

CURRENT ISSUES OF THE PHILIPPINE LAND USE PLANNING AND MANAGEMENT SYSTEM

Summary

Land use planning is an instrument that facilitates a fair and transparent allocation of land resources. Besides land registration it is a core instrument in the steering of local development trajectories and it helps to ensure the sustainable use of vital resources. However, land use planning is often subject to diverging interests of governmental agencies as well as political will.

This policy brief explores the structures of land use and development planning in the Philippines, highlights the challenges associated with plan implementation in the administrative context and discusses the consequences for socio-economic development. The following findings lead us to our recommendation towards a consistent national policy framework for land use planning:

- The complexity of developing Comprehensive Land Use Plans (CLUPs), their updating, and their subsequent enforcement pose challenges for municipal planning administrations. Training municipal staff is a prerequisite for successful planning and implementation.
- Plan development and implementation should be based on objective criteria and aligned with peoples' needs. Decoupling land use planning from the interests of executive officers and powerful landowners is essential and contributes to the common good.
- Land use planning (physical planning) and development planning require alignment. The existing mismatch is a consequence of different and overlapping mandates between governmental authorities.
- Incomplete and outdated cadastral information and shortcomings in sectoral information exchange inhibit the steps necessary to solve the pressing issue of insecure tenure rights.
- Cooperation of agencies is currently partial and not yet systematic, which hampers a consistent alignment of plans and integration of efforts in the country.

Key planning terms in the Philippines

Land use planning is the process of identifying zones of regulated land use. It usually comprises a status quo assessment of the current status of land use, and the setting of priorities for future spatial development and implementation.

Following spatial plans, **development planning** identifies priorities and projects for future socio-economic development.

Sectoral planning is pursued on topics of limited scope in various thematic fields by sectoral agencies. Infrastructure planning or water treatment are examples.

Introduction: Structure of Land Use and Development Planning

Land is the basis for livelihoods. It requires fair and transparent management to allow equal participation and sustainable use. Land use planning is the mechanism to allow this kind of resource management and the reconciliation of diverging interests. It lays the foundation for controlled urban and rural development.

In the Philippines, land use planning is hierarchically structured and most activities take place at a subnational, particularly at the provincial and municipal level. The planning levels are interlinked: lower-tier plans with shorter coverage periods are set to follow the priority setting of larger-scale plans.

Municipal land use planning was strengthened by the Republic Act No. 7360 in 1991 to follow the principle of subsidiarity. Local governments gained responsibilities in a variety of planning fields, including development and land use planning: (a) the permission to process and approve subdivision plans from the Housing and Land Use Regulatory Board (HLURB), (b) the enforcement of the

National Building Code from the Department of Public Works and Highways including granting or declining of building permits, as well as (c) the reclassification of agricultural land from the Department of Agrarian Reform, except those lands distributed to agrarian reform beneficiaries pursuant to the Republic Act No. 6657 (Republic of the Philippines, 1991).

The CLUP, the main planning instrument, aims to provide a sound foundation for managing past, current and projected land use and for the allocation of land resource use of the whole territory of a municipality. Figure 1 shows the embeddedness of the CLUP in the planning hierarchy. The CLUP is highly dependent on the cooperation of different agencies and is supposed to have primacy over other sectoral, development and investment plans of governmental agencies at the municipal level.

To address shortcomings of older CLUP guidelines, the HLURB has developed the new enhanced comprehensive land use planning (eCLUP) guidebooks in a joint effort with the Philippine–German cooperation. The new guidelines, officially launched in late 2015, serve as an improved planning tool for comprehensive and information-driven planning as well as the integration of the whole municipal territory. It aims for a stronger integration between spatial and development planning, more coherence in aligning socio-economic development and land use as well as the linking of development planning and budget allocation (Housing and Land Use Regulatory Board (HLURB) Philippines, 2013). While eCLUP makes the planning process more consistent and comprehensive, data collection for the CLUP and the planning process itself remain highly complex. As emphasized in interviews, this requires more personnel and further trainings on CLUP development and updating.

Current Issues of the Land Use Planning and Management System

In theory, the interplay of plans and hierarchies in the Philippine planning system has been well defined for many years. In reality, the system has been characterized by multiple policies of different authorities with overlapping mandates.

For example, large portions of Philippine land are classified as forest land, and are managed through Forest Land Use Plans under the mandate of the Department of Environment and Natural Resources. This separation of types of land hinders municipal planners to integrate this land into comprehensive

land use planning and thus largely excludes residents using these lands from the provision of municipal public services.

Vertical frictions in the planning system occur, due to the timely misalignment of different plans and incomplete information exchange between agencies. The CLUPs are supposed to be harmonized with the Provincial Development and Physical Framework Plan—frequently not sufficiently achieved in either direction. At the same time, inputs provided by a Barangay Development Plan, mandated by the Department of the Interior and Local Government, are supposed to be incorporated into the planning goals of the CLUP. In the absence of a formulated Barangay Development Plan, the CLUP can thus only assume barangay planning goals, which reduces the quality of local representation.

Horizontal frictions occur due to the misalignment of the CLUP and the Comprehensive Development Plans (CDP)—both municipal level plans. In theory, the CLUP is operationalized in the CDP, followed by integration into investment plans and transfer into municipal budgeting. This linkage of aligning spatial and socio-economic development goals with budgetary planning often lacks coherence. The process of developing and updating CLUPs is lengthy and the approval process can be extensive. Hence, municipal executives often rely solely on the CDP for quick project implementation. These inconsistencies in the planning process leave greater leeway for politicized decisions and ad hoc project prioritizations by powerful executives or local political elites, in which, for example, political supporters are more likely beneficiaries of projects and the disbursement of funds. In extreme cases, vested interests of executive officers and influential landowners block the formulation and approval of zoning ordinances as well as implementation according to plans.

Main hindering factors for successful CLUP formulation, updating and implementation are: Frictions and political interference; complexity in planning policies; rivaling mandates; limited capacities of local governments; as well as tenure conflicts. Consequently, HLURB estimated in 2012 that 70% of municipalities had no or outdated land use plans (GIZ and ANGOC, 2014). A DEval survey of Municipal Planning and Development Offices in the Visayas region in 2016 found that while 84 out of 100 municipalities had land use planning documents, only 37 had been approved by the Provincial Land Use Committee. A share that is likely even lower countrywide because almost half of those municipalities received additional support for CLUP development.

