions/groups to be interviewed

<table>
<thead>
<tr>
<th>Public Authorities Officials</th>
<th>Professionals</th>
<th>Academicians</th>
<th>Informed Pressure Groups</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ministry (Local Gvt)</td>
<td>1. AQRB</td>
<td>1. UCLAS</td>
<td>1. WAT</td>
</tr>
<tr>
<td>2. Ministry (Infrrsr)</td>
<td>2. AAT</td>
<td>2. UDSM</td>
<td>2. Others</td>
</tr>
<tr>
<td>3. Ministry (Land &amp; HS)</td>
<td>3. TIQS</td>
<td>3. VETA</td>
<td></td>
</tr>
<tr>
<td>4. Municipals</td>
<td>4. ACET</td>
<td></td>
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<tr>
<td>5. NHC</td>
<td>5. IET</td>
<td></td>
<td></td>
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<tr>
<td>6. NH&amp;BRU</td>
<td>6. CRB</td>
<td></td>
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<tr>
<td>7. TIVEA</td>
<td></td>
<td></td>
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<tr>
<td>8. Consulting firms</td>
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</tbody>
</table>

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165
KWA WAKAZI KATika VIUNGA VYA JIJI

(Umiliki na upangaji, ukubwa wa kiwanja/ nyumba na Hughuli katika kiwanja)
1. Wewe ni mpangaji au mwenye nyumba au mgeni?
2. Kama ni mpangaji, unalipa kodi kiasi gani kwa mwezi?
3. Kama ni mwenye nyumba, je una hati miliki ya nyumba?
4. Kama huna, je unawezaje kuhakiki kwa nyumba hii ni yako?
5. Umehukua nyumba nzima?
6. Kama siyo, je umechukua vyumba vingapi?
7. Umeajiria au umejiariri?
8. Unafanya shughuli gani za kukuwingizia kipato?
9. Unafahamu ukubwa (vipimo) wa chumba/ nyumba unamokaa?
10. Je ukubwa wa chumba/ nyumba unamokaa unatosha?
11. Kama hautoshi, ni ukubwa gani ungekutosha? Kwa nini?
12. Kiwanja kina ukubwa gani?
13. Ni mizigo wa namna gani inayooniesha mwisho wa kiwanja chako?
14. Ni shughuli zizinogofanya kwenye kiwanja unapokaa?
15. Kiwanja unaukiona kintosheleza shughuli zinogofanya hapo?
16. Ungetaka shughuli gani zinogofanya hadi hapa?
17. Ulipataje kiwanja hiki au nyumba hii?
18. Umekaa hapa kwa muda gani sasa?
19. Kabla ya kupa hula unakuwa una kufanya wapi?
20. Kwa nini ulihama?

(Ujuzi wa ujenzi)
21. Ulihusika katika kujenga nyumba hii?
22. Kama ualizo, ulihusika vipi (kujenga mwenyeke, kuajiria fundi, nk)?
23. Una ujuzi wowote wa ujenzi? Ulipataje?
24. Ulipangiliaje nyumba yako kabla ya kuanza kujenga
25. Ulitumia vipi kuhusu vifaa vya ujenzi vya kutumia?
26. Ulitumia muda gani kujenga nyumba hii?

(Huduma)
27. Unapata maji (e.g. ya bomba, ya mto, ya visima, nk)?
28. Maji yakikatika, unapata wapi maji?
29. Unatumia choo cha aina gani?
30. Kama ni choo ya shimo, ikijaa unafanya?
31. Unatupa taka wapi?
32. Unatumia nini kupitia na kwenda taa (kuni, mkaa, umeme, mafuta ya taa)?
33. Kuna huduma za jamii hadi hapa? Ni zipi?

(Ufahamu wa sheria za ujenzi)
34. Unafahamu pipango na sheria za ujenzi?
35. Je ulizitekeleza katika kujenga nyumba yako?
36. Taja vitu vinavyosababisha ukiukaji wa sheria hizi.
37. Serikali imeasaidiaje katika shughuli mbalimbali za ujenzi wa makazi?
38. Makazi ni zaidi ya sheria za ujenzi zijuulikanazo. Nini kingine ungetaka kifaniyike kuboresha makazi?

