

## **5 Land use planning**

### **5.1 Introduction**

#### ***5.1.1 Scope and Context***

In the quest for development Botswana is characterised by many national, sub-national and local plans and planning institutions. At the top of the list are National Development Plans (NDPs) prepared by the Ministry of Finance and Development Planning. NDPs describe programmes and projects to be undertaken in various parts of the country over a period of six years. Besides showing government's financial budget, NDPs highlight government policies and identify roles to be played by various ministries, departments, local authorities and the private sector. Ministries, departments and other state organs prepare sector programmes, projects and budgets as inputs for the NDP.

Of late some ministries and departments have prepared national plans independent of the NDP. Such plans include the National Water Master Plan prepared by the Department of Water Affairs; the National Master Plan on Arable Agriculture and Dairy Development (NAMPAADD) prepared by the Ministry of Agriculture; and the National Settlement Policy (NSP) prepared by the Department of Town and Regional Planning (DTRP). DTRP intends to prepare a national physical development plan soon.

Sub-national level land use plans include integrated land use plans prepared by District Land Use Planning Units (DLUPU); and Regional Master Plans, District Settlement Strategies and Village/Town Development Plans prepared by the Department of Town and Regional Planning (DTRP). Other departments (e.g. Wildlife Management and Agriculture) have also prepared land utilisation plans. In addition, DLUPU as a co-ordinating committee (composed of staff from the district administration, central government, district council and land board) prepares District Development Plans as part of the National Development Plan. To date only DTRP prepares detailed land use plans at large scale (i.e. less than 1:5000).

#### ***5.1.2 Too many planning institutions and plans***

The above discussion highlights a couple of issues that need to be addressed. First, while DTRP and DLUPU are mandated to prepare land use plans, other organs - especially land boards - do not consider themselves obliged to adhere to them. Land boards and other departments ignore DTRP and DLUPU plans. Land boards have allocated land to applicants without following any spatial plan, even where detailed plans exist. At present, sub-national level planning and implementation is uncoordinated and less effective than it could be.

Secondly, and as a result of the above, it seems that there is too much planning. One district, for example, may be covered by up to three land use plans - a district settlement strategy, a DLUPU land use plan, a wildlife management plan and a regional master plan. Furthermore, proposals for developing particular resources or specific pieces of land may either be contradictory, inconsistent or less than complementary at best.

Thirdly, despite decentralisation measures undertaken to date, land boards and local authorities continue to depend on central government personnel and financial grants for project implementation. Ministries and central government departments are involved in the preparation and implementation of local plans because it is apparently easier for them to secure funds than it is for local authorities.

Fourthly, personnel assigned to local authorities and land boards depend on the Ministry of Local Government for their career services and prospects and to respective line ministries on technical and policy matters. It is possible that this arrangement is adversely affecting planning and implementation capacities.

### ***5.1.3 The way forward***

Recommendations presented in the following sub-sections point to the need to

- streamline land use planning process;
- improve co-ordination;
- minimise overlaps between national and sub-national institutions; and
- promote co-operation between local authorities on issues of common interest.

The recommendations are based on three assumptions. First, separation of power is essential for good governance. It is, therefore, improper for any institution to prepare and approve its own plans. Checks and balances are critical for effective land use planning. Secondly, local authorities and land boards are better placed to appreciate community needs than central government departments. Thirdly, participation of community members in plan preparation and decision-making is essential for effective plan implementation.

## **5.2 Hierarchy of land use planning**

### ***5.2.1 Background***

Land use planning institutions in Botswana comprise of a multiplicity of agencies characterised by three levels - national, sub-national and local/community levels.

- At the national level several ministries and departments (e.g. Department of Town and Regional Planning in the Ministry of Lands, Housing and Environment, Ministry of Local Government, Ministry of Agriculture, and the Ministry of Energy and Water Affairs) are involved in land use planning and/or implementation.
- At sub-national level institutions involved in land use planning and/or implementation include some line departments (e.g. Town and Regional Planning, District Administration - DLUPU, and Wildlife), land boards, city, town and district councils.
- Private sector plus weak local communities and non-governmental institutions are involved in land use planning at local levels.

Despite past calls for the need to decentralise finance and decision making powers, national and central government departments continue to dominate and undertake

activities (detailed layouts, development control etc.) that should ideally be carried out by sub-national and local agencies.

