Unpacking planners' views of the success and failure of planning in post-apartheid South Africa

Abstract: This paper discusses the reform of planning in the post-apartheid period and identifies the successes and failures thereof, as understood by South African planners. We note a perception of success relating to the reform of planning legislation; however, the most commonly noted failures were the inability to achieve spatial transformation, the perpetuation of old and inappropriate contributory planning practices, and the failure to implement plans. Respondents argued that the failures of planning reform in South Africa were explained by lack of capacity; failure to achieve job reservation for planners, leading to unqualified individuals doing planning work; political inference; weak planning tools; and planners' lack of key skills. We challenge the narrative proposed by many of our respondents, arguing that this represents an outward view of planning failure, focusing on what planning cannot control. We argue for an inward view, which makes peace with the limits of planners' power; optimises planning practice and regulations to work within the constraints of limited political, financial, and human resources; and sees planning as an exercise in marketing, where the goal is to 'sell' and not to dictate to key stakeholders the principles of good urbanism relevant to the locality in question.

Introduction

As Watson (2009) argues, the legitimacy of urban planning in many Global South countries is being challenged, as urban planning is often an impediment to fixing the spatial challenges in Southern cities and settlements. In particular, planning has often been used to exclude the poor; indeed, in African countries, it perpetuates colonial and oppressive notions of living that often echoes the colonial ideas of past oppressors, resulting in systems that ignore and hamper the ability of residents of Southern, and in particular, African cities to generate livelihoods, build homes, and improve their situation.

The South African experience of reforming planning post-apartheid provides an example of a Southern country which has undertaken wide-reaching reforms of its planning system. These reforms have focused extensively on developing strategic forward-planning instruments, revising national legislation, and using normative principles to drive planning actions, with mixed results. This provides vital lessons

for other African and Southern countries on what to include and avoid when reforming planning systems, and reveals key structural impediments that limit the potential of the planning system reform faced by other African, and Southern, countries.

We focus on what planners in South Africa perceive as the major causes of the successes and failures of the post-apartheid planning system. We develop some existing arguments around conflicting rationalities, power relations, and method of spatial planning and land use management, and challenge the assumptions underlying many of the existing planning systems; namely, reliance on resources, capacity, and competence that most municipalities lack, nor will it likely ever exist. It draws on data from a 30-month research project looking at planning practice and education in South Africa, including a survey of 219 planners, and, subsequently, 89 extensive interviews with planners and planning educators. This is one of the largest surveys ever undertaken with planners in South Africa.

The necessity of reforming planning in South Africa and in the Africa

Africa

Across many African countries, the value and form of urban planning is being questioned. The majority of planning systems in Southern countries were established by colonial powers, and were often designed to embed and maintain control of urban development, to ensure the comfort of Europeans, and also to discourage the indigenous population from residing in urban areas beyond what was necessary for labour purposes living in the colonial cities (Njoh, 2007, 2009). Despite colonialism ending nearly half a century ago in most Southern countries, the resulting planning systems are often still in place, sometimes through the same laws, and sometimes through new laws that effectively replicate the old (Berrisford, Stephen, 2011; Berrisford, Steven and McAuslan, 2017).

This has led to continued inappropriate and poorly designed LUM regulations, with standards beyond the capacity of the poor to meet, or of the state to implement. Additionally, a substantial portion of urban development occurs outside the systems within planning law. In effect, poor planning law and related land laws create informality (Dowall, 1992; Payne and Majale, 2004), making it difficult for the poor to access certain formal services such as housing finance (Makinde, 2014). Equally worryingly,

poor building control ignores health and safety regulations, potentially exacerbating injuries and fatalities during disasters (Bowonder, 1985; United Nations Human Settlements Programme, 2008). Furthermore, the lack of control over land uses means that land is often not reserved for commercial development, forcing most commercial activity in poorer areas into being homes and preventing the settlement from developing a mixture of land uses (Parnell and Pieterse, 2010).

South Africa

To understand the necessity of transforming planning practice in South Africa, we must recognise the extensive reform that has occurred since the 1994 Development Facilitation Act (DFA), which was drafted to enable the swift processing of applications for reconstruction and development efforts in South Africa. This act also introduced the concept of principle-led law into South African legislation. The DFA also required municipalities to draft strategic plans relating to land development (Berrisford, Stephen, 2011).

The Municipal System Act 32 of 2000 introduced the requirement that each municipality have an Integrated Development Plan (IDP). This is a five-year business plan for municipalities that includes an analysis of socio-economic conditions, a long term vision for a municipality, and strategies to achieve that vision, followed by a strategic plan listing all projects the municipality plans to undertake in this term (Harrison, 2001). Importantly, this plan includes a Spatial Development Framework (SDF), which provides a strategic direction for spatial reconstruction of a municipality. Through these laws, there was significant legislative push to encourage a more normative, strategic approach to municipal spatial planning. However, these laws had limited impact on LUM regulations, which largely remains unchanged.

