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**Subject:** National Land Use Planning and Management Policy Project Proposal

Republic of Malawi

Ministry of Lands, Housing and Surveys

**PHYSICAL PLANNING DEPARTMENT**

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**PROPOSAL FOR  
NATIONAL LAND USE PLANNING AND  
DEVELOPMENT CONTROL PROJECT**

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June 2005

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## **PROPOSAL FOR NATIONAL LAND USE PLANNING AND DEVELOPMENT CONTROL PROJECT**

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<b>Project Title:</b>	National Land Use Planning and Development Control
<b>Sector</b>	Community Services
<b>Sub-sector</b>	Lands
<b>Responsible Ministry:</b>	Ministry of Lands, Housing and Surveys (MLHS)
<b>Implementing Agency:</b>	Physical Planning Department (PPD)
<b>Implementing Partners:</b>	Department of Lands and Valuation Ministry of Local Government and Rural Development Rural and Urban Assemblies Department of Housing Department of Buildings Department of Land Resources Conservation Department of Environment Affairs
<b>Location:</b>	The whole country
<b>Total Estimated Cost: US\$</b>	7,598,000
<b>Funds Secured:</b>	-
<b>Donor Contribution: US\$</b>	6,838,200
<b>GOM Contribution: US\$</b>	759,800
<b>Funding Gap:</b>	-
<b>Duration:</b>	3 Years
<b>Starting Date:</b>	July 2005
<b>Completing Date:</b>	June 2008

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## **EXECUTIVE SUMMARY**

In 1987, the Government of Malawi through the Department of Physical Planning prepared the National Physical Development Plan (NPDP). The main purpose of the plan was to provide for a spatial framework for the coordination of development projects and programmes in the country. The plan is now more than 15 years old and in need of revision. Since 1987, the country has experienced a lot of socio-economic and physical changes. Other sectors have developed new policies to keep pace with the changing environment. In 2002, government adopted a National Land Policy (NLP) that highlighted the need to re-look at the way we plan and use our land properly in order to address the main goal of poverty alleviation.

The Land Use Planning and Development Control Project is an attempt by Government to address issues of land use and development as outlined in the NLP. The main aim of the project is to provide a guide for rural and urban land use and development decisions at all levels. The project will provide an enabling environment and support to ensure sustainable land use and development that contributes towards social and economic growth. It will do this by providing a policy and institutional framework for land use planning and development control, provide standards and guidelines for development and provide capacity for participatory and decentralised institutions for effective land use planning and development control and enforcement country wide.

The project has three main outputs:

National Land Use Planning and Development Policy,

National Development Control Code, and

Capacity Building for Land Use Planning and Development Control.

The project will take about three years to complete and a Project Implementation Unit (PIU) composed of land use experts and support staff will be established to manage the project activities on day-to-day basis while the Commissioner for Physical Planning will provide the overall technical coordination. The Ministry of Lands, Housing and Surveys through the Director of Planning will be responsible for the coordination of the project and put it in the context of the whole National Land Reform Programme. He has ensured that it is within the Public Sector Investment Programme.

Land use and development issues are cross cutting and cooperation of other implementing agencies will be very critical to the success of the project. A national steering committee will be established composed of key agencies of Government and stakeholders. Further project details will be provided during project preparation phase, which will be coordinated by the Planning Department of the Ministry of Lands, Housing and Surveys.

The project is expected to cost not less than US\$6,000,000 to cater for project personnel, consultants, subcontracts, training, equipment and other running costs. Funding for the project is expected to be from both the Malawi Government and largely from international cooperating partners. Further project details will be prepared by project experts and contained in a project document as part of the project technical assistance.

## **BACKGROUND**

### **HISTORY**

In 1987, Physical Planning Department (PPD), with the assistance from United Nations Centre for Human Settlements (UNCHS-Habitat), prepared a National Physical Development Plan (NPDP). The purpose of the plan was to provide a policy framework that integrates all aspects of physical planning into national development planning and programmes in order to promote co-ordinated and balanced distribution of social and economic development in all parts of the country. Although the NPDP had very good intentions and proposals, it lacked a clear legal, institutional framework and implementation arrangement. It relied on the good will and cooperation of implementing agencies. Although most of the recommendations and proposals of the plan are valid, the basis for the plan is out of touch with the present situation and needs to be revised, hence the preparation of this project proposal.