(Shughuli za vyama visivyoo vya kiserikali)
39. Je kunene kivuki viyo visivyoo vya kiserikali hadi?
40. Kama vipo vinajishughulisha na nini?
41. Wewe ni mwanachama wa kikundi chochote hapa au labda kwingineko?
42. Kama ualizo, uko katika kivuki vingapi?
43. Kama siyo, kwa nini hujiungi?
44. Unafaidika vipi na kivuki hivi kana mwanachama?
45. Unashiriki katika mikutano ya kivuki vingapi? Tafadhali eleza kivipi.
For Residents in Settlements

(Tenancy plot/ house size and activities on the plot)
1. Are you a tenant, the owner or an invitee
2. If you are a tenant what is the rent per month do you pay?
3. If you are the owner, do you possess a ‘title deed’
4. If not, how do you prove ownership!
5. Do you occupy the whole house?
6. If not, how many rooms do you occupy?
7. Are you employed or you are self-employed?
8. What economic activities are you engaged in?
9. What is the size of your house/ room(s)
10. Do you consider the house/ room(s) size adequate?
11. If not, what would be the adequate size, and why?
12. What is the size of the plot?
13. How are the boundaries of your plot defined?
14. What activities are on the plot?
15. Do you consider the plot size adequate? If not, what would be the adequate size?
16. What other activities would you like to be on the site?
17. How did you get this plot/ house?
18. How long have you stayed in this place?
19. Before moving to this place where were you staying?
20. What made you move to this place?

(Knowledge of construction process)
21. Were you involved in constructing this house or part of it?
22. If yes, How? (e.g. doing the construction, employing a fiundi, etc)
23. What construction knowledge do you possess, and if you do, how did you acquire it?
24. How did you work out the plan (size) of the house/ rooms
25. How did you decide on the materials to use for the construction?
26. How long did it take you to construct your building?

(Availability of services)
27. Do you get water (e.g. piped, from river, from borehole, etc)?
28. When there is water shortage, where do you get it?
29. What type of latrine do you use?
30. If it is pit latrine, how do you empty it when full?
31. How do you dispose solid waste (garbage and other dirt)
32. What source of energy do you use (firewood, charcoal, kerosene, electricity)?
33. Do you have community facilities around? If yes, what are they?

(Knowledge of building regulations)
34. Do you know what are planning and building regulations?
35. Did you comply with any of them while building the house?
36. Mention factors that hinder compliance to regulations.
37. How has the government assisted in the construction activities of your settlements?
38. Housing is more than the existing regulations. What other things you would suggest in improving the housing situation?

(Community activities)
39. Are there any local community organizations around?
40. What are the activities of these organizations?
41. Are you a member of any organization(s) around or elsewhere?
42. If yes, how many?
43. If not, why not?
44. What are the benefits you enjoy by being a member?
45. Do you participate in meetings of these organizations? Explain how.

MONITORING (FIELD OBSERVATIONS)
1. Planning pattern and practice
2. Construction technology adopted (materials and techniques)
3. Designs and the construction process
4. Civic engagement
2. Interviewed institutions

Table 2.1: institutions and groups interviewed.

<table>
<thead>
<tr>
<th>Settlements</th>
<th>Public Authorities Officials</th>
<th>Professionals</th>
<th>Pressure Groups (NGOs, CBOs)</th>
<th>Builders</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Hana Nasif</td>
<td>1. Ministry <em>(RALG)</em></td>
<td>1. AQRB &amp; IET</td>
<td>1. WAT</td>
<td>1. Local builders</td>
</tr>
<tr>
<td>2. Kinyerezi</td>
<td>2. Ministry <em>(Infrastructure)</em></td>
<td>2. AAT &amp; TIQS</td>
<td>2. PRIDE</td>
<td>2. VETA</td>
</tr>
<tr>
<td>4. Tabata</td>
<td>4. Three Municipals</td>
<td>4. NCC</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>5. NHC</td>
<td>5. Consulting firms</td>
<td></td>
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<tr>
<td></td>
<td>6. NH&amp;BRA</td>
<td>6. UCLAS &amp; UDSM</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 2.2: Total number of interviewees per category