More recently, the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) was promulgated. To date, SPLUMA has impacted South African planning practice in five major ways (Van Wyk and Oranje, 2014; de Visser, Jaap, 2016; Nel, 2016a; de Visser, J. and Poswa, 2019; and the observations of the authors):

1. It has strengthened and embedded principle-based planning as core to planning practice in South Africa.
2. It devolved all authority for LUM decisions to local municipalities.
3. Decision-making at a municipal scale was, de jure, transferred from politicians to a planning tribunal comprised of officials and individuals from the private sector who are knowledgeable about planning and property. However, the mayor retains control of the appeal process. Thus, politicians retain the final say in most major LUM applications.
4. Municipalities were required to draft municipal planning bylaws in the absence of provincial legislation.
5. Municipalities are replacing older LUM schemes with a single document covering the whole municipality, which includes assigning zoning to parcels of land that were previously excluded from LUM schemes (in particular, informal settlements and areas under traditional leadership).

While access to services and the alignment between population growth and economic opportunities have improved (Turok & Boral-Saladin, 2014), these reforms have, since 1994, largely failed to change urban development patterns. Current evaluations of urban growth mostly indicate a pattern of locating new developments; in particular, low income settlements on the urban periphery, leading to strained existing infrastructure, increased financial burden of poor households (particularly transport costs), and exacerbated patterns of spatial exclusion (Geyer *et al.*, 2012; South African Cities Network, 2016). Notably, while the density of South African cities has increased modestly, this mostly occurred on the periphery (Du Plessis and Boonzaaier, 2015); thus, densification has worsened current spatial inefficiencies. (For a conceptual discussion, see Cooke & Behrens, 2015.) More recently, there has been increasing emphasis on urban mega-projects; however, the majority of these are located on the urban peripheries, which contradicts the drive in policy for urban consolidation (Turok, 2016). These patterns of development are unlikely to be reversed in the near future.

We have observed limited compliance with the desired development patterns suggested in SDFs. Du Plessis (2015, 2016) considered changes in the built up ratio, land use mix, economic activity, and

population density, and demonstrated that these changes mostly occurred outside the areas identified for development in the SDFs. This implies that the SDFs had limited effect on urban development in South African cities from 1994 to 2010. As most new developments necessarily underwent the LUM process, there is a significant disconnect between the decisions being made through LUM processes and the policy directives of the SDFs. There is, however, evidence that SDFs affect capital expenditure patterns in certain municipalities (Laldaparsad *et al.*, 2013). Regarding LUM, while SPLUMA has driven a widespread adoption of new zoning schemes, we still largely see the use of Euclidean zoning, with limited changes from apartheid-era practices (Gorgens and Denoon-Stevens, 2013; Nel, 2016a).

Existing literature on impediments to planning practice in South Africa

Capacity

One of the most common arguments regarding the failure of planning reform is the issue of insufficient capacity. Harrison, Todes and Watson (2007) cite a government publication which argued that only 37% of South African municipalities had the capacity to produce a basic Integrated Development Plan (IDP). In their book on the urban revolution in Africa, Parnell and Pieterse (2014) use "capacity" 75 times, in most instances discussing limited capacity.

Beyond limiting plan implementation and general service delivery, this has resulted in the increased use of consultants to fill the capacity gap. While some use of consultants is not problematic, over-reliance on consultants can limit the development of in-house skills and the capacity of officials (Hlahla *et al.*, 2019). Furthermore, Nel *et al.* (2019) indicate that the use of consultants can lead to politicians and officials not taking ownership of the plan, thereby limiting the institutional commitment to implementing the plan.

However, there has been limited challenging of the plans, policies and legislation that officials are supposed to implement. Two issues with capacity exist; one, capacity is lacking, and, two, the demands made by the relevant plans, policies and legislation are too onerous for municipalities. The truth lies between these two positions, which is why more consideration of creating 'fit for purpose' plans, policies and legislation is desperately needed.

<H2> Power relations

The impact of power relations on the efficacy is heavily debated in both the global North and South (Flyvbjerg and Flyvbjerg, 1998; Andres *et al.*, 2019). Berrisford *et al* (2008) documents the plight of the Muldersdrift Home Trust Foundation, a group of low income households who attempted to set up a mixed-use peri-urban development. However, one of the key obstacles was the resistance imposed by white neighbours, who influenced the sellers, and eventually offered a substantial sum of money to the community to purchase land elsewhere. Todes (2014) provides a similar example, with her study providing insight into how landowners in eThekwini, in particular, Tongaat Hulett, influence the planning and shape of the built environment. In the late 1980s, they started one of the first strategic planning processes in South Africa. As Tongaat Hulett was both the process driver and the largest landowner, the plan spoke to the commercial interests of the company; for example, the plan had two corridors, one with wealthy households, one with poorer households. This rhetoric safeguarded high-income areas from land uses that could be seen as problematic by these residents, such as low income housing and industry.