The NPDP programme provided for the review of the Town and Country Planning Act in 1988 and the preparation of Town and Country Planning Standards and Guidelines in 1987. In 2002 the Government adopted the National Land Policy in order to address land related issues including land use and development problems. The Land Reform Programme Implementation Strategy (2004) identified sustainable land use as one of the five key result areas. A special Law Commission on the review of land related laws is in the process of reviewing the Town and Country Planning Act (1988) to come up with a new law.

### **LAND USE PLANNING AND DEVELOPMENT ISSUES**

#### **Development Control and Enforcement**

Government has noted that policy direction on controlling illegal developments is not effective. This has been evidenced by illegal and uncontrolled developments taking place in urban and rural centres including along the lakeshore. It is also noted that the institutional machinery that are in place for purposes of development control and enforcement services are insufficient, lack adequate funding, and are limited in capacity. In 1994 the Department of Physical Planning handed over some of its development control functions to city assemblies in an attempt to improve efficiency in service delivery but this has not been the case exactly. Apart from the lack of capacity at assembly level, the department has not been able to provide effective and up-to-date operational guidelines and monitor compliance to rules and procedures.

#### **Planning Standards and Development Guidelines**

The existing Town and Country Planning Guidelines and Standards (1987) only apply to statutory planning areas. The guidelines are found to be unduly restrictive especially for the poor, outdated and inadequate to cater for the present socio-economic environment and to facilitate the process of poverty reduction and economic growth. The United Nations Enabling Settlement Strategy calls for as much freedom of choice as possible in the siting of buildings on plots, selection of building types, materials and construction within those limits required for public health and safety.

A Modest and liberal approach to development control combined with lack of comprehensive physical planning guidelines and standards has resulted in disorderly and uncoordinated physical development in most parts of the country both in urban and rural centres. Such haphazard and low quality structures are costly to the national economy as the best land is used for wrong purposes. In some respects such development is undesirable, un-aesthetic, pose a public health hazard and causes environmental degradation. Unplanned development is also characterised by conflicts in the use of land particularly when incompatible land uses or activities exist next to each other. Unplanned physical development results therefore in unnecessary intensive competition and demand for land thereby creating artificial land shortages and markets. Realistic and low-cost standards and regulations that respect environmental protection and take into account low incomes of the majority of Malawians, are likely to be followed and make development control and enforcement possible at all levels.

## **JUSTIFICATION**

The overall aim of having physical planning services at the national, district and local levels is to achieve orderly, coordinated, efficient and environmentally sound social and economic development and securing sustainable use of land. This project proposal is in response to the National Land Policy (NLP) 2002 recommendations on Land Use Planning and Development. (Section 6)

The NLP was prepared in the context of poverty alleviation, which is the main goal of the government and in line with other policies such as Decentralisation and the Environment. The NLP specifically asks government to put in place mechanisms for Rural Land Use Planning, Monitoring and Enforcement. The NLP therefore proposes the development of a comprehensive National Land Use and Physical Development Management policy, which shall be employed as a guide for rural and urban land use and development decisions. (NLP. 2002, p31).

Specifically the proposed project intends to address the following NLP objectives;

To ensure effective utilization of land in urban and rural areas by extending land use planning and strategies to the whole country,

To facilitate efficient use of land under market conditions,

To ensure optimum benefits from land development.

To ensure environmentally sustainable land use practices and good land stewardship.

The NLP further recommends that planning laws be applicable on all types of land across the country, which implies that even development on customary land in rural areas shall be under development controls applicable in that area. The implementation of this project will therefore ensure that the rest of the NLP recommendations will be able to be implemented since a comprehensive land use policy and development control guidelines and standards will be available to guide development both at national and local levels.

