

Public participation in town-planning applications: Tlokwe Local Municipality as a case study

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Abstract

Although public participation is deemed important in South Africa, negative perceptions of its legitimacy are widely acknowledged. Inclusive town-planning processes, as instruments to address inequality, have a significant role in enhancing democracy. This article reports on a study done from a communicative planning perspective, with the aim to investigate the influence of public participation in town planning by means of an analysis of town-planning application procedures between 1992-2008 in the Tlokwe Local Municipality, North-West province, South Africa. The results indicate that only 6% of all commentary on planning applications consists of objections from the public. Technically motivated objections and town-planning firms had the most influence on planning outcomes. This seems to indicate reactive and consultative participation wherein the final decision resides with the local authority. It appears that public participation's idealistic 'feel good' mask does not live up to the expectations of an empowered civil society.

PUBLIEKE DEELNAME IN STADSBEPLANNINGSAANSOEKE: TLOKWE PLAASLIKE MUNISIPALITEIT AS 'N GEVALLESTUDIE

Alhoewel publieke deelname as belangrik geag word in Suid-Afrika, word negatiewe persepsies oor die egtheid daarvan erken. Inklusiewe stadsbeplanningsprosesse, as instrumente om ongelykheid aan te spreek, speel 'n betekenisvolle rol in die versterking van demokrasie. Hierdie artikel doen verslag oor 'n studie wat gedoen is vanuit 'n kommunikatiewe beplanningperspektief en beoog om die invloed van publieke deelname in stadsbeplanning te ondersoek deur middel van 'n analise van stadsbeplanningaansoekprosedures tussen 1992-2008 in die Tlokwe Plaaslike Munisipaliteit, Noordwes-provinsie, Suid-Afrika. Die resultate toon dat van alle kommentare op beplanningaansoeke is slegs 6% besware vanaf die publiek. Tegniesgemotiveerde besware en stadsbeplanningfirmas het die meeste invloed op beplanninguitskomstes gehad. Dit blyk dat deelname reaktief en konsulerend is, met die finale besluite in die hande van die plaaslike munisipaliteit. Publieke deelname se idealistiese 'voel goed' masker blyk nie te voldoen aan die verwagtinge van 'n bemagtigde burgerlike samelewing nie.

TSHEBEDISANO MMOHO LE SECHABA NTLHENG EA MERERO YA TEROPO: CHEBAHALLONG YA TLOKWE LOCAL MUNICIPALITY

Le ha bohlokoa ba tshebedisano mmoho le sechaba e boledisoa ho ba bohlokoa ka hara naha ya Afrika Borwa, shebisano tse negethifi tsa hore na ehlile ya sebetsa dia hlahella. Merero ya teropo e nang le tshebelisano mmoho le sechaba e sebetsana le taba tsa hore ba bang ba sechaba ba utloe ba nyenyefadiitsoe ho feta ba bang ebile e eketsa taba ya hore batho ba phedisane mmoho ba na le khotso. Serapa sena se bontsa thuto e ileng ya etsoa ho shebisisa tshebelisano mmoho le sechaba mererong ya teropo mekhoea ea Tlokwe Local Municipality e North West Province, Afrika Borwa ho tloha selemong sa 1992 ho isa ho sa 2008. Sephetho sa thuto ena se bontshitse hore ke 6% fela eo sechaba e khonneng ho e kenya tabeng ya ho rera teropo ya teng. Nnete ke hore lifeme tsa merero ya diteropo ke tsona tse nang le matla a mangata a hotre

na teropo e reroe joang. Sena se bontshitse tshebedisano mmoho le sechaba fela qeto e le ea masepala. Tshebedisano mmoho le sechaba ke nthoe e bonahalang e le ntle ka kellellong fela bo nneteng e sa sebetse.

1. INTRODUCTION AND BACKGROUND

Public participation is important for people, as it establishes dignity and self-esteem (Bryant & White, 1982: 205-228); is considered a basic human need (Max-Neef, Elizalde & Hopenhayn, 1991: 52); forms part of the process of human growth (Burkey, 1993: 50), and is an integral part of human development (Davids, Theron & Maphunye, 2009: 122). While widely accepted as important, it is difficult to define. Public participation is experienced as vague (Alexander, 2008: 58) and elusive (Theron, cited in Davids *et al.*, 2009: 113) and not universally definable due to different meanings ascribed to it (Creighton, 2005: 8; Aregbeshola, Mearns & Donaldson, 2011: 1279). Despite numerous definitions, public participation relates somehow to an open accountable process whereby individuals and groups can exchange views and influence decision-making processes (Alexander, 2008: 58; Department of Provincial and Local Government, 2005; Public Service Commission, 2008: 9). It is viewed as a cornerstone of democracy (Flyvbjerg, 1998: 229; Al-Kodmany, 2000: 220; Stave, 2002: 139; Nzimakwe & Reddy, 2008: 671; Reddy & Sikhakane, 2008: 680; Mafunisa & Xaba, 2008: 455; Burton, 2009: 263; Masango, 2009: 130; Mzimakwe, 2010: 508; Kondlo, 2012: 552) and, therefore, especially important in South Africa (Maphunye & Mafunisa, 2008: 463) due to the country's recent transition to democracy and post-apartheid reconstruction aims (SAITRP, 1996: 2; Mabin & Smit, 1997: 215; Nyalunga, 2006; Tau, 2013: 154).

The Constitution of the Republic of South Africa of 1996 (South Africa, 1996) formally introduced public participation in the country (Tau, 2013: 154) by means of legislation such as the Municipal

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Systems Act 32 of 2000 (South Africa, 2000) and the Municipal Structures Act 117 of 1998 (South Africa, 1998) that promote and support citizen participation in decision-making. However, policies, acts and white papers *per se* cannot create a true culture of public participation (Davids *et al.*, 2009: 132). True participation, according to Chambers (2005), is authentic and empowering and is a process 'generated from within' where ordinary citizens have the opportunity to actively and meaningfully contribute to their own development and well-being (Manzo & Perkins, 2006: 348). This type of empowering participation may remain a challenge in South Africa, especially considering perceptions about public participation.