The second set of power relations affecting the success of planning interventions is interaction related to politicians, and politicians' relationship with officials. Moodley (2019), in her study of planning officials in eThekwini, found that around two-thirds considered planning unsuccessful in transforming the built environment, largely because of corrupt alliances between politicians and developers to promote their own interests, and the inability of planners to manipulate these webs of power. It is, however, also important to emphasise that planners themselves are often part of these corrupt processes (Sundaresan, 2019), and that conflict between planners and politicians also occurs without corruption. Specifically, these conflicts can also result from conflicting rationalities, such as politicians favouring any project that promises to create jobs, and projects that respond to meeting housing backlogs en masse (i.e. mega projects). Furthermore, politicians need to appear successful to their constituents, and 'bright shiny' new projects, such as megaprojects and new cities, provide an easy way to show achievement and that their locality is 'world-class' (Watson, 2014). This often causes conflicts with planning

officials, who tend to favour more technical arguments concerning building a good spatial structure, project viability, and conserving areas of unique value (Cirolia, 2014; Turok, 2016; Horn, 2018).

It is relatively easy for planners to fall into the trap of seeing planning officials as good, and politicians as bad, which is inherently problematic. Rather, outside of corrupt processes, this literature highlights the inability of planners to understand what is important to politicians, and to present their arguments in a politically convincing manner. Conversely, it highlights politicians' weaknesses in understanding how to reconcile goals such as building houses with building an efficient spatial form.

In summary, this literature shows that planning is a negotiated process, whereby various stakeholders seek to shape the process to their interests. This is not inherently problematic, as, in principle, this can lead to plans and projects that are better aligned to the everyday reality of the city. However, power is unequally shared, and groups with greater wealth and/or influence can unduly shape the process to serve their needs and interests over others, with the poor often lose out in this process (Cirolia and Berrisford, 2017; Andres *et al.*, 2019; Chirisa and Matamanda, 2019; Nel *et al.*, 2019). Also, these negotiations can lead to the big picture being lost, resulting in contradictory and problematic projects and investments.

<H2> Issues with methodology: Spatial planning

Given the scope of the literature, three key issues are addressed here. Firstly, spatial planning in South Africa appears unable to recognize and respond to issues of decline, or politically unappetising issues. Denoon-Stevens et al (2017) and Denoon-Stevens (2019) profiled the spatial planning approach in two municipalities that are both heavily reliant on mining. Despite mine closure being a real threat in the one, and a reality for the other since the mid-1990s, there was an unjustified optimism in both plans that the economy would just keep on growing. Similarly, all forms of growth (economic, spatial, population, households, etc.) were treated as inherently good. The plans illustrate a wider trend in spatial planning in South Africa, namely, an obsession with growth and an unwillingness to accept that economic and spatial decline may be an unavoidable reality. This position is highly problematic, as it means that any spatial plan for an area which is likely to experience decline will quickly become out of touch with reality. This thinking often results in inappropriate investments in housing and infrastructure, especially

in mining towns, which can result in households being locked into areas with limited economic prospects (Marais, 2018).

Secondly, Denoon-Stevens et al (2017) and Denoon-Stevens (2019) both demonstrate that spatial planning in the case studies reviewed has tended to stick with a comprehensive masterplan approach, whereby every detail is given an assigned future land use. Odendaal & McCann (2016) identify similar tendencies in the 2012 Cape Town Spatial Development Framework, as do Todes et al (2010) in the case of Ekurhuleni. Watson (2009) identifies this as a general issue relative to spatial plans produced in the global South. The key issue with this approach is that settlements are complex, and ever-changing; thus, forecasting a desired end state is impossible (Moroni, 2014).

Thirdly, there are concerns over the quality of plans produced, as many plans are either missing, or have limited consideration of, key aspects facing spatial planning. Du Plessis (2014) reviewed 15 SDFs, including for metropolitan to intermediate cities, and found that most plans had serious omissions, including limited understanding of the urban land market, no spatial depiction of capital investment projects, and limited recognition of informality. Similarly, Harrison, Todes, and Watson (2007: 243) argue that spatial planning was undermined by a poor understanding of the processes and imperatives of development.

There are, however, some isolated examples of good practice. Todes (2012) details the strategic planning process used in the City of Johannesburg in 2008, and, more recently, by the City of Cape Town (2018). This process divides the municipality into four categories; An Urban Inner Core, Incremental Growth and Consolidation Areas, Discouraged Growth Areas and Critical Natural Asset Areas. This practice gives landowners, officials and politicians the surety of being able look at a map and see the exact designation of that land in terms of the plan. However, the categories do not specify a designated land use; rather, they state an infrastructure commitment, or simply specify ‘no-go’ areas for development, thereby providing the flexibility that Moroni (2014) argues is vital for complex urban systems.