It is the aim of the Ministry of Lands, Housing and Surveys to make sure that the project addresses the main government goal of poverty reduction through the Malawi Economic Growth Strategy (MEGS). It is hoped that the land use policy will provide a conducive environment that will stimulate private sector investment and trade by creating an enabling environment for infrastructure and service provision in both urban and rural areas which are

key foundations for development and economic growth. Urban centres are engines of development and they need to be properly planned and managed if they are to attract investors and developers.

## **GOALS AND OBJECTIVES**

### **PROJECT GOAL**

The development objective of the project is to secure social and economic development through optimum and ecologically balanced use of land and land based resources.

The project is part of the land reform programme where it will provide policy guidance and strategies on how land should be utilised and managed in a sustainable manner in order to contribute towards poverty reduction and economic growth through the

provision of comprehensive land use planning policies and strategies at all levels,

timely and participatory preparation of land use plans through out the country,

proper implementation of physical development plans,

provision of clear and affordable development guidelines and standards and

the development of an effective legal and institutional framework for physical planning services.

### **SPECIFIC OBJECTIVES**

To provide a spatial and policy framework for land use planning and development for ensuring the coordination and implementation of development programs and projects in the country;

To provide regulations, guidelines and standards for the development of services and facilities to desirable and affordable standards that accommodate the needs of the less privileged;

To build and maintain capacity for a participatory, transparent and decentralised institutional framework for land use planning and development control;

## **PROJECT DESCRIPTION**

### **PROJECT COMPONENTS:**

Revision of the National Physical Development Plan (NPDP) 1987 and development of a comprehensive National Land Use Planning and Development Control Policy (NLUPDCP).

Revision of the Town and Country Planning Guidelines and Standards (1987) and development of a National Development Control (NDC) Code.

Capacity development for physical planning department, other stakeholders including district assemblies, and general public for land use planning and development control.

Project Management, Monitoring and Evaluation for the provision of support for project implementation, technical assistance, and studies as and when necessary.



## **LOGICAL FRAMEWORK**

Project details are contained in the Logical Framework below, which outlines the objectively verifiable indicators, means of verification and key assumptions. The narrative summary contains the project goal, objective, purpose, specific objectives and outputs or results and main activities of the project.

The information provided is in draft form and in some cases not fully developed. This document is providing the skeleton for the project for purposes of sourcing further technical and financial support from cooperating partners and a wide range of stakeholders.