Reitzes' study (2009: 28) on the impact of democracy on development in South Africa revealed feelings of suspicion towards government as one of the main challenges with regard to public participation. Other studies questioned the legitimacy of public participation, describing it as "rubber stamps" to decisions already made (Reitzes, 2009: 26-28; Aregbeshola *et al.*, 2011: 1285; Cash & Swatuk, 2011: 65). Many of the negative perceptions related to public participation seem to revolve around feelings of distrust towards local governments. This is problematic, because local governments are considered agents of democracy (Theron & Muyonjo, 2002: 493; Basheka & Mubangizi, 2012: 636) as they are closest to the people (Theron & Muyonjo, 2002: 493; Mzimakwe, 2010: 513). Negative feelings about public participation also extend beyond the sphere of government to include distrust among different stakeholders (cf., for example, Cash & Swatuk's study (2001: 71) about the effectiveness of the IDP as participatory model in the Dwars River Valley, Stellenbosch). This lack of faith in the legitimacy of public participation is further exacerbated by Aregbeshola *et al.*'s research (2011: 1285) of public participation in the Gautrain project. This study concluded that public input did not have a noticeable influence on the outcome of decisions in the project. Taking into account that the rationale for public participation is based on

the assumption that, if people (the public) participate in development initiatives (for example, development programmes and spatial planning), these initiatives will be viewed as legitimate and more sustainable (Theron, cited in Davids *et al.*, 2009: 112; Sturzaker, 2011: 567), negative perceptions of public participation (for example, mistrust in the effectiveness of its influence on the outcome) undermine the very process of public participation as legitimate. While it appears that public participation is recognised as important, this does not seem to reflect in its implementation in South Africa (Public Service Commission, 2008: 32).

With the above in mind, continued research on public participation is propagated in South Africa, as emphasised by The Public Service Commission (2008: ii). Several years ago, Williams (2004: 566) argued for processes of examining particular ways in which practices of participation in development play out in concrete situations. Furthermore, scholars such as Maphunye & Mafunisa (2008: 469), Burton (2009: 263) and Mzimakwe (2010: 502) recently expressed the need to measure the impact of public input in participation processes. The rationale for this study is, therefore, embedded in a need to research public participation in terms of the influence people exercise over development in South Africa.

While disciplines such as Public Administration and Management, Environmental Management and Planning (as indicated by an extensive search on South African research data bases) is widely researched in South Africa, it appears that public participation research in planning is more limited. Town planning is, in this instance, suggested as a useful point of departure to research public participation's influence in decision-making, as the context¹ in which planning operates has changed, but planning systems and approaches have, in many instances, remained unchanged, and planning needs to be more inclusive (Watson, 2009: 2260).

2. PUBLIC PARTICIPATION IN TOWN-PLANNING PRACTICE

Investigating public participation from a town-planning perspective may be rewarding as town planning plays a significant role in enhancing democracy (Alexander, 2008: 7) and can address social and economic inequality by means of inclusive planning processes (Cash & Swatuk, 2011: 55). Davids *et al.*'s (2009: 110) suggestion for a "micro-level" approach as the starting point to understand the context in which development takes place (Kotze & Kotze, 2008: 76-99) is perhaps appropriate, in this instance, as this approach implies a need to assess the relationship between change agents and beneficiaries of development. Planning, viewed as an instrument to implement government's people-centred approach² in settlement-making in South Africa (South African Presidency, n.a.: 2; CSIR, 2005: 1), is considered an important change agent.

From a communicative planning perspective – the theoretical basis of this study – researching public participation should start on the municipal (local) level (Fischler, 2000: 358). In addition, local governments hold the primary decision-making power in most countries (and in most instances in South Africa) on land use and development planning (Wilhelm-Rechmann & Cowling, 2013: 2). The Integrated Development Plan (IDP) is probably the most important instrument to date on municipal level to promote government's people-centred approach, and implements more inclusive participatory approaches to the planning of settlements. However, the IDP has hardly any influence on the socio-spatial landscape, due to the socio-economic framework within which it operates (Cash & Swatuk, 2011: 73). The institutionalised structures (planning systems) on local level that regulate development and land uses are, in this instance, suggested as a focus to investigate the influence people exercise over development, as day-to-day practices of planning are shaped within these micro-contexts.

Public participation embraces a vast array of levels and ways to participate

1 Context here refers to: (i) the theoretical context in which planning is shaped (participatory approaches existed for decades, since the social disruption of the 1960s and communicative planning theory was already the emerging paradigm in planning (Fainstein, 2003: 176) by the end of Apartheid in South Africa); (ii) the legislative context that shaped the context in which development takes place.

2 An approach that is not solely defined in economic terms, but takes cognisance of the quality of life of communities and emphasises voluntary grassroots movements (Van Vlaenderen, 2001: 91).

on local level (Nkuna, 2007: 232), as illustrated by Arnstein (1967: 217), Ababio (2007: 273), Fiskaa (2005: 162), Brynard, cited in Nzimakwe & Reddy (2008: 670) and Tau (2013: 156). Consultative participation,³ widely implemented in planning by having hearings, lodging objections and appeals as examples (Alexander, 2008: 59), is the point of departure in South Africa for participation (Watt, Higgins & Kendrick, 2000: 121; Davids *et al.*, 2009: 12). However, consultation does not necessarily relate to participation, as it does not equal direct control of, or access to resources by communities (Mafunisa & Xaba, 2008: 459). Albeit various obligations for consultation in land-use and development planning, power in decision-making resides mainly with locally elected officials (Wilhelm-Rechmann & Cowling, 2013: 2). Therefore, this study focuses particularly on consultative practices of public participation, as facilitated by localised planning systems such as applications for land development and land uses. With the negative perception of public participation and its seemingly limited influence (referred to earlier) on development in South Africa as background, this study aims to investigate the influence of public participation in town planning by analysing town-planning application procedures up to the first level of decision-making.