<table>
<thead>
<tr>
<th>Settlements (residents)</th>
<th>Public authorities</th>
<th>Professionals (bodies, firms and individuals);</th>
<th>Builders (‘fundis’)</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>385</td>
<td>8</td>
<td>10</td>
<td>50</td>
<td>2</td>
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</tbody>
</table>
3. Grouping of interview attributes

Table 3.1: grouping of Interview attributes from questionnaires

<table>
<thead>
<tr>
<th>In Settlements</th>
<th>Regulatory bodies Professionals/ Academicians</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land ownership (Inherit /buy –house or land)</td>
<td>State of the existing regulatory framework</td>
</tr>
<tr>
<td>Owner/Tenant</td>
<td>Regulations considered problematic</td>
</tr>
<tr>
<td>Pre-occupation (Source of income)</td>
<td>Regulations considered adequate</td>
</tr>
<tr>
<td>Duration of stay (&lt;1yr, &lt;5yrs, &lt;10yrs and &gt;10yrs)</td>
<td>How to regulate informal activities</td>
</tr>
<tr>
<td>Knowledge of building regulations</td>
<td>Specification and use of materials</td>
</tr>
<tr>
<td>Areas of regulations considered problematic</td>
<td>General comments</td>
</tr>
<tr>
<td>Compliance and factor hindering it</td>
<td></td>
</tr>
<tr>
<td>Use of plot spaces</td>
<td></td>
</tr>
<tr>
<td>Use of building materials</td>
<td></td>
</tr>
<tr>
<td>Construction process (self, use of fundis, phasing, mobilization of materials)</td>
<td></td>
</tr>
<tr>
<td>Availability of services (water, waste collection, electricity)</td>
<td></td>
</tr>
<tr>
<td>Plan for future use of spaces</td>
<td></td>
</tr>
<tr>
<td>Community activities (Presence of active NGOs and CBOs)</td>
<td></td>
</tr>
<tr>
<td>Interface with the government legislative machinery, (e.g. LAs regulations and enforcement)</td>
<td></td>
</tr>
<tr>
<td>Plea for government assistance</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Government (Ministries)</th>
<th>Local Authorities (Municipals and ward Executive Officers)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy matters</td>
<td>Planning process</td>
</tr>
<tr>
<td>State of human settlements development</td>
<td>Devolution of powers to communities</td>
</tr>
<tr>
<td>Existing regulatory framework</td>
<td>Enforcement of regulations</td>
</tr>
<tr>
<td>Field Observations</td>
<td>Fundis</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------</td>
</tr>
<tr>
<td>⇒ Planning pattern and practice</td>
<td>⇒ Duration in the trade (≤ 1yr, &lt; 5yrs and &gt; 5yrs)</td>
</tr>
<tr>
<td>⇒ Designs and the construction processes</td>
<td>⇒ Type of construction knowledge (mason, carpentry, plumber, etc)</td>
</tr>
<tr>
<td>⇒ Construction technology adopted (materials used &amp; construction techniques)</td>
<td>⇒ Knowledge acquisition method(s)</td>
</tr>
<tr>
<td>⇒ Activities on the plot</td>
<td>⇒ Methods of getting work</td>
</tr>
<tr>
<td>⇒ Civic engagement</td>
<td>⇒ Materials commonly used</td>
</tr>
</tbody>
</table>
| ⇒ Production of materials | ⇒ Use of local materials (perception)  
⇒ Knowledge of building regulations |
4. Results of interview responses in Settlements

**Tenure**

<table>
<thead>
<tr>
<th>Nature</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>1. House owner</td>
<td></td>
</tr>
<tr>
<td>2. Tenant</td>
<td></td>
</tr>
</tbody>
</table>