**Table 1: Land Use Planning and Development Control Project Logical Framework**

NARRATIVE SUMMARY	OBJECTIVELY VERIFIABLE INDICATORS	MEANS OF VERIFICATION	KEY ASSUMPTIONS
<b>Goal:</b>			
To Secure social and economic development through optimum and ecologically balanced use of land and land based resources.			<ul style="list-style-type: none"> <li>• Acceptance of land use reforms</li> </ul>
<b>Objective</b>			
To create an enabling environment and support mechanism for land use planning and sustainable development that contributes towards poverty reduction and economic growth.	<ul style="list-style-type: none"> <li>• Improved policy, regulatory, institutional and technical framework in place</li> </ul>	<ul style="list-style-type: none"> <li>• Revised planning laws</li> </ul>	<ul style="list-style-type: none"> <li>• Success of decentralisation process</li> </ul>
	<ul style="list-style-type: none"> <li>• Land degradation reduced</li> </ul>	<ul style="list-style-type: none"> <li>• Institutional structures at all levels</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation of MPRS</li> </ul>
	<ul style="list-style-type: none"> <li>• Improved levels of land utilisation</li> </ul>	<ul style="list-style-type: none"> <li>• Participatory poverty assessments</li> </ul>	<ul style="list-style-type: none"> <li>• Political will</li> </ul>
	<ul style="list-style-type: none"> <li>• Poverty levels reduced</li> </ul>	<ul style="list-style-type: none"> <li>• Media reports</li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholder participation and commitment</li> </ul>
<b>Purpose:</b>			
To provide a guide and capacity for rural and urban land use and development decisions	<ul style="list-style-type: none"> <li>• Improved optimum use of land</li> </ul>	<ul style="list-style-type: none"> <li>• Land utilization studies</li> </ul>	<ul style="list-style-type: none"> <li>• Macro economic stability</li> </ul>
	<ul style="list-style-type: none"> <li>• Improved equitable distribution of development nationwide</li> </ul>	<ul style="list-style-type: none"> <li>• Land registries records</li> </ul>	
		<ul style="list-style-type: none"> <li>• Record audits</li> </ul>	
		<ul style="list-style-type: none"> <li>• M &amp; E reports</li> </ul>	
<b>Specific Objectives:</b>			
1. To provide a policy and spatial framework for the coordination and implementation of development programs and projects in the country;	<ul style="list-style-type: none"> <li>• Comprehensive National Land Use Planning and Development (NLUPDM) Policy prepared.</li> </ul>	<ul style="list-style-type: none"> <li>• Policy document</li> </ul>	<ul style="list-style-type: none"> <li>• Land use planning control extended to all land types</li> </ul>
2. To provide standards and guidelines for the development of services and facilities to desirable feasible levels that accommodate the needs of the less privileged;	<ul style="list-style-type: none"> <li>• National Development Control (NDC) Code developed</li> </ul>	<ul style="list-style-type: none"> <li>• NDC Code document</li> </ul>	<ul style="list-style-type: none"> <li>• Effective mechanisms for development control</li> </ul>
	<ul style="list-style-type: none"> <li>• Guidelines for urban and rural planning developed</li> </ul>	<ul style="list-style-type: none"> <li>• Development Guidelines</li> <li>• Planning Manuals</li> </ul>	<ul style="list-style-type: none"> <li>• Realistic and effective incentives and penalties for development</li> </ul>
	<ul style="list-style-type: none"> <li>• National development standards prepared</li> </ul>		
3. To create and maintain capacity for a participatory and decentralised institutional framework that facilitates an efficient and effective	<ul style="list-style-type: none"> <li>• Capacity and knowledge for providing physical planning services at all levels available</li> </ul>	<ul style="list-style-type: none"> <li>• Institutional structures &amp; systems</li> </ul>	Capacity developed at all levels
	<ul style="list-style-type: none"> <li>• Skilled staff at all levels available</li> </ul>	<ul style="list-style-type: none"> <li>• Number of staff recruited</li> </ul>	Modern and innovative planning methods
	<ul style="list-style-type: none"> <li>• District planning offices established and functional</li> </ul>	<ul style="list-style-type: none"> <li>• Equipment purchased</li> </ul>	

NARRATIVE SUMMARY	OBJECTIVELY VERIFIABLE INDICATORS	MEANS OF VERIFICATION	KEY ASSUMPTIONS	
land use planning and development control system;	• Planning committees and staff trained	• Awareness materials		
	• Awareness programme carried out	• Number of workshops		
		• Number of people trained		
<b>Outputs/Results:</b>				
1. Spatial policy framework for the coordination and implementation of development programs and projects in the country provided	1.1 Orderly and coordinated development	• Approved plans	Consistency with other national policies	
	1.2 Equitable distribution of development	• Development reports	Stakeholder commitment to implement plans	
	1.3 Rational use of land	• Land use records and maps		
	1.4 Agricultural land preserved	• Land use maps		
	1.5 Implementation of sectoral programmes coordinated	• Development reports		
	1.6 Hierarchy of human settlements established	• List of service centres		
	1.8 Inter settlement functional linkages strengthened	• Data on movement of goods and services between centres		
	1.9 Land values enhanced	• Land rents and valuation rolls		
	1.10 Level of investment on land enhanced	• No. of new developments		
	2. Guidelines and standards for the development of services and facilities to desirable feasible standards available	2.1 Guidelines for provision of services and infrastructure provided		• NDC Code document
2.2 Orderly and high quality physical development created and maintained		• Number of high standard structures		Legal framework for building standards and regulations
2.3 Environmental negative effects of development minimised		• Environmental audit reports		
2.4 Development conflicts avoided		• No. of complaints and appeals		
3. Capacity and awareness for land use planning and development control available at all levels developed and maintained	3.1 Uncontrolled developments minimised	• No. of illegal development	• Adequate staff at all levels maintained	
	3.2 Efficient management of urban and rural growth promoted	• Incidences of encroachments	• Creation and filling of new positions at district level	
	3.3 Cost of providing services and infrastructure minimised	• No. of functional planning offices	• Close linkages with training institutions	
	3.4 Prosperous urban and rural economy promoted	• Estate management records	• Effective, transparent and accountable structures for planning and development control.	
	3.5 District Planning offices established	• Income levels		
	3.6 Planning committees established and trained	• No. of staff recruited		
		• No. of committees established		
	• No. of meetings conducted			