While public participation is a national concern, this study investigates public participation in the North-West province. According to a study conducted by the Human Sciences Research Council (HSRC) in 2000 (Roefs, Rule, Xuza & Dichaba, 2001), a large percentage of people (55.8%) considered public participation in the North-West province as having no influence on political decision-making. The legitimacy of public participation in development, as regulated by town planning, is an important future goal for development initiatives to be sustainable in the long term in the province, especially because economic growth and an increase in development is anticipated. North-West, together with Gauteng and Mpumalanga, grew collectively at 26% between the last two censuses (2001

and 2011), while other provinces grew at 6% (Statistics SA, cited in Lehohla, 2012). This positive investment climate creates opportunities for increased public participation and influence over development.

Tlokwe Local Municipality, a medium-sized municipality in the North-West province, was chosen as a case study for this research for two reasons: Tlokwe is one of only three municipalities (the others being Klerksdorp and Rustenburg) that has been identified as an "authorised local authority"⁴ in terms of the Town Planning and Townships Ordinance (South Africa, 1986), and Tlokwe is regarded as more "controversial" in terms of public participation than other municipalities in the province, as most objections to proposed developments and Township Board's hearings involve Tlokwe cases (Member of the Development Tribunal, 2013; Member of the Townships Board, 2013).

As the study takes a micro-empirical view on town-planning applications in a specific time period (1992-2008) in one local municipality (Tlokwe) and only considers public participation to the first level of decision-making (Land Use Committee and Development Tribunal decision-making), the results cannot claim to be representative of public participation in planning in other municipalities in the North-West province, or elsewhere in South Africa. However, the results may be a useful step towards measuring and assessing public participation in day-to-day town-planning processes (Healey, 1992a) in terms of the influence people exercise over development in a local context, where public participation seems to be a controversial issue.

Because public participation depends a great deal on the context in which it is referred to (Mafunisa & Xaba, 2008: 454), this study acknowledges the theoretical context in which town-planning practice is shaped. For some scholars (Bryson & Crosby, 1992: 16), the communicative approach offers a possible way forward in the democratisation of planning to create a more shared power-oriented planning process. For others, such as Healey (1997), it embodies a move away from

the utopian and aesthetic roots of the physical planning tradition in planning towards the practical management of social, economic and environmental dynamics in planning. In addition, the theory links social contexts with the physical contexts on a practice level to form a bridge between sustainable urban development and people's everyday life derived from these physical contexts (Healey, 1998: 4). While a comprehensive overview of the communicative theory falls beyond the scope of this study, aspects relevant to this particular study are discussed in order to orientate the reader.

3. COMMUNICATIVE PLANNING THEORY: THE EMPEROR'S NEW CLOTHES?

Traditionally, South Africa did not have a culture of actively engaging communities in development (Van Rooyen, 2003: 126), because it was influenced by top-down bureaucratic British colonial ideals (Mabin & Smit, 1997: 195) and Anglo-American (Western) modernist planning (Mabin & Smit, 1997: 202). However, South Africa was not left untouched by international developments related to democracy (SAITRP, 1996: 1) and came to experience its civil unrest phase only a decade later (Mabin & Smit, 1997: 209), followed by increased pressure from civic organisations across the country that continued through the 1980s (Mabin & Smit, 1997: 213). In 1990, F.W. de Klerk, the then president, launched the country into a transition towards political democracy by unbanning previously banned civil movements with the intention of starting democratic negotiations, opening planning towards the concept of participation (Mabin & Smit, 1997: 214). Reconstruction through public deliberation became a main agenda of planning (SAITRP, 1996: 2; Mabin & Smit, 1997: 215).

Internationally, the civil rights movement of the 1960s in Europe, Australia and the United States, and the 1970s (Norway) contributed, to a large extent, to cementing participation into planning literature (Arnstein, 1967: 217; Hamdi, 1995: 77; Hillier & Van Looij, 1997: 9; Fiskaa, 2005: 158). The civil unrest of the 1960s proved to be a watershed for the

3 Consultative participation is defined as a two-way flow of information, views and perspectives between policy makers/managers and users/public (Mzimakwe, 2010: 507).

4 Authorised authorities, as stipulated in the Proclamation under the Administrator's Notice No. 40 (1987) in terms of 5 2(1) of the Town Planning and Townships Ordinance (15/1986).

then prominent idea of representative democracy, shifting the concept of the planner as a representative of communities (Davidoff, 1965) to one where the planner engages communities in the planning process, as advanced by participatory democracy (Damer & Hague, 1971: 217; Hauptmann, 2001: 398).

The main channels along which communicative planning theory developed from the 1980s onwards were those carved by Jürgen Habermas's communicative rationality (Forester, 1989; Healey, 1992b), Michel Foucault's critique on Habermas (Flyvbjerg, 1998; Tewdwr-Jones & Allmendinger, 1998; 1977; Fischler, 2000; Huxley, 2000: 369; McGuirk, 2001), and subsequent planning scholars who combined the concepts of both Habermas and Foucault in an attempt to form a theoretical middle way (Healey, 1998; Stein & Harper, 2003; Alexander, 2008).

Habermas's communicative rationality was strongly influenced by deliberative democracy (Hauptmann, 2001: 400). The idea of communication as central to planning only became prominent in the late 1980s (Lauria & Soll, 1996: 78). Instead of a modern instrumental rationality (Innes, 1998: 52), planning was regarded increasingly as a form of storytelling (Mandelbaum, 1991; Throgmorton, 1992; Brigder, 1997; Healey, 1998: 14; Sandercock, 2003: 11; Hampton, 2004: 275; Grant, 2011: 407; Van Hulst, 2012: 300). This shift in focus between rationalities did not, however, mean that planning systems adapted just as eagerly (Sandercock, 2000: 14), thus creating a situation where participation channels split along two ways: formal and informal. Formal institutionalised participation pathways include, for instance, written objections and appeals from the public (Alexander, 2008: 57) and the verbal output of planners and other officials about their knowledge and practice experiences (Fischler, 2000: 358). Informal pathways include lobbying, protests, signing petitions, actions such as an individual chaining him-/herself to a tree, or networking through social media (Hillier, 2000: 34-37; Skinner, 2008: 187). In South Africa, not all of these 'stories' are written down on paper. Unless planners' and the public's words and informal protests

are recorded, the primary way in which their stories are documented are formal ways such as the written objections sent in reaction to advertisements of proposed developments. As such, public participation is promoted as a reactive, rather than proactive dialogue. Asking people to participate in these public processes skips the vital step of getting them to speak to one another and interact in daily life (Cash & Swatuk, 2011: 72).