**Ownership by gender**

<table>
<thead>
<tr>
<th>Nature</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>1. Female</td>
<td></td>
</tr>
<tr>
<td>2. Male</td>
<td></td>
</tr>
</tbody>
</table>

**Land ownership**

<table>
<thead>
<tr>
<th>Nature</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Purchased land from original owner</td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>2. Purchased house from original owner</td>
<td></td>
</tr>
<tr>
<td>3. Inherited</td>
<td></td>
</tr>
<tr>
<td>4. Allocated plot (planned)</td>
<td></td>
</tr>
</tbody>
</table>

**Choice of location**

<table>
<thead>
<tr>
<th>Nature</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Evicted elsewhere</td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>2. Proximity to work/ economic reasons</td>
<td></td>
</tr>
<tr>
<td>3. Employer provided accommodation</td>
<td></td>
</tr>
<tr>
<td>4. Housing conditions</td>
<td></td>
</tr>
<tr>
<td>5. Land and property gain</td>
<td></td>
</tr>
<tr>
<td>6. Lower rent</td>
<td></td>
</tr>
<tr>
<td>7. Family issues</td>
<td></td>
</tr>
</tbody>
</table>

**Duration of stay**

<table>
<thead>
<tr>
<th>Nature</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Less than 1 year</td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>2. Less than 5 years</td>
<td></td>
</tr>
<tr>
<td>3. Less than 10 years</td>
<td></td>
</tr>
<tr>
<td>4. More than 10 years</td>
<td></td>
</tr>
</tbody>
</table>
### Pre-occupation

<table>
<thead>
<tr>
<th>Category</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td></td>
<td>Kinyerezi</td>
</tr>
<tr>
<td></td>
<td>Sinza</td>
</tr>
<tr>
<td></td>
<td>Tabata</td>
</tr>
<tr>
<td>1. Employed</td>
<td></td>
</tr>
<tr>
<td>2. Self-employed</td>
<td></td>
</tr>
<tr>
<td>3. Farmer</td>
<td></td>
</tr>
<tr>
<td>4. No job</td>
<td></td>
</tr>
</tbody>
</table>

### Construction process

<table>
<thead>
<tr>
<th>Duration</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td></td>
<td>Kinyerezi</td>
</tr>
<tr>
<td></td>
<td>Sinza</td>
</tr>
<tr>
<td></td>
<td>Tabata</td>
</tr>
<tr>
<td>1. Six months to one year</td>
<td></td>
</tr>
<tr>
<td>2. One to four years</td>
<td></td>
</tr>
<tr>
<td>3. Five to ten years</td>
<td></td>
</tr>
<tr>
<td>4. More than ten years</td>
<td></td>
</tr>
</tbody>
</table>

### Preference of building materials

<table>
<thead>
<tr>
<th>Type</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td></td>
<td>Kinyerezi</td>
</tr>
<tr>
<td></td>
<td>Sinza</td>
</tr>
<tr>
<td></td>
<td>Tabata</td>
</tr>
<tr>
<td>1. Cement sand blocks</td>
<td></td>
</tr>
<tr>
<td>2. Soil cement blocks</td>
<td></td>
</tr>
<tr>
<td>3. Burnt bricks</td>
<td></td>
</tr>
<tr>
<td>4. Mud and poles</td>
<td></td>
</tr>
<tr>
<td>5. Corrugated iron sheets</td>
<td></td>
</tr>
<tr>
<td>6. “Mbezi” tiles</td>
<td></td>
</tr>
</tbody>
</table>

### Reasons for preference

<table>
<thead>
<tr>
<th>Reason</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td></td>
<td>Kinyerezi</td>
</tr>
<tr>
<td></td>
<td>Sinza</td>
</tr>
<tr>
<td></td>
<td>Tabata</td>
</tr>
<tr>
<td>1. Durability</td>
<td></td>
</tr>
<tr>
<td>2. Taste</td>
<td></td>
</tr>
<tr>
<td>3. Cost</td>
<td></td>
</tr>
<tr>
<td>4. Availability</td>
<td></td>
</tr>
<tr>
<td>5. Civilization</td>
<td></td>
</tr>
</tbody>
</table>