NARRATIVE SUMMARY	OBJECTIVELY VERIFIABLE INDICATORS	MEANS OF VERIFICATION	KEY ASSUMPTIONS
		<ul style="list-style-type: none"> <li>• No. members trained</li> <li>•</li> </ul>	
<b>Activities:</b>			
1.1 Carry out background studies	<ul style="list-style-type: none"> <li>• Studies and surveys carried out</li> </ul>	<ul style="list-style-type: none"> <li>• Background reports</li> </ul>	<ul style="list-style-type: none"> <li>• Availability of up to date information</li> </ul>
1.2 Carry out field surveys;	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Land use map</li> </ul>	
1.3 Analyse existing land use conditions and trends	<ul style="list-style-type: none"> <li>• Land use conditions analysed</li> </ul>	<ul style="list-style-type: none"> <li>• Analysis report and charts</li> </ul>	<ul style="list-style-type: none"> <li>• Cooperation from stakeholders</li> </ul>
1.4 Consult stakeholders on findings from analysis	<ul style="list-style-type: none"> <li>• Consultations done</li> </ul>	<ul style="list-style-type: none"> <li>• Report</li> </ul>	<ul style="list-style-type: none"> <li>• Land use planning to cover all land.</li> </ul>
1.5 Prepare background NPD review report	<ul style="list-style-type: none"> <li>• Review report prepared</li> </ul>	<ul style="list-style-type: none"> <li>• Report</li> </ul>	
1.6 Prepare Draft NLUPDM Policy	<ul style="list-style-type: none"> <li>• Draft policy prepared</li> </ul>	<ul style="list-style-type: none"> <li>• Draft Policy</li> </ul>	
1.7 Hold national seminars on draft	<ul style="list-style-type: none"> <li>• National workshop held</li> </ul>	<ul style="list-style-type: none"> <li>• Workshop report</li> </ul>	
1.8 Submit LUPD Policy to Government for approval and adoption	<ul style="list-style-type: none"> <li>• Final policy submitted for approval</li> </ul>	<ul style="list-style-type: none"> <li>• Final document</li> </ul>	
1.9 Prepare implementation and monitoring strategy for LUPD Policy	<ul style="list-style-type: none"> <li>• Implantation strategy pre prepared</li> </ul>	<ul style="list-style-type: none"> <li>• Strategy document</li> </ul>	
2.1 Review existing development planning and approval practices, procedures, processes and requirements by all stakeholders in urban and rural areas	<ul style="list-style-type: none"> <li>• Processes and procedural reviewed</li> </ul>	<ul style="list-style-type: none"> <li>• Review report</li> </ul>	<ul style="list-style-type: none"> <li>• Consistency of standards the whole country</li> </ul>
2.2 Prepare of status report on existing standards and guidelines for development	<ul style="list-style-type: none"> <li>• Status report prepared</li> </ul>	<ul style="list-style-type: none"> <li>• Status report</li> </ul>	<ul style="list-style-type: none"> <li>• District to prepare bye laws</li> </ul>
2.3 Review existing institutional and legal framework governing development projects approval processes guidelines and standards for all relevant development authorities and sectors.	<ul style="list-style-type: none"> <li>• Review report prepared</li> </ul>	<ul style="list-style-type: none"> <li>• Review report</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity at district and lower levels</li> </ul>
	<ul style="list-style-type: none"> <li>• New physical planning act enacted .</li> </ul>	<ul style="list-style-type: none"> <li>• National physical planning control</li> </ul>	
	<ul style="list-style-type: none"> <li>• Development control regulation in place</li> </ul>	<ul style="list-style-type: none"> <li>• Physical Planners Registration Board</li> </ul>	
2.4 Prepare development planning guidelines and standards for various land uses	<ul style="list-style-type: none"> <li>• Rural planning guide prepared</li> <li>• NDC code developed</li> </ul>	<ul style="list-style-type: none"> <li>• Guide book</li> <li>• Code book</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
2.5 Categorise and classify types and thresholds of development that require approvals for village, area, district or national level authorities	<ul style="list-style-type: none"> <li>• Schedule of developments</li> </ul>	<ul style="list-style-type: none"> <li>• List of types and classes of developments</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
	<ul style="list-style-type: none"> <li>• Classes prepared for Development Control</li> </ul>		
	<ul style="list-style-type: none"> <li>• Guide prepared</li> </ul>		
3.1 Create physical planning institutional structures at all levels	<ul style="list-style-type: none"> <li>• National Physical Council Established</li> </ul>	<ul style="list-style-type: none"> <li>• Minutes of council meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholder commitment</li> </ul>
	<ul style="list-style-type: none"> <li>• Physical Planners Registration Board registration</li> </ul>	<ul style="list-style-type: none"> <li>• Register of planners</li> </ul>	<ul style="list-style-type: none"> <li>• Legal provisions enacted</li> </ul>
	<ul style="list-style-type: none"> <li>• District Physical Planning Offices established and maintained</li> </ul>	<ul style="list-style-type: none"> <li>• Number of offices</li> </ul>	<ul style="list-style-type: none"> <li>• Decentralization process on course</li> </ul>