Since the new millennium, it appears that planning scholars have lost faith in a purely communicative approach to answer questions that arise in planning theory and practice. Increasingly, planning literature offered 'cocktail communicative planning research'⁵ – scholars cross-fertilising communicative planning theory with theories from other disciplines such as ethnography or community psychology (Manzo & Perkins, 2006: 335; Maginn, 2007: 25; Shmueli, Kaufman & Ozawa, 2008: 360; Irazábal, 2009: 116; Van Hulst, 2012: 300). Communicative planning also synchronised with internet-based technology, as is evident from attempts at e-participation and use of social media (Simoff & Maher, 2000: 86; Booher & Innes, 2002: 222; Kingston, 2007: 138; Brabham, 2009: 258; Bugs, Granell, Fonts, Huerta & Painho, 2010: 172; Evans-Cowley & Hollander, 2010: 297; Aström, Granberg & Khakee, 2011: 571; Hollander, 2011: 587; Flyvbjerg, 2012: 170).

From the 2000s onwards, the cracks in communicative planning theory were widely discussed in planning literature. Communicative planning is "not the 'Holy Grail' as some enthusiastic proponents seemed to suggest" (Voogd, 2001: 79). Fischler (2000: 358) and Flyvbjerg (1998: 216) called communicationists naïve. Human difference and diversity is a given in the postmodern city, and the planning profession and literature must find constructive ways to deal with this (Sandercock, 2000: 14). Planning systems seem slow to respond to diversity, especially when considering that the dominant culture's norms and values often form the basis of the existing legislative and policy frameworks of planning (Sandercock, 2000: 15). Even when professing democracy – as is the case for Western legal planning frameworks – democracy

implies a majority rule and, once the majority has spoken, differences in society will disappear or go along with the majority's viewpoint (Sandercock, 2000: 15). Seen from Sandercock's viewpoint, communicative planning has the potential to undermine a strongly functioning and diverse civil society. Habermasian democratic consensus fails in such a case and Flyvbjerg's statement that consensus indicates a weak civil society seems possible (Flyvbjerg, 1998: 229).

In addition, formal participation seems to be ineffective, while enhancing conflict (Alexander, 2008: 57; Beebejaun & Vanderhoven, 2010: 283). Some scholars speculate that the institution wins with institutionalised participation, and not those of the public who participate (Tewdwr-Jones & Allmendinger, 1998: 1987; Mahjabeen, Shrestha & Dee, 2009: 46). In South Africa, research indicates that institutionalised participation is not effective, as it does not cater for the community's requirements (Human, Marais & Botes, 2009: 1). Winkler (2011: 258) concludes that, if no political will exists to include the public's rights into the planning process, the "transformative potential of active citizenship may remain unrealized". Public participation alone cannot lead to democracy and must be used as a basis for re-envisioning the state in order to achieve democracy (McBride, 2000: 507).

The applicability of communicative planning theory in South Africa still needs to be thoroughly asserted. Watson (2002: 28) concludes that southern African planners have to operate within specific contexts, which differ from the context in which communicative planning theory was developed. Communicative planning's acceptance of diversity and openness may be applicable in sub-Saharan African cities where the urban population is usually all but homogeneous, and where violence and suppression are common (Watson, 2002: 42). However, communicative planning has an integral faith in the value of civil society in achieving democracy. The theory does not necessarily consider that cities, in which AIDS, war, poverty, economic collapse and poorly skilled governments are present (Watson, 2002: 46), may not

5 Though not referred to in planning literature as such, the authors coined the term 'cocktail communicative planning research' to illustrate the increasing mixing of theories from other disciplines in communicative planning literature.

live up to the expectation of the basic assumptions of the theory. In many sub-Saharan African cities, civil society is highly dysfunctional and, where social networks do exist, it is usually fluid in nature, due to high levels of mobility, and it is mostly focused on survival (Watson, 2002: 43). If a weak political will to commit to public participation in planning exists (Winkler, 2011: 258), and if the levels of trust between participating parties are not increased (Van Rooyen, 2003: 141), South Africa may turn out to be an example where apparent participation consensus or hardly any conflict in urban planning indicates a weak democratic civil society (Flyvbjerg, 1998: 229). In this regard, Watson (2009: 2272) calls for the integration of different voices in planning as the way forward. Perhaps the 'magic cloak' worn by the communicative theory that embraced the idea of society as more or less homogeneous and seeking consensus has remained the 'emperor's clothes' for too long. For a country in the process of rebuilding its nation, giving people a voice in planning is a vital step, but only a starting point towards participation as active, meaningful and empowering.