<H2> Issues with methodology: Land use management systems

While LUM remains a tool with powerful potential in the global South, and in South Africa, it has remained largely untransformed in practice since the colonial and apartheid eras (respectively). Most regulations are not in line with the lived reality, and this disconnect is one of the main causes of creating informality (Njoh, 2007, 2009; Watson, 2009). Charman et al (2017) reviewed the impact of zoning and other municipal bylaws and regulations on microenterprises, and found that the complexity and cost of LUM resulted in 'enforced informality.' In particular, business in containers, street traders, house taverns, and early childhood development centres had difficulties with compliance, and active enforcement against these uses resulted in significant harm to the business owners.

Conversely, Parnell and Pieterse (2010) looked at commercial land allocation in low income settlements in Cape Town, and found that there was no regulatory requirement for commercial land, nor were the plots large enough and / or sufficiently serviced to enable commercial development. Collectively, these arguments mean that the state is punishing informal livelihoods, while making limited provision for formal commercial activity; in effect, this criminalizes the livelihoods of the poor. Denoon-Stevens (2016) takes this further, arguing that zoning schemes do not incentivise the inclusion of micro-enterprises in formal retail areas, thus limiting the ability of these micro-enterprises to access wider market opportunities.

There is often a disconnect between the worldview of officials, and those being planned for; or, in other words, conflicting rationalities (Watson, 2003; Massey, 2013; de Satgé and Watson, 2018). While applicable to the full spectrum of planning in the global South, this has particular implications for LUM. Specifically, in low-income areas, officials tend to see housing as primarily residential (harking back to modernist ideas of settlement design), and see informality as a blight on the appearance of the 'proper houses,' (Charlton, 2018). In contrast, residents respond to the paucity of employment opportunities and housing for the extended family by building backyard shacks and running businesses from home and the street (Massey, 2013). Additions such as backyard shacks are mostly built from zinc, because of its affordability. Given the cost, complexity, and at times, lack of awareness of requirements, these businesses and structures often remain unapproved. This disconnect between the position of the state

and officials results in LUM regulations that are out of touch with the reality and criminalise actions that the poor take to survive. This also undercuts the ability of the state to enforce necessary regulations, such as those relating to health and safety.

Another core issue is the use of outdated methodology, much of which draws on American zoning schemes from the early twentieth century that employed a heavy modernist approach. Nel (2016a, 2016b) documents some of these issues. Specifically, current approaches to zoning promote mono-functional areas, with insensitivity to aesthetics and design. In particular, zoning attempts to simplify the complexity of everyday life, which almost inherently results in regulations not in accordance with people's lived reality. Moreover, initial research by the authors into recent zoning schemes indicates that, in the metropolitan areas, most zoning schemes have largely remained the same pre- and post-SPLUMA. In particular, low-income areas which were governed under more flexible regulations, which allow for multiple dwellings and for limited business rights on residential properties, are now being brought under a single zoning scheme for the municipality, which are far more restrictive.

<H1> Method

The data for this paper comes from an extensive set of hour-long semi-structured interviews (n=89) conducted between February and May 2018 and, to a lesser extent, from a questionnaire conducted in 2017 (n=219). We ensured a variety of respondents across the country (noting that we had a limited number of interviews with planners in KwaZulu-Natal), across different scales of settlement (from metropolitan areas to small towns), and from academia, the public sector, and the private sector. This ensured that we captured the diversity of experiences of working in planning in South Africa. The interview themes included the relevance and role of planning education in South Africa, as well as what is and is not working in planning in South Africa.

Based on the number of registered planners who obtained their registration after 1994, this sample roughly reflects the gender balance of registered planners in South Africa (~43% female versus 56% male). More white planners were interviewed compared to the proportion of white and black (including Black African, Coloured, Indian/Asian, or other) registered planners in South Africa. Both the interview and open-response questionnaire data were coded in NVivo using a combination of deductive (theory-

led) and inductive (data-led) approaches. Thirty-eight theoretically-led codes were used, with 44 more codes emerging during the data analysis. A single person coded the transcripts to maintain consistency. All mentions of success and failure in the transcripts were identified using a word search and were reviewed.

<H1> Findings

<H2> Interview respondents' views on the successes of planning in South Africa

While many respondents had major concerns relating to the state of planning in South Africa, some successes were noted. In particular, many noted that while the legislative reform of planning law in South Africa was a long process, it had resulted in what they believed to be sound legislation, and provided good visionary policies and plans. As one respondent noted,

> "*..I would classify the law reform that has taken place I think one of our major achievements. Long overdue, we've been waiting for that for a very long time, but it is definitely something that assists us in facilitating and inducing spatial transformation ...."*

Similarly, another respondent argued that,

> *"Obviously, there's been a lot of new work on planning legislation, a lot of legislation that was repealed, a lot of new legislation that came in, so I think a lot of strides. We have a very good planning framework set in place from a legislative point of view and a governance point of view. I think the weaknesses are in the implementation of that."*

Beyond this issue, there was limited overlap in respondents' answers on the achievements of the planning profession in South Africa. Some focused on successes that respondents, or the organizations they worked for, had achieved in their work. Other achievements noted by respondents include the complete shift from apartheid-era thinking to progressive planning ideals (at least in theory), the questioning around what it means to plan in an African context, and the provision of state-subsidized houses.