NARRATIVE SUMMARY	OBJECTIVELY VERIFIABLE INDICATORS	MEANS OF VERIFICATION	KEY ASSUMPTIONS
3.2 Fill vacant posts with qualified staff	<ul style="list-style-type: none"> <li>• Officers recruited</li> </ul>	<ul style="list-style-type: none"> <li>• Number of officers</li> </ul>	<ul style="list-style-type: none"> <li>• Staff retention Levels maintained</li> </ul>
3.3 Train staff in physical planning at various levels and grades	<ul style="list-style-type: none"> <li>• Certificate, Diploma and Degree graduates trained</li> </ul>	<ul style="list-style-type: none"> <li>• No. of officers trained</li> </ul>	<ul style="list-style-type: none"> <li>• Local academic institutions play their role</li> </ul>
3.4 Acquire and maintain modern equipment for planning services at all levels	<ul style="list-style-type: none"> <li>• Computers procured</li> </ul>	<ul style="list-style-type: none"> <li>• No. of equipment</li> </ul>	<ul style="list-style-type: none"> <li>• ICT policy adopted and maintained</li> </ul>
	<ul style="list-style-type: none"> <li>• Vehicles procured and maintained</li> </ul>	<ul style="list-style-type: none"> <li>• Number of vehicles</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
3.5 Establish and maintain LIS system	<ul style="list-style-type: none"> <li>• Land information readily available</li> </ul>	<ul style="list-style-type: none"> <li>• Data and maps</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity for LIS System</li> </ul>
		<ul style="list-style-type: none"> <li>• Monitoring reports</li> </ul>	<ul style="list-style-type: none"> <li>• System is compatible</li> </ul>
3..5 Prepare sensitisation materials	<ul style="list-style-type: none"> <li>• Materials prepared</li> </ul>	<ul style="list-style-type: none"> <li>• Number of Brochures, Newsletters Radio messages and programmes</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
		<ul style="list-style-type: none"> <li>• No. of newspaper articles,</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
3..6 Organise sensitisation workshops	<ul style="list-style-type: none"> <li>• Workshops organised</li> </ul>	<ul style="list-style-type: none"> <li>• Workshop reports</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
		<ul style="list-style-type: none"> <li>• Number of workshops</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
		<ul style="list-style-type: none"> <li>• Number of stakeholders attended work</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>

## POLICY AND STRATEGIC CONTEXT

In 2002, the Malawi Government adopted a National Land Policy (NLP) as an important move towards land reform in Malawi. The goal of the NLP is to ensure security and equitable access to land and facilitate the attainment of social harmony and broad based social and economic development through optimum and ecologically balanced use of land and land based resources. The second part of the goal is the focus of this project proposal.