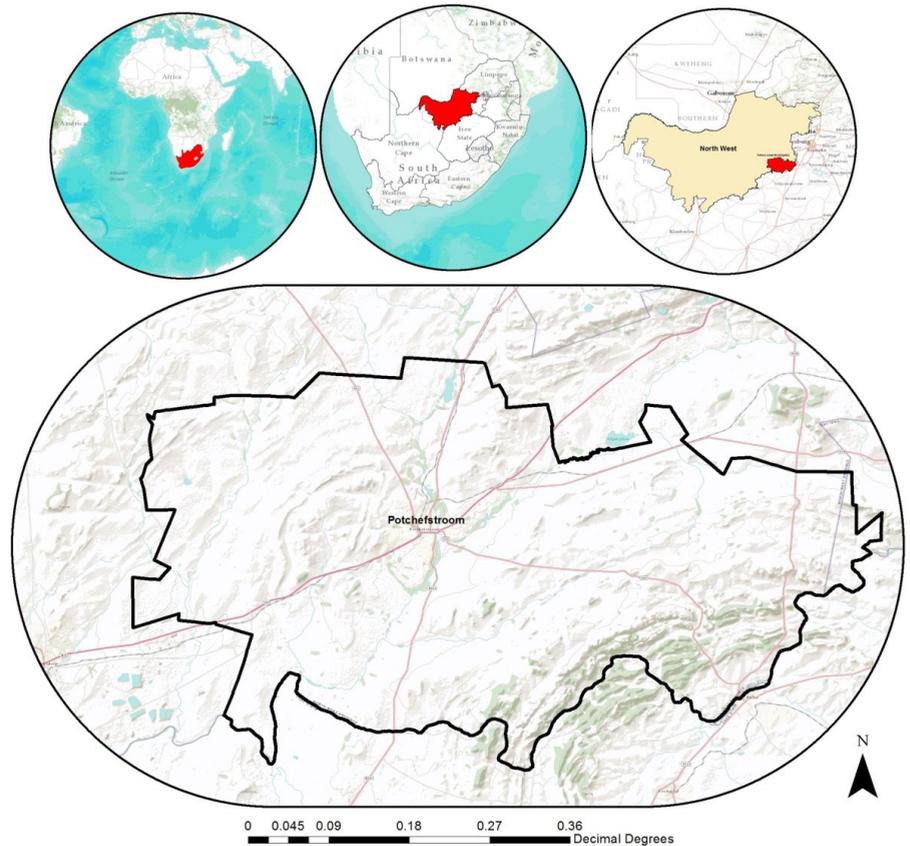


Figure 1: Location of Tlokwe Local Municipality
Source: Compiled by T.A. Goosen

4. RESEARCH SETTING

Tlokwe Local Municipality, situated in the North-West province, South Africa (Figure 1) is located along a major development corridor (the N12 Treasure Corridor) and identified as a provincial growth point, according to the North-West Spatial Development Framework (North West Provincial Government, 2005). High potential economic growth is anticipated by the Tlokwe Local Municipality Draft Integrated Development Plan 2012-2013 (Tlokwe Local Municipality, 2012) and the Potchefstroom Spatial Development Framework (Tlokwe Local Municipality, 2010). The favourable conditions for investment are especially popular in terms of residential housing development due to continuous expansion of the North-West University in Tlokwe.

In addition to an increase in development, informal ways of participation have started to become a regular notion in social media. This voice of the public is more than ever expressed, for example, in local newspapers. One recent example is that of a proposed demolition of the historical Piet Malan residence, in order

to make way for a 420-unit residential apartment building. A total of 308 objections (35 individual objections and 273 petition-based objections) were formally lodged with the local municipality. The public's outcry against the proposed development was also made public in two local newspapers (Anon, 2011: 1; Botha, 2011a: 12; Botha, 2011b: 24), broadcast over television (Reynholds, 2013), and expressed in a dedicated Facebook page. These informal channels, along which public opinion regarding the proposed development was expressed, provide a provocative example of community dissent within the municipal boundaries, as an attempt to influence planning decisions outside the formal channels. Although this 'story' of participation is not the focus of this paper, it was confirmed through interviews with key informants (members of authoritative bodies, for example the Development Tribunal, Land Use Committee and the Township Board who all have power to influence decision-making on development in the study area) that Tlokwe municipality is more prone to reaction towards development than other local municipalities in the province.

5. RESEARCH DESIGN

A quantitative design in this study was considered suitable to determine the influence of public participation on decision-making in town planning, because it creates objective, deductive and generalisable data and results (Neuman, 2011: 166) that may, in this instance, provide a useful platform for further research about public participation. The study was expected to produce counts of key categories and measurements of variables, which further suggest a quantitative analysis (Neundorf, 2002: 14) as more appropriate. A descriptive design was used, as suggested by Ross (1999). A descriptive study may be used to develop theory, justify current practice, make judgements, identify what others in similar situations may be doing, and identify problems with current practice.

5.1 Research approach

A case study approach was deemed appropriate, as the study aims to investigate what can be considered a significant issue in town planning (in this instance, the issue of public participation) within a limited and

Table 1: Number of applications included in the study

Year	Municipal: Tlokwe Local Municipality	Provincial: Department of Developmental Local Government and Housing	Total
1992-1993	-	31	31
1997-1998	62	63	125
2002-2003	109	59	168
2007-2008	156	84	240
Total	327	237	564

Source: Compiled by T.A. Goosen

focused setting (Rule & John, 2011: 6). Furthermore, the case study was used in an instrumental way, because the issue investigated is most prominent, while the case (Tlokwe municipality as research setting) was chosen as an instrument to examine this particular issue (Rule & John, 2011: 9). While case studies are normally used in a qualitative way, it is in this instance used in a quantitative way, because it seeks to test existing theory and/or statements with regard to public participation. It is, therefore, analytically rather than statistically generalisable (Yin, 2003: 10).

5.2 Data collection

The available data to research public participation in town-planning applications, as in this instance, is bounded in nature. It is important to note that, at the current position of town planning in South Africa, verbal utterances or public participation actions through informal channels are not officially documented. Written information (such as intra-municipal communication and formal public objections) is stored in project files and, therefore, represents the only recorded data of a participation procedure when researching those procedures 'retroactively'. In this instance, the key sources of information are, therefore, archival documents as the unit of analysis.

Permission was obtained from the relevant municipal and provincial departments to collect data from archival records where development applications have been kept on record since 1983. Because the use of bureaucratic data in research is criticised by authors such as Gomm (2004: 196) and Tzavidis (2011: 1), all data for this study were captured from the original files of development applications in order to develop insight into the context of the data.