Many respondents were not entirely pessimistic about the state of planning in South Africa, and there were many positive comments. However, unlike the weaknesses of the planning profession in South

Africa, the lack of overlap in the respondents’ responses means that it is not possible to identify definitive trends in responses. The key exceptions to this are the comments relating to the quality of laws and policies in South Africa.

<H2> Interview respondents’ views on the failures of planning in South Africa

The most common response was that planning had failed to achieve spatial transformation, especially in light of the spatial inequalities in South African cities due to colonialism and apartheid. One respondent stated, *“I think the thing is we most probably haven’t managed to get transformation, spatial transformation inclusive growth on the agenda as much as.”* Another argued that planners *“find it very difficult to shift, from those old settlement patterns into something new and actually creating quality living environment.”* Supporting this, one respondent argued *“the theory that we have put forward has never been implemented, in reality. If you look at this, how spatially our townships are laid out for instance. They continue with the apartheid type of planning, they use old, pre-industrial, industrial planning like you have your, we can’t tell it.”* This shows that there is an awareness of the implementation challenges identified quantitatively by Du Plessis (2015, 2016).

Related to this was a concern with the limited implementation of spatial plans such as SDFs and IDPs. One respondent argued that, *“But, I’m guessing that, you know, students are trained in how to do planning, but then they’re not… they’re getting to a real world and they start to produce plans and then they’d pass the plans on to somebody else to implement them and, often those plans, they are not implemented. And I think that planner, therefore, needs to also find a role and play a role in monitoring the implementation of plans. .... Because that’s a big problem, that plans just sit on shelves and gather dust.”* Another argued, “*They can maybe come up with an IDP or something like that, compare the IDP to what’s on the ground ... not a lot actually happened and actually making it happen and make it function and working through the implementation side, working out how to actually make that, what conditions you need, what position you need, which order you need and what you’re going to do but planners don’t really do that. We are a plan making kind of, stuck in a plan making cycle. We keep on making plans but we don’t really execute them.”*

This also speaks to a possible disconnect between LUMS and spatial planning, given that planners are the main professionals who drive LUM, yet limited implementation of plans is occurring. However, planners have less control over which projects are proposed by other sector departments, and which are financed. Similarly, planners have little power over which developments the private sector proposes. If it is likely that a LUMS application will be approved regardless of the compatibility with forward planning, then there is minimal incentive for the private sector to comply with the plan.

This also raises the issues of 'window-dressing,' as IDPSs and SDFs are mandatory plans that municipalities must produce, or as one respondent put it, these plans becoming *"coffee table documents."* This implies a need to recognize that planning is an exercise in negotiation (Cirolia and Berrisford, 2017), and that the state has 'many moving parts,' many of whom need to be recognized and convinced of the plans' value.

As one respondent noted, "*So, you draw up a plan, you are not going to be the person to approve that plan. The person who implements that plan. The person who decides land use applications based on that plan is a vast network of different departments and different competencies. ... When what my most reality is, is that's an area that is of interest to this community. This community has spoken to this City department, this City department has spoken to us. In order to respond to the needs for the area and the plan, it's not myself and the community and the planner. ... It's myself and my team and my superiors and the rest of the office and the rest are development planning. And the budgetary cycle and the appropriate Ward Counsellors and the various, Department of Health, Department of Transport, Economic Development, Environment Land Use. ... It's a vast network of people who I will never see and I will never actually really know what they do."* This speaks to the idea that planners are not all powerful 'technocrats'; rather, they are one (important) cog in the wider machinery of the state.

Similarly, other respondents argued that successful planning was about having both technical and social skills, *"Walking that line between planning fundamentally being about whom, because that who you plan for, that's who implements your plans, who approves your plans, who funds your plans, who commissions your plans. That's all people. And the more technical aspect of the discipline understanding the complex network of by-laws. Understanding hard physical limits like flood mains*

and soil conditions and dolomite. ... Because if you a technical expert but you have no social skills. You not going to get anything on the ground. ...If you socially very fluent but can't put together a good technical plan, you gonna get things on the ground but they gonna be lousy. ...: So, constantly working as a person between the troubled past and a less troubled future, between a technically determined profession and a socially fluent phenomenon."

Some respondents were more negative about this process of dialogue, particularly regarding politicians' role in this process. As one respondent noted, *"So you have to mediate it but I also think that the political people also have to understand and support us at a point where we may be technically correct, but socio-politically not acceptable to the communities. ... I just feel that often the politicians turn around and say well this no the communities are right and this is wrong and then you must move it. And then the end result of it is people relocate, they stay in very low-density areas, and then actually you lose an opportunity to use the land much more meaningful."*

It is concerning to note that politicians were mostly referred to negatively, with almost no mention of their adding to the planning process; they were perceived as unwanted, uninformed individuals who stood in the way of 'good' planning decisions. Many respondents argued that to achieve spatial transformation, politicians should have less power in the planning process. These concerns around issues of power and politics in planning as noted by respondents echo some of the arguments of Moodley (2019).

