



URBAN LAND DELIVERY

Background

There has been rapid growth in urban populations in Namibia (Pendleton et al, 2014). This growth is amongst predominantly amongst less educated, poorer migrants from rural areas in search of opportunities in urban areas. From the data available the estimated shortfall of either titled land or houses appears to be above 150 000 and increasing at about 11 000 per year (Weber, 2017). This trend of urbanisation is occurring not only in Namibia but across the world, particularly now in developing countries. Continued urban migration should be encouraged, as even though new urban migrants are poor, by and large their lives are better in urban areas. However, the delivery of titled land in urban areas in Namibia has been hamstrung by several legislative and regulatory procedures with a number of negative consequences (De Vries, 2009).

Key Issues

The number of erven made available in urban areas has not kept pace with population growth (Weber, 2017). Demand for land thus exceeds supply. This in turn drives the cost of owning land up.

Many are thus priced out of the market. This has decreased their capacity to become financially stable and grow an asset base. It also keeps them vulnerable as they have no way to improve their living conditions.

This has also had a negative effect on the capacity of local authorities to provide basic services to these communities, as they have no means of cost recovery.

Limited supply has also raised barriers to entry to create formal businesses, as only those with access to finance have the capacity to access limited business zoned land.

Causes of slow and expensive land delivery

The largest contributors to the lack of delivery of land is the (a) costly, time-consuming, and complex processes regarding the delivery of land, and (b) the lack of perceived importance of creating new townships from local authorities.

The township establishment process is as follows:

First a site and land use survey need to be undertaken. Second, initial planning and consultations with local authorities and residents regarding design takes place. This results in approvals and power of attorney from the local authority. Third, application for need and desirability and subdivision of the land must be made to the Namibian Planning and Advisory Board (NAMPAB). Fourth, application must then be made to the townships board. Fifth, upon approval from the Townships Board a land surveyor may be appointed to survey and submit the potential erven to the Surveyor General (SG). Sixth, approval from the SG the Registrar of Deeds (RoD) may register the new erven (Simon, 1995). This process can take anywhere upwards of about 15 months, is slow, and often further slowed by a lack of enthusiasm and responsibility by public servants.

New planning applications must thus go through three separate approvals in various government bodies before the creation of the erven can even start. There is duplication at a number of these levels, as for example the SG and the RoD are involved in processing the application and sit on both NAMPAB and the Townships Board. At each stage there may be amendments as various actors impose their individual priorities. This not only slows the process but ensures that plans that may deviate from accepted norms in Namibia almost impossible to create. This limits plans that may create higher densities than usual. It is also common for plans to be altered numerous times before they are finally accepted.

The size of townships are limited. This means that separate applications must be submitted for every 300 erven, further driving planning time and costs up.

Services must be included to create a new township. This does not allow for an incremental approach and means that it is impossible to

provide the land only, even if such a need may be warranted.

The minimal cost of providing an erf with basic services (not including sewage, electricity, or gravelled roads) has been calculated at between N\$10,000 and N\$15,000 depending on the environment (Weber, 2017). Normally however costs are closer to around N\$50,000 and include a full range of services. While these prices are not exorbitant, they may price some out of the market, and real prices may be much higher because of high demand.

There are several other requirements which impact on the cost and provision of land.

These include provisions such as a minimum erf size of 300 square meters. Minimum requirements for erven are arbitrary. They spread people out, thus raising the cost of erven as the length of services and roads required per erf are larger.

There are also requirements for public open space in all new townships. These are between 10 -15% of the total planned area. In practice, these spaces are however rarely developed or used.

What has been done so far

To facilitate the process of land delivery there are two major legislative interventions. The first is the creation of the Flexible Land Tenure Act, which creates a separate parallel land delivery process for informal settlers and should decentralise the registration of land. However, the process would require extra surveys, and feasibility studies, starter titles, and then approval by the same bodies as under a subdivision process and then graduation to freehold title (De Vries, 2009). It is hoped that the creation of this parallel stream will provide the opportunity to many informal settlers to pursue titled land, this will be contingent on their ability to navigate the required processes though.

The other step that has been taken to speed the delivery of land is the adoption of the new Town Planning Act (Rebucic of Namibia, 2018). This changes the composition of what is currently the "Townships Board" to be more representative of town planners and removes the need for NAMPAB. This should speed the land delivery process and provide greater flexibility in terms of planning. Regulations for the new act were passed in June 2018 and have yet to be implemented however.

Missing evidence

-Audit of access to business land by informal businesses wishing to formalise.

-Comparative analysis of planning systems in foreign states undergoing similar trends in urbanisation to find suitable solutions.

Openings for Intervention

Implementation of a system of accountability in applications in local authorities and central government. At present applications are often stymied by slow approval due to a lack of accountability. Creation of a central land database. At present all land records are held in the Surveyor General's Office in hard copy that need to be queried in person. Records may be lost in process, or queries missed in the current system.

- Retraction of regulations requiring:
- Servicing of land to provide it with title,
- Curtailing erf size limits of 300 square meters,
- Minimum street widths and
- Reduction of minimum public open space requirements.
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