5.3 Sampling

Systematic sampling was used to select town-planning applications from the provincial and municipal archival records. The applications investigated provide an overview of participation trends over a 15 year cycle in Tlokwe Local Municipality and represent both the period prior to and after democratisation. The samplings covered 564 applications in total and include applications for business rights, various types of applications completed through the Development Facilitation Act applications, division of agricultural land, excision, public resort, removal of restrictive title conditions, township establishment, consent use, consolidation of erven, rezoning, and subdivision of erven (Table 1).

Table 1 indicates the chosen sampling frame. Documents analysed included all documents pertaining to the application, consisting of the application itself, internal and external commentary, objections, and the final decision.

5.4 Data analysis

Applications were analysed using both a deductive and an inductive content (Cole, 1988: 54; Neundorf, 2002: 11; Harwood & Garry, 2003: 482; Elo & Kyngäs, 2008: 109). The deductive method is used when the structure of analysis is put into operation on the basis of previous knowledge and the purpose of the study is theory testing (Kyngäs & Vanhanen, 1999: 109). An approach based on inductive data that moves from the specific to the general was used, in this instance, to observe and then to combine particular instances into a larger whole or general statement (Chinn & Kramer, 1999: 125).

The deductive coding system was based on the structure of the planning applications, as specified by the

municipal and provincial authorities, and formed the main headings of the tabular form in which the data was captured (such as application type, relevant planning legislation, date, objections, and final decisions by municipal or provincial authorities). The content of public objections and the final decision were inductively analysed, using open coding to accommodate the widest range of scenarios (Burnard, 1991: 463; Dey, 1993: 97).

The most common means of summarising data is by observing the frequencies among them (United States Government Accountability Office, 1989: 43). After coding, the data was summarised in tabular form to display frequencies. A cross-tabulation of variables was used to indicate the co-occurrence of variables.

6. RESULTS

Although the focus of the analysis is on public participation, commentary from various internal and external stakeholders was considered, in certain statistical analyses, to contextualise participation within a wider scope. Results are presented in three sections, namely an overview of the participation trends for the period 1992 to 2008; the nature of public participation for various types of applications, and the influence of public participation on decision-making.

6.1 Broad participatory trends

Participation in town-planning applications consists of the participation in four spheres, namely internal commentary; external commentary; public objections, and appeals (the latter falls beyond the scope of this paper). Internal commentary refers to all comments from other branches within the municipality/provincial department, while external commentary refers to government departments, municipalities and state agencies outside the particular municipality/provincial department. Public participation, in this instance, is viewed in terms of formal objections against applications.

Figure 2 shows that total participation rose non-linearly between 1992 and 2008. Fluctuations are visible in internal and external commentary, as well as in the number of objections received. In general, external commentary contributed, to a large extent, to the participation trend. We shall not

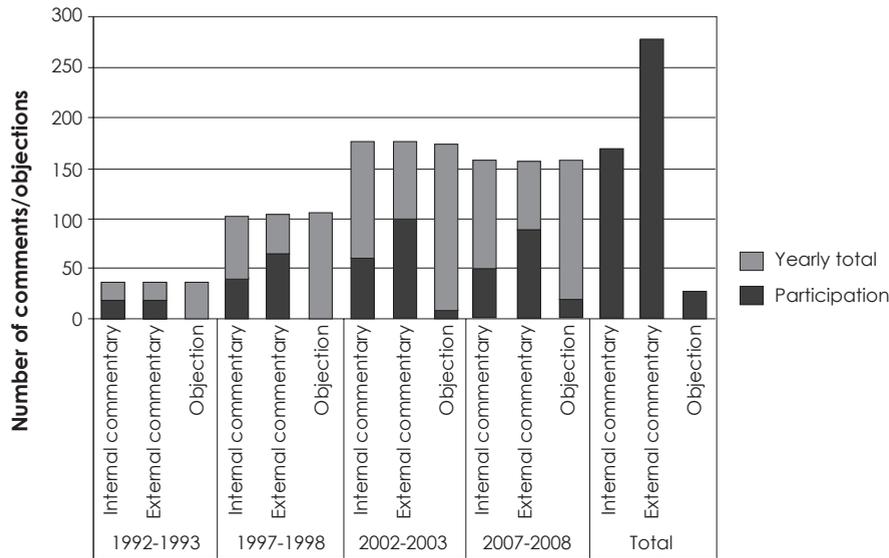


Figure 2: Growth trends of participation in town-planning applications
Source: Compiled by T.A. Goosen

elaborate on this topic, as it is not the purpose of this paper to explain the fluctuations in participation trends. It is important that the participation trends point towards increasing public participation over time.

6.2 Public participation per application type

Not all types of applications require participation from the public, for example applications for subdivision of land (within the municipal boundaries) and consolidations of erven do not require site notices or newspaper advertisements. In the Tlokwe Local Municipality, nine out of the eleven types of applications and thus 82% of all applications require (and therefore support) public participation (see Figure 3).

It is interesting to note the percentage of participation from the different spheres: external commentary composed 58% of all comments/

objections received on all applications in the mentioned period; internal commentary composed 36%, while public objections formed a mere 6% of this total.

In Table 2, the data show that, between 1992 and 2008, business rights applications received the most internal commentary, followed by rezonings, especially for "Residential 3". The most external commentary was found in the cases of business rights, followed by division of agricultural land and then rezonings (also mostly for "Residential 3"). The only types of applications that received objections from the public were rezonings (mostly for "Residential 3") and consent use applications. In total, business rights, division of agricultural land and rezonings received the most commentary and objections, with rezonings to "Residential 3" raising the most commentary and objections above other types of applications.