Before SPLUMA, decision making on LUMS applications was primarily done by politicians for most medium to large applications. Post-SPLUMA, the situation is more complicated, with a non-political tribunal making the initial decision; however, appeals are still made by a political body (Andres *et al.*, 2019).This is currently being contested in court. Through this, the relationship between planners and politicians has often been adversarial, a situation that largely remains unresolved.

Another common theme was the issue of capacity. As one respondent argued, *"South Africa has a very transformative agenda at the policy level, but when it comes to implementing this transformative agenda we really are restricted as government, we don't necessarily have the tools, maybe we do have the tools but then we don't have the capacity to implement those tools to effect the change that we need to effect."*

Another argued that, *"But at municipalities where it's the most needed [technology], I don't think they've got enough capacity. Either they've got none, or they've got so little that their efforts that they put into planning is also watered down. Because they just need to come, to keep up with the, you know the workloads or whatever. So in many instances I think the quality of work, also suffers and when you don't have time to interrogate, you just apply it."*

Many respondents felt that the lack of job reservation for planners was allowing unqualified individuals do the work that planners should be doing. As one respondent argued in response to the question of where had planning failed in South Africa, *"I think well, in terms of town planners per se, I think it's job reservation because at this point in time anyone can do what we're supposed to have learnt and what we are supposed to do. Engineers don't always know what town planning is but they always advise clients on what it is. The same with architects, there's a lot of architects that we have to explain to what it is but they are advising clients on stuff that we have to try and fix then later on. From a municipal point of view, I think if you have more professional town planners or more people in the municipalities that actually know about town planning and not just look at it as a top-down approach, but what happens on the ground and then trying to get to where the vision at the top government and so on is, then we can get a lot further than what we are at the moment."*

Many respondents raised this issue. Supporting this, a recent survey of South African planners found that job reservation was fundamentally important for 71.29% of respondents, and very important for 15.79% of respondents (298 and 66 responses respectively out of 418 responses) (Ahmad, 2020). Furthermore, a recent petition with 2,185 signatures (at the time of writing) called for the protection of the town planning industry in South Africa, with job reservation a key issue (Maphupha, 2020).

Concerns over capacity and job reservation are potentially contradictory issues. If there are insufficient planners to do the existing work, logically, other professionals will become involved in planning work. However, with job reservation, even fewer individuals will be involved in planning work, worsening the capacity crisis.

There are at least two possible explanation for this contradiction. One, the capacity crisis is solely within government, and that sufficient capacity exists in the private sector, thus meaning job reservation is

primarily a private sector issue. Alternatively, or jointly, the call for job reservation in a context of limited capacity might be about how planning is perceived, and a desire for a larger, more powerful, planning sector. For example, no one would go to a planner to draft building plans, you go to an architect, however, the fact that an architect could do planning work implies that this is perceived as less of a specialised skill. To admit that other professionals can do certain types of planning work, and do it as well as planners, raises difficult questions about the value that planners bring to the development process.

This paper is not arguing that other professionals can do planning work as well as planners, and it may very well be that other professionals do produce planning work of lower quality. This lies beyond the scope of this paper to answer. Rather, the point made here is that a deeper set of issues underlie these debates around capacity and job reservation; in particular, how planning is perceived, and which changes to planning practice and education are needed for other professionals to view planners' work as valuable. Job reservation forces developers and other professionals to use planners, but does not solve the issue of improving the perception of planning's value.

Some respondents perceived planners in South Africa to lack the skills they needed to be effective in their work. As one respondent put it, *"And I think we, town planners, to be more open-minded, more problem solving because even now I've gathered that a lot of town planners here, and even some of my friends in the industry, we don't really know how to design a township. You know, really that's skills that you need to… yes I know it's a university, so you have to base more your studies on theory, but I think we really do lack a practical approach and skills to really be able to do your work."*

Several responses also emphasized a key skills gap pertaining to understanding planning and administrative laws and having the ability to apply the law successfully. This also poses a serious challenge to planning education; namely, do planning school graduates have the skills needed not just to think about planning, but what is also needed to do planning (Denoon-Stevens, S. P. *et al.*, 2020)?

Some respondents also noted concerns regarding the nature of planning instruments used in South Africa, with one stating, *"The big failure now is trying to force zoning when people need houses, people need different approaches, mixed zoning, especially going into the fourth industrial revolution.*

Planning is trying to control things in a controlled environment and where in Europe they've moved away from your controlled planning. ... Also a lot of [planners], they penalise the small businesses, the upstarts, the start-ups, the, even your spazas are so highly regulated and controlled by planners that it actually, eventually what they do is really just help your malls and your big business and yet they speak jobs and they speak economic development but when it comes to that, they have to go through so many gauntlets to get there that it's just not practical."