In 2003, the government prepared the Malawi Land Reform Programme Implementation Strategy. The purpose of the strategy was to translate the ideas and recommendations of the NLP into programmes and specific activities. The Land Reform Programme result area number 3.2.4 specifically calls for Sustainable Land Use. The aim of the result area is to enhance land values and rents and reduce unauthorised developments and environmental degradation. The strategy calls for readily available, up to date land information that would assist in proper management of land that in turn will increase land based investments and reduce encroachments in protected areas. The strategy therefore calls for the development of standards and guidelines for land use planning processes, which this project intends to address.

## TIME FRAME

The project is expected to take about three years or so to complete as provided in the work plan. (Annex 1)

## BUDGET SUMMARY

The project is expected to cost not less than US\$6,000,000 as broken down by component in Table 2 below.

**Table 2: Project Cost by Component**

PROJECT COMPONENT	ESTIMATED COST (US\$)		
	Local	Foreign	Total
1 National Land Use Planning and Development Control (NLUPDC) Policy	189	1,697	1,886
2. National Development Control (NDC) Code	185	1,661	1,846
3. Capacity development for land use planning and development control and enforcement.	287	2,579	2,866
4. Project Management, Monitoring and Evaluation.	100	900	1,000
<b>Total Preliminary Estimated Project Cost</b>	<b>760</b>	<b>6,838</b>	<b>7,598</b>

## PROJECT IMPLEMENTATION

### INSTITUTIONAL AND LEGAL FRAMEWORK

Physical Planning Department is responsible for physical planning and the enforcement of development controls and standards in Malawi. Over the past ten years or so the Department has had problems to fulfil its mandate in this respect for a number of reasons. Some of the

main reasons include lack of resources especially financial, human and equipment and out of date physical planning laws, regulations, standards and guidelines.

The Town and Country Planning Act, 1988 (Cap 23:01) provides an enabling law for land use planning and development control in Malawi. It has very good provisions to facilitate good planning. The problem has been enforcement of the law as a result of inadequate capacity to administer the law, inconsistencies, conflicts and overlaps with other related laws. The process to review the Act is already underway through the Special Law Commission on the Review of Land Related Laws.

The Commissioner for Physical Planning as project coordinator will provide the overall technical guidance for the preparation and implementation of the project. The Director of Planning in the Ministry will coordinate the project preparation and monitor its implementation within the Land Reform Programme framework. A project implementation unit (PIU) headed by the Project Manager will be established to undertake the day-to-day implementation of the project. The PIU will be composed of both hired and Department staff. It will support activities carried out by the three other components of the project and crosscutting issues complementary to institutional development and good land stewardship at the community level. The main tasks of Project Management will be:

Project administration, coordination, monitoring and supervision of project staff;

Ensure efficient utilization of project resources;

Monitoring and evaluation, including environmental and social impact assessment;

Carrying out audits;

Developing accounts and financial management systems;

Procuring goods and services;

Mainstreaming cross-cutting issues such as gender, environment and HIV/AIDS;

Liaison with other implementing agencies and stakeholders.

The Government of Malawi in conjunction with a cooperating partner will fund the project. Donors may demand a certain implementation arrangements and the project will accommodate these within the local legal and policy requirements. Whatever will the arrangement be, it will be in such a way that the department also builds capacity through the project by involving serving members of the staff in the implementation of the project as counter part staff.