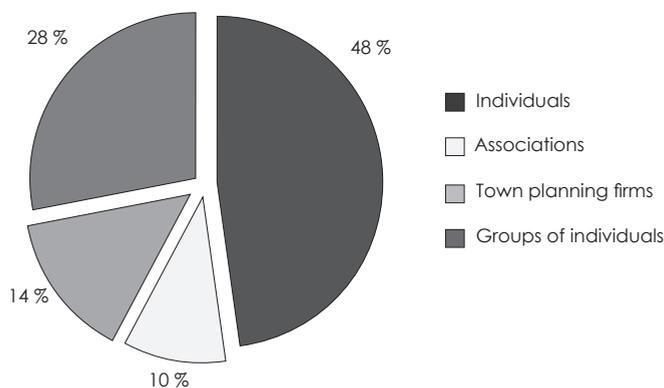


Figure 3: Profile of objectors
Source: Compiled by T.A. Goosen

Densification (as is associated with "Residential 3" type zoning), especially in the area of the North-West University (known as The Bult), has remained controversial over the past decade, as most of these applications involve the development of student housing. Furthermore, higher densities in many instances involve demolition of historic residences older than sixty years and thus protected in terms of the National Heritage Resource Act (South Africa, 1999). The fact that The Bult, as one of the oldest neighbourhoods in the city, has experienced radical transformation in terms of its character, use and density were also protested by means of social media (the Piet Malan residence, referred to earlier).

6.3 Profile of objectors

Regarding their profile (Figure 4), the majority of the objectors were individuals (48%) and groups of individuals (28%), while other objectors included town-planning firms on behalf of individuals (14%) and non-governmental associations (10%) such as the Potchefstroom Guest House Association. Individuals and groups of individuals were spatially located in the immediate vicinity of the application, for example neighbouring property owners. Town-planning firms that objected were always on behalf of neighbouring residents or owners of properties with the same land use, for instance student-housing property owners or office property owners. Non-governmental associations objected in the area of their expertise; homeowners associations objected, because the application was in the physical vicinity of their properties. Guest-house associations objected when the proposed development presented direct competition, as in the case of another guest house.

Objections from individuals and town-planning firms remained constant between the 2002 and 2003 and between 2007 and 2008 (Figure 5). By contrast, the number of groups of individuals and associations increased between these two periods.

Objections were analysed and revolved mainly around four themes. Environmentally based objections included arguments that a proposed development would create increased noise, increased levels of pollution, and obstruction of view. Economic reasons were based on the decrease in value of neighbouring properties, competition

Table 2: Number of objections per application type

Number of objections per application type	1992-1993			1997-1998			2002-2003			2007-2008			Total		
	Internal commentary	External commentary	Objection												
Business rights	7	19	0	14	44	0	5	21	0	6	20	0	32	104	0
Land development area in terms of DFA:	0	0	0	0	0	0	0	0	0	7	19	0	7	19	0
DFA: Township establishment	0	0	0	0	0	0	0	0	0	4	11	0	4	11	0
DFA: Rezoning	0	0	0	0	0	0	0	0	0	3	8	0	3	8	0
DFA: Removal of restrictive title conditions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Division of agricultural land	2	0	0	8	6	0	10	36	0	2	14	0	22	58	0
Excision	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public resorts	6	2	0	8	8	0	8	13	0	0	0	0	22	23	0
Removal of restrictive title conditions	0	0	0	2	1	0	0	2	0	0	1	0	2	4	0
Township establishment	0	0	0	4	5	0	1	2	0	0	2	0	5	9	0
Consent use	0	0	0	5	0	0	3	0	2	3	0	0	11	0	2
Consolidations	0	0	0	0	0	0	0	4	0	0	0	0	0	4	0
Rezoning	0	0	0	0	0	0	35	20	11	31	18	16	66	38	27
Business 4	0	0	0	0	0	0	1	1	0	2	2	3	3	3	3
Residential 1	0	0	0	0	0	0	0	0	1	0	0	1	0	0	2
Residential 2	0	0	0	0	0	0	7	2	1	4	3	1	11	5	2
Residential 3	0	0	0	0	0	0	18	12	8	16	9	5	34	21	13
Residential 4	0	0	0	0	0	0	2	0	0	2	1	1	4	1	1
Special	0	0	0	0	0	0	5	3	1	5	2	4	10	5	5
Other	0	0	0	0	0	0	2	2	0	2	1	1	4	3	1
Subdivision of erven	0	0	0	0	0	0	2	3	0	1	17	0	3	20	0
Total	15	21	0	41	64	0	64	101	13	50	91	16	170	279	29

Source: Compiled by T.A. Goosen

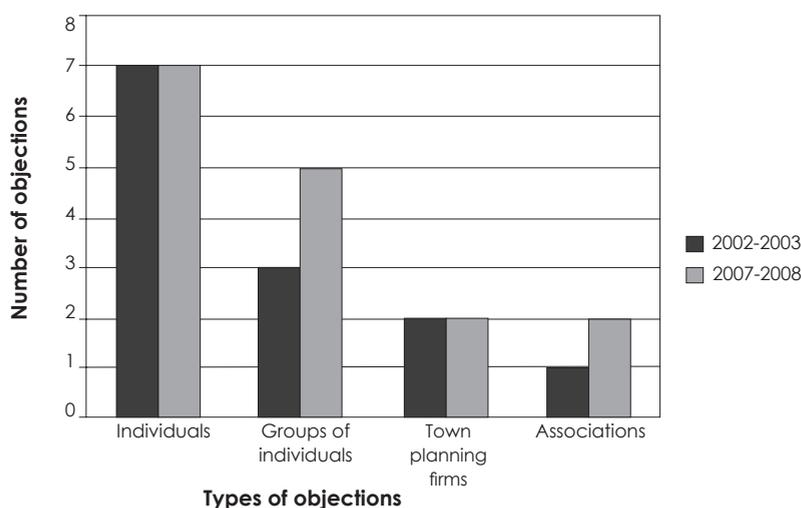


Figure 4: Profile of objectors over time

Source: Compiled by T.A. Goosen

and non-feasibility of the proposed land use. Technically related objections often referred to lack of sufficient parking and services, as well as an increase in traffic volume in the area. Social reasons for objecting included an expected increase in crime in the area, segregation of the community, and the possible creation of social defects such as alcoholism. Finally, other reasons given for objecting to the proposed developments were that the latter were not aligned with the relevant legislation, nor did they reflect the spatial trends in the specific context.