This response is particularly important in light of many respondents' views that legislation reform has been a major success in South Africa. It highlights that many of these reforms may not have reached the level of planning tools, such as LUMS, arguably one of planners' most powerful tools (see Watson 2009). As one respondent argued, *"I think that the system needs to change, it needs to look particularly at understanding the needs of the vast majority of people. It needs to understand much better the incremental nature of urban development and that the -- as household's capacity to afford higher standards increases, so the regulatory environment also needs to grow to bring them into a net of sustainable urban development."*

Other responses reflected faith in the current LUM system, with a belief that if planners communicated the content of zoning schemes and their intent to those affected by these laws, then people would be more willing to comply with planning regulations. One respondent argued, *"But when you have to bring in the issue of LUM, now we talk people don't understand those dynamics. As I'm saying, before we can go and implement or enforce this, we need to have engagements with our communities, to make them aware of the importance of the zoning itself, the importance of the land use itself and the activities that are allowed for zoning. So, when we tell them to rezone they know [why]. But if we just come and say, you cannot have a business here, you need to move it, without explaining the processes and the importance you will have challenges."*

While this stance recognizes the need for strengthened communications between planners and communities, the lack of recognition of the incompatibility between many zoning regulations and the lived reality of the urban poor (Massey, 2014; Charman *et al.*, 2017) is concerning. Arnstein's (1969) ladder of participation considers this the third lowest form (of eight), whereby professionals simply

inform communities. Given that said article is more than 50 years old, this represents a worryingly conservative view of participation.

<H1> Reflections on findings and ideas for a way forward for planning in South Africa

Partially, these findings support many of the existing arguments in the literature regarding planning failure in South Africa, and the failure to achieve spatial transformation. However, there are deeper issues here. Many (but not all) respondents seemed to believe that, if planners were the sole, or at least, most prominent, professionals doing planning work and making planning decisions, and if there were more planners hired by government, then planning would 'work' in South Africa. Importantly, there was limited challenge to the overall system in terms of forward planning; in particular, the idea that a plan could and would guide future development. These views represent what Moodley (2019) refers to as a retreat into 'technocracy.'

This is problematic as the probability of ever achieving concerns such as having total job reservation, or having total control over the LUM decision process, is highly unlikely. Regarding job reservation, Sihlongonyane (2018) details the resistance from other professions whose work overlaps with that of planners, including that of surveyors and lawyers (see also Andres *et al.*, 2019). Furthermore, the Competition Commission has refused the exemptions for job reservation for other built environment professions, deeming the practise to be uncompetitive (Competition Commission, 2016). Additionally, even considering the proposed job reservation of other professions with which the Competition Commission has taken issue, for example, landscape architecture, it is likely that there will be 'agreed overlaps' where certain types of professional work are shared between different professions (South African Council for the Landscape Architectural Profession, 2011). Although limited job reservation is possible, the planning work which overlaps with over professions is unlikely to be performed exclusively by planners, given the resistance already shown.

Furthermore, given the capacity constraints within government, and the current economic state, it is highly unlikely that we will see a significant increase in planning capacity, and thus other professionals filling the gap in planning work is likely to be a continued reality. Similarly, given vested interests, planning will almost certainly always be a negotiated exercise (Cirolia and Berrisford, 2017). As Nel et

al (2019) argue, having multiple stakeholders with different agendas and interests means that implementation decisions will often clash with the original plan, leading to, at best, a loose interpretation and application of the plan to changing circumstances.

The challenge this brings to the planning profession in South Africa is that planners are aspiring for goals (increased capacity, job reservation, less 'interference' by politicians and other professionals) that are unlikely to be accomplished to a satisfactory extent. This is problematic as, instead of focusing our efforts on achievable goals, the collective energy of the planning profession is being wasted on a quest for something that is largely unattainable, which will likely to continue leading to disillusionment and frustration on what planning can achieve.

Even more problematically, this dialogue continues to focus on outward issues over which planners have limited control. Worryingly, far fewer respondents were willing to look inward at planning practise in South Africa, and whether our current tools offer a real value proposition to South African society (Talking Transformation, 2020)? Many new LUMS regulations promulgated in recent years (including City of Tshwane, 2014; City of Ekurhuleni, 2015; City of Johannesburg, 2019; City of eThekwini, 2020) retain a similar approach to that of colonial and apartheid times. These regulations continue to embed a sprawling, inequitable urban form that harms the livelihoods of the poor. Furthermore, this approach still largely reflects American Euclidean zoning, and ignores key issues such as subdivision standards.

This is the issue with the 'outward' focus on issues such as job reservation, as, if we as planners cannot get our own house in order, then do we have the right to insist on job reservation for the planning profession? (This does not negate the good examples of LUMS in SA.) Arguably, if we develop LUMS regulations with a clear value for society, which reflect the unique contribution of urban planning, then it is more likely that we will both start to achieve spatial transformation, and also be taken more seriously by politicians, other professions, and society at large. This is an approach to achieving respect not by legal mandate, but by the quality of work undertaken by planning professionals.