## **ANNEXES**









**Annex 2: Project Requirements**

CODE	DETAILS
	<b><u>Project Personnel</u></b>
	Project Manager (Physical Planner)
	Regional and Urban Planner
	Civil Engineer
	Architect
	Project Accountant
	M & E Expert
	Consultants (EIAs, special sector studies, planning standards, etc)
	Administrative Support
	<i>Admin Assistant, Accountant, Office assistants, Drivers, etc</i>
	Sub-contracts (Office renovations, LIS/GIS, M&E, etc)
	<b><u>Training</u></b>
	Individual Fellowships
	Group Training (workshops, seminars, etc)
	Study Tours
	<b><u>Equipment</u></b>
	Vehicles
	Office Furniture
	Office Equipment (Computers, faxes, photocopier, etc)
	Drawing office Equipment (Drawing boards, printers, etc)
	LIS Equipment and Soft ware (Esri Arc info, etc)
	Awareness equipment (Camera, video, etc)
	Office Renovations/Rentals
	Office Supplies (Stationery, materials)
	<b><u>Miscellaneous</u></b>
	Official Travel
	Operation and Maintenance of Equipment
	Utilities
	Advertising
	Reports
	Maps and Charts
	Monitoring and Evaluation
	Communication costs
	Sundry

### Annex 3: Project Budget Estimates

Description		Performance and Monitoring Information				Budget			
Output	Activity	Output Monitoring Indicator	Output			Estimate			TOTAL
			Target YR 1	Target YR 2	Target YR 3	YR 1 (US \$)	YR 2 (US \$)	YR 3 (US \$)	
Background reports	Carry out background studies	Number of reports	12			276	-	-	276
Land use map	Carry out field surveys;	Number of maps	10			270	-	-	270
Analysis report	Analyse existing land use conditions and trends	Number of reports	15			180	-	-	180
Analysis Report	Consult stakeholders on findings from analysis	Number of analysis Report	12			210	-	-	210
Background Report	Prepare background NPDP review report	No. of background Report	1			160	-	-	160
Draft Policy	Prepare Draft NLUPDM Policy	Draft Policy	1			-	120	40	160
Workshop report	Hold national workshop on draft policy	Workshop report	1			-	92	138	230
Final policy document	Submit LUPD Policy to Government for approval and adoption	Final policy document		1		-	-	175	175
Strategy document	Prepare implementation and monitoring strategy for LUPD Policy	Strategy document			1	-	-	225	225
Review report	Review existing development planning and approval practices, procedures, processes and requirements	Review report	1			228	98	-	325
Status report	Prepare of status report on existing standards and guidelines for development	Status report	8			330	-	-	330
Review report	Review existing institutional and legal framework governing approval of development projects	Review report	1			272	68	-	340
National physical planning & development control code	Prepare development planning guidelines and standards for various land uses	National physical planning & development control code	3	3	2	-	298	128	425

Description		Performance and Monitoring Information				Budget			TOTAL
Output	Activity	Output Monitoring Indicator	Output			Estimate			
			Target YR 1	Target YR 2	Target YR 3	YR 1 (US \$)	YR 2 (US \$)	YR 3 (US \$)	
Land use and development classification order, Guide book	Categorise and classify types and thresholds of development that require approvals	Development control guide book			1	-	107	320	426
Physical Planners Registration Board	Create physical planners registration board	Functional Physical Planners Registration Board	1			43	54	11	108
District offices	Establish district physical planning offices	Number of district offices	28			101	126	25	252
Qualified staff	Fill vacant posts with qualified staff	Qualified staff	50			90	54	36	180
Trained staff	Train staff in physical planning at various levels and grades	Trained staff	15	15	20	286	715	429	1,430
Modern planning equipment	Procure modern equipment for planning services at all levels	No. of planning equipment purchased	15	5	5	69	569	-	637
Working equipment	Maintain equipment	No. of equipment maintained		5	5	-	9	37	46
Vehicles	Procure vehicles	Number of vehicles	5			183	-	-	183
Running vehicles	Maintain vehicles	No. of vehicles maintained		5	5	18	27	46	92
Land Information System	Establish and maintain LIS	Functional Land Information System	1			335	96	48	478
Awareness materials	Prepare sensitisation materials	Number of materials	10	10	8	100	60	40	200
Awareness workshops	Organise sensitisation workshops	Number of workshops	3	2	1	52	104	104	260
						<b>3,202</b>	<b>2,595</b>	<b>1,800</b>	<b>7,598</b>