Economic reasons were most prevalent as reason for objecting, with the exception of associations (Figure 6), that are more civilly oriented bodies than economically driven institutions. Environmental reasons were also popular motivations for objections for all types of objectors. Groups of individuals and town-planning firms were quite adept at motivating objections based on social reasons. An obvious discrepancy exists between the number and variety of reasons given to object between the town-planning firms and associations: not only did town-planning firms object more than associations, but they also used a greater variety of objections than any other objector type, especially associations. This may be attributed to the voluntary and non-economic driven nature of associations as well as to the professional knowledge available to town planners with regard to town-planning applications that is not necessarily available for the other objector types.

6.4 Influence of participation

The inductive data analysis indicated that, although only 5% of all applications received objections from the public, public input was the most prominent in influencing the outcome of applications. Of all the objections received from the public, 81% influenced the outcome of the applications in the sense that the final disapproving decision was based on the grounds set out in the public objections.

Follow-up interviews with key informants of the Development Tribunal (2013) and Land Committee (2013) confirmed that the role of public participation is an important consideration for the final decision, if objections are well motivated (based on facts and not emotions). The interviewees further

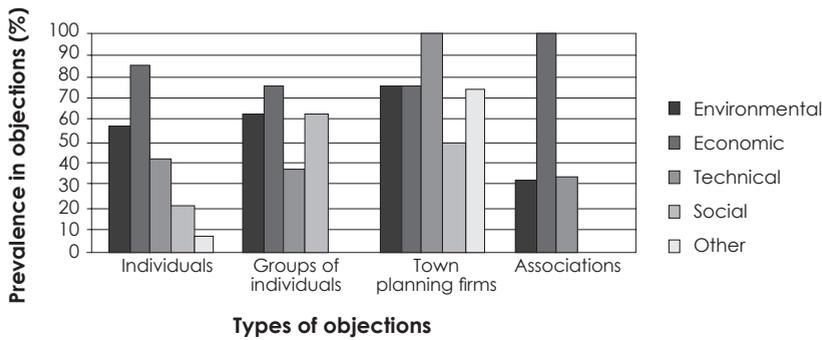


Figure 5: Objections per objector type
Source: Compiled by T.A. Goosen

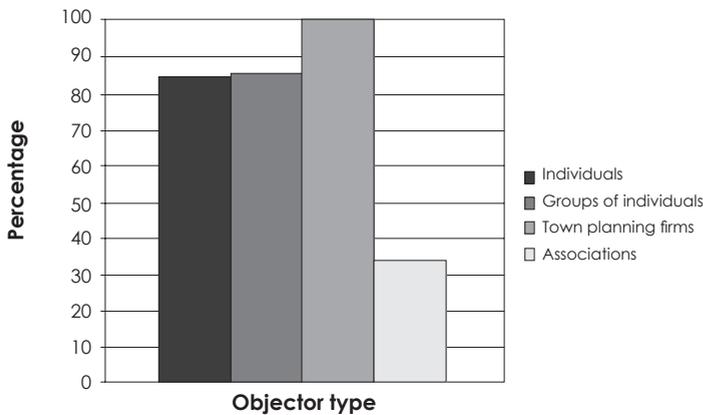


Figure 6: Objectors that influenced outcome of decision
Source: Compiled by T.A. Goosen

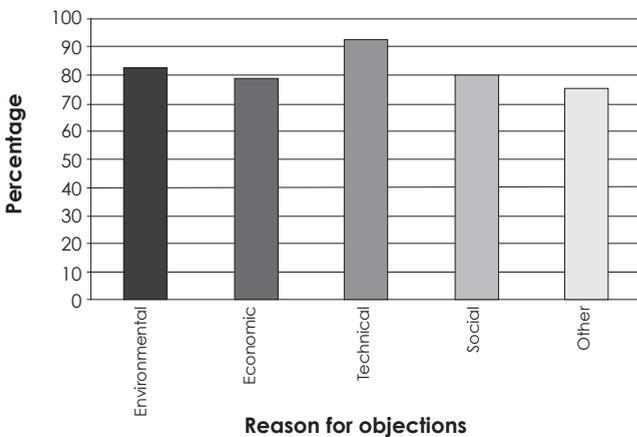


Figure 7: Reasons that influenced outcome of decision
Source: Compiled by T.A. Goosen

emphasised that the Land Committee and Development Tribunal both aim to find a balance between the applicants and objectors and instances where approval is granted despite objections, fears expressed in objections being incorporated in the conditions of approval. This, therefore, seems to indicate that public participation in

the cases included in the research was able to influence the outcome of planning decisions.

However, further scrutiny of the data indicates that those objectors who proved to be the most successful in influencing the final decision on a town-planning application were the

town planners acting on behalf of other clients, followed by individuals and groups of individuals. Associations seem to have had the least influence on decision-making in town planning (Figure 6).

In terms of reasons that swayed the outcome of a planning application, technical reasons proved to be the most effective (Figure 7), followed by environmental reasons, social reasons, economic reasons and lastly, other reasons.

7. DISCUSSION

Study results indicate that public participation positively influenced decision-making in town-planning applications during the period 1992-2008. The interface between local government and citizens seems to present general consensus with regard to town-planning decisions on land development and land uses in Tlokwe Local Municipality. However, consensus or hardly any conflict in planning is criticised in literature. Scholars such as Flyvbjerg (1998: 229) and Sandercock (2000: 15) warned against consensus as a sign of a weak civil society, as different voices disappear in the 'majority rules' principle of democracy. Watson's (2009: 2272) call for the recognition of "different voices" within civil society, which represent what may be valid and valuable points of view, is suggested as vitally important in a country such as South Africa, where planning and development interventions in the past have often been imposed in a top-down manner. Giving the public a voice in town-planning procedures, as indicated in this case study, is perhaps only a starting point towards more inclusive planning practices.

A breakdown of the analysis of the influence of public participation in this study reveals that the actual contribution of civil society⁶ is limited