This leaves us with the question of what planning should do differently. First, given planners' limited power, we must accept that 'big' successes may often not be possible, given the multitude of actors

involved in the development process, each with their own interests. Thus, we need to identify and appreciate the 'smaller' successes (Andres *et al.*, 2019; Termeer and Dewulf, 2019). For example, relating back to the earlier discussion on power relations and megaprojects (Turok, 2016), given the political appeal of such initiatives, in most cases planners resistance, while vital and necessary, will likely not succeed. Finding success in such a scenario is less about approval or refusal of the application, or compliance with the plan, but, rather, about finding ways to use the LUM process to shape the mega-project to be as good as it can be. In low-income developments, this can be about ensuring allocation of sufficient land for commercial and other non-residential purposes (Parnell and Pieterse, 2010), including space for cultural activities (Massey, 2013); pushing for servicing levels that support backyard shacks and formal second dwellings (Lemanski, 2009); and ensuring that residential properties have rights for backyard shacks / second dwellings, and home-based livelihood activities (Charman *et al.*, 2017). These 'smaller' successes can still be crucial for ensuring that the settlement design and regulatory regime meet the needs of those who reside in such settlements, even if the 'big' successes are not possible.

Second, building success in planning is also about refining our existing planning tools, and using planners' existing power, to better effect. We need to build a planning system that is viable with only existing resources, including human, political, and financial constraints, i.e. LUMS regulations that are 'fit for purpose.' This starts from a point of view that argues that the issue is not about a lack of planning capacity, or planners having limited power (i.e. job reservation or the influence of politicians). Rather, what we need is to get rid of regulations that are either unnecessary, or beyond our ability to enforce. This is important to free planners from wasting their time on trivial or irrelevant matters, and to avoid creating harm through inappropriate regulations (Charman *et al.*, 2017).

Conversely, we must ensure that the remaining LUMS regulations promote spatial transformation, by ensuring that LUMS regulations promote urbanism that is sustainable and efficient, and that it is aligned with the values, needs and potential of society at large. Denoon-Stevens (2016) argues that the LUMS process should mandate the inclusion of traders, micro-enterprises, and public transport infrastructure in new retail developments. This proposition demonstrates how to use the planning process to foster

economic justice, and to create new opportunities for the poor. Such a value proposition would likely be appealing to politicians, at least, those representing poor constituencies, and provide an opportunity to show the potential power of LUMS. Similarly, Denoon-Stevens and Nel (2020) document the few, but significant, attempts to use LUMS proactively in both South Africa and globally. A key argument of Denoon-Stevens and Nel (2020) is that if the LUMS system can make 'good' development easier for developers than 'bad' development, the private sector is far more likely to comply with planning policies.

Third, we need to move beyond conventional planning tools and embrace different approaches, especially for forward planning. For example, instead of producing a spatial plan, or just producing a plan, planners could rather focus on dialogue and debate within municipalities and with key stakeholders. These conversations could potentially lead to greater consensus on what constitutes 'good urbanism' within that jurisdiction. This responds to the notion put forward by one respondent on what makes a good planner, as cited earlier, *"if you a technical expert but you have no social skills. You not going to get anything on the ground. ...If you socially very fluent but can't put together a good technical plan, you gonna get things on the ground but they gonna be lousy."* In other words, if we are to avoid plans becoming *"coffee table documents,"* and if we recognize that planning is a tactic of negotiation (Cirolia and Berrisford, 2017), then we need to move away from the idea of producing plans and expecting others to follow it.

The key to implementation, starts with the idea that we need to 'market' the idea of good urbanism to key stakeholders to encourage buy-in. This implies that success will not be about achieving compliance with a static spatial plan. Rather, success is about creating a shared understanding of the principles of good urbanism among key stakeholders, allowing these principles to be applied in adaptable ways as circumstances change within that locality. This is not about achieving consensus using Habermasian logic; rather, using a Foucauldian logic of power (Watson, 2012), it is about working through conflicts to convince, and, at times, to force those with power to take actions that benefit the majority of society.

To conclude, it must be emphasised that these arguments are not trying to demean the views of respondents. Rather, the findings section demonstrates a sense of frustration and disempowerment

amongst planners, but also a perspective that is unlikely to lead to these feelings of frustration and disempowerment being resolved. What the authors have attempted to do in this section is provide an alternative perspective that is more enabling. This is not promising to be a 'golden bullet,' as there are many other challenges to overcome, most notably, dealing with path dependency, institutional fear of change and conflicting rationalities (de Satgé and Watson, 2018) between planners, other officials, politicians, developers and those being planned for. However, unless we change our thinking, especially with regards to LUM, we are likely to continue perpetuating the development of an unequal and poor-quality urban form.

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