### Knowledge of planning and building regulations (house owners)

<table>
<thead>
<tr>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hana Nassif</td>
</tr>
<tr>
<td>Kinyerezi</td>
</tr>
<tr>
<td>Sinza</td>
</tr>
<tr>
<td>Tabata</td>
</tr>
<tr>
<td>1. Yes</td>
</tr>
<tr>
<td>2. Little</td>
</tr>
<tr>
<td>3. No</td>
</tr>
</tbody>
</table>

### Knowledge of planning and building regulations (tenants)
<table>
<thead>
<tr>
<th>Respondents</th>
<th>Hana Nassif</th>
<th>Kinyerezi</th>
<th>Sinza</th>
<th>Tabata</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Little</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Knowledge acquisition methods**

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Hana Nassif</th>
<th>Kinyerezi</th>
<th>Sinza</th>
<th>Tabata</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. On-job training</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Vocational/trade schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Areas of regulations considered problematic**

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Hana Nassif</th>
<th>Kinyerezi</th>
<th>Sinza</th>
<th>Tabata</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Title deed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Permit</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Others</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Energy use**

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Hana Nassif</th>
<th>Kinyerezi</th>
<th>Sinza</th>
<th>Tabata</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Electricity</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Kerosine</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Firewood/charcoal</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Solar</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Source of water**

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Hana Nassif</th>
<th>Kinyerezi</th>
<th>Sinza</th>
<th>Tabata</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Piped water</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Wells</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Rain</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Water bowsers/vending</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Soil waste disposal**

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Hana Nassif</th>
<th>Kinyerezi</th>
<th>Sinza</th>
<th>Tabata</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Septic tanks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Pit latrine</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. ‘Flying toilet’</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Use of space

<table>
<thead>
<tr>
<th>Duration</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>1. Residential only</td>
<td></td>
</tr>
<tr>
<td>2. Residential and renting</td>
<td></td>
</tr>
<tr>
<td>3. Residential and commercial activities (‘mabanda ya biashara’)</td>
<td></td>
</tr>
<tr>
<td>4. Residential and Poultry/Zero grazing/etc</td>
<td></td>
</tr>
<tr>
<td>5. Inadequate space</td>
<td></td>
</tr>
</tbody>
</table>

### Planned future use of space

<table>
<thead>
<tr>
<th>Duration</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>1. Rooms for renting</td>
<td></td>
</tr>
<tr>
<td>2. Rooms for commercial letting (‘mabanda ya biashara’)</td>
<td></td>
</tr>
<tr>
<td>3. Recreation</td>
<td></td>
</tr>
<tr>
<td>4. Poultry/Zero grazing/etc</td>
<td></td>
</tr>
<tr>
<td>4. Inadequate space</td>
<td></td>
</tr>
</tbody>
</table>

### Community activities

<table>
<thead>
<tr>
<th>Type</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>1. ‘Jumuia’ (religious groupings)</td>
<td></td>
</tr>
<tr>
<td>2. ‘Kufa na kuzikana’ associations</td>
<td></td>
</tr>
<tr>
<td>3. Pride/Saccoss</td>
<td></td>
</tr>
<tr>
<td>4. Others</td>
<td></td>
</tr>
</tbody>
</table>

### Plea for government’s assistance

<table>
<thead>
<tr>
<th>Type</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hana Nassif</td>
</tr>
<tr>
<td>1. Improve roads/streets</td>
<td></td>
</tr>
<tr>
<td>2. Loans for building</td>
<td></td>
</tr>
<tr>
<td>3. Piped water</td>
<td></td>
</tr>
<tr>
<td>4. Provide titles</td>
<td></td>
</tr>
<tr>
<td>5. Hire purchase (ownership)</td>
<td></td>
</tr>
<tr>
<td>6. Knowledge of regulations</td>
<td></td>
</tr>
</tbody>
</table>
### Size of plots