### **5.2.2 Related land policy issues**

- Higher level institutions wield and exercise undue control and power on lower level agencies;
- Planning decisions and appeals are made based more on political considerations than professional merits;
- Lower level institutions are indecisive as they depend on higher levels for decision making - which causes delays even on simple issues;
- Sub-national agencies report to different ministries resulting in poor co-ordination and undue delays in the planning, servicing, delivery, and development of land;
- The multiplicity of agencies and their location in different ministries compounded by the top heavy structures has contributed to unsatisfactory vertical and horizontal communication - which, in turn, have contributed to long delays in land delivery and development processes as well as dispute resolution;

The persistence of the current hierarchical system begs a number of questions: are sub-national level human and other resources being fully utilised? Is there a lack of trust between national and lower level institutions? If yes, why? If not, then why the reluctance to delegate funds, activities etc. to lower levels? Are there power struggles between ministries, departments or agencies?

Is there too much planning and little implementation? To what extent do land boards, local authorities, other ministries consult each other and respect plans and decisions by DTRP and council planners? To what extent do local authorities and plan implementing agencies 'own' land use plans?

### **5.2.3 Policy principles and choices**

In tune with the principles of good governance and, in particular, to enhance trust and accountability, there is need to:

- Accelerate the decentralisation of land use planning and related activities in order to foster efficiency, transparency and accountability.
- The Department of Town and Regional Planning should be primarily concerned with (i) national guidelines and land use planning policies; (ii) and serving as a secretariat for national land use planning matters including preparation of national physical plans.
- Cabinet should approve all national land use planning policies and plans on the advice of the Town and Country Planning Board (TCPB).

- The TCPB should approve all regional, village and other large-scale land use plans.
- District Councils should (i) prepare village structure or development plans for the approval of The TCPB; (ii) prepare local land use development guidelines, policies etc.; (iii) and approve detailed plans submitted by landowners. It is improper to make and approve own plans.
- Land boards, as land lords, should (i) prepare detailed land use plans for approval by council; (ii) assist customary land rights holders to obtain planning permit and approval from council; (iii) and keep proper land records on applications, allocations and transfers.
- An independent tribunal should determine disputes related to town and regional planning issues.

### **5.3 Land use planning processes and plans**

#### ***5.3.1 Background***

Land use planning processes and the type of plans prepared emphasise sector interests.

The Department of Town and Regional Planning in the Ministry of Lands, Housing and Environment prepares several physical plans. Besides preparing the National Settlement Policy (NSP) which covers the whole country, the department makes Regional Master Plans, District Settlement Strategies, Village/town/city Development Plans and detailed layout plans. It has proposals for a National Physical Development plan for implementing the NSP.

District Administrations, under the Ministry of Local Government, make District Land Use Plans.

Other departments make sector plans too - e.g. Wildlife Management Area plans. Several ministries (e.g. Ministry of Agriculture, and the Ministry of Energy and Water Affairs) have national sector master plans such as the National Water Master Plan and Arable Agriculture and Dairy Development plan.

#### ***5.3.2 Related land policy issues***

- Sub-national plans (e.g. Regional Master plans and Greater Gaborone Development plan) cover several administrative districts which makes co-ordination and implementation difficult since there are no regional authorities to oversee or fund proposals made in such plans.
- Some areas (e.g. Gaborone and Chobe sub-district) are covered by several land use plans - it is not clear which plan takes precedence.

- There is no defined planning process. Should sector plans feed into physical plans or vice versa? Should national and regional plans provide frameworks for district plans or should local plans form a basis for regional and national plans?
- Despite the prevalence of many plans, proliferation of small settlements continues unabated especially along major highways and around large towns.

### ***5.3.3 Policy principles and choices***

Two overriding principles: Increased efficiency in the use of land and resources used in planning; and making of plans that are realistic, acceptable and possible to implement. Options available for achieving the above principles include:

- Declare the whole of Botswana a planning area. This will require preparing a land use plan for all land in the country. All construction works and change of use will require planning permission. Increasing the list of permitted developments would ease the logistical problems related to such a proposal.
- The second option is to declare planning regions for critical areas eg the 'hard veld' or '200m along highways', 'greater conurbation' and progressively increase critical areas until the entire country is covered.
- Introduce administrative regions as proposed in the NSP - an operational and consultative spatial unit between districts and the national level. Its role will be to address issues cutting across several districts but below national importance. Regional administration authorities will be required.
- Sector plans should follow land use plans - that is, land use plans should play a co-ordinating role and serve as a spatial expression of national, regional, district and sub-district or village plans.
- Sector plans should be prepared before land use plans while national and regional plans should be prepared before district and village plans.