<table>
<thead>
<tr>
<th>Type</th>
<th>Plots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hana Nassif Kinyerezi Sinza Tabata</td>
<td></td>
</tr>
<tr>
<td>1. Super high density (<em>less than 100 sq.m.</em>)</td>
<td></td>
</tr>
<tr>
<td>2. High density</td>
<td></td>
</tr>
<tr>
<td>3. Medium density</td>
<td></td>
</tr>
<tr>
<td>4. Low density</td>
<td></td>
</tr>
<tr>
<td>5. Super low density (<em>more than 1000 sq.m.</em>)</td>
<td></td>
</tr>
</tbody>
</table>
5. DSM Master Plans

Figure 5.1: Dar es Salaam Master Plans

Figure 5.2: Summary of main features of the Dar es Salaam Master Plans

<table>
<thead>
<tr>
<th>PLAN PERIOD</th>
<th>PLANNING AREA</th>
<th>POPULATION (Actual/Projected)</th>
<th>TITLE &amp; CONSULTANT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1949-1969</td>
<td>84 Sq Km</td>
<td>69,227 / 200,000</td>
<td>A PLAN FOR DAR ES SALAAM: REPORT Sir Alexander Gibbs &amp; Ptnrs, London (Funded by BRITAIN)</td>
</tr>
</tbody>
</table>

MAJOR PLANNING CONCEPTS
Zoning functions; Zoning of residential area according to density & races; Neighbourhood units; Breeze lanes; Open spaces; Street layouts, density and building standards.

| 1968-1989   | 404 Sq Km     | 272,515 / 1,000,000           | NATIONAL CAPITAL MASTER PLAN: DAR ES SALAAM MAIN PLAN REPORT Project Planning Associates Ltd., Toronto (Funded by CANADA) |

MAJOR PLANNING CONCEPTS
Plan 2000 (long range concept) systems approach; Hierarchical modular urban structure including neighbourhood units; Satellite sub-cities city region planning; Green belt; Parkways; Landscape corridors; Open space provision; Sector strategies; Five-year capital works programme.

| 1979-1999   | 448 Sq Km     | 849,000 / 2,368,000           | THE DAR ES SALAAM MASTER PLAN: SUMMARY, MAIN REPORT Marshall, Macklin, Monaghan Ltd., Toronto (Funded by Sweden (?) ) |

FLEXIBILITY i.e.; Population attained rather than target years; Hierarchical urban structure based on planning module; Sub-classification of residential areas/ recognition of squatter areas; Participation of implementing agencies; Detailed implementation programme including priority projects.
6. Rating of housing quality in settlements *(field observations)*

<table>
<thead>
<tr>
<th>S/N</th>
<th>ELEMENT</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Provision of foundation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Raised plinth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Window sizes (minimum size 1.0 x 1.0 and one to each exposed side)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Ceiling height (equal or above 2 meters)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Roof drainage and eave detailing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Sanitation (soil waste disposal)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Structural determinacy</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL SCORE** (4 – 21) 0

Scale:

<table>
<thead>
<tr>
<th>Score rating</th>
<th>Total score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 point = Poor <em>(min score)</em></td>
<td>4 – 7 (Poor)</td>
</tr>
<tr>
<td>2 points = Average</td>
<td>8 – 14 (Average)</td>
</tr>
<tr>
<td>3 points = Good <em>(max score)</em></td>
<td>15 – 21 (Good)</td>
</tr>
</tbody>
</table>

**Poor:** Provision of element not satisfying minimum requirement for performing function designed for, adequately (no design, inferior use of materials and construction techniques).

**Average:** Ditto, with bare minimum requirements for performing function designed for, but not adequate (poor workmanship).

**Good:** Ditto, with minimum requirements for performing function designed for, adequately.

**NB:**
- A house may miss elements 1, 2 and 6 in which case the score is zero for each missed element.
- Houses in the category of average are also rated as poor in the report.
7. Local government levels in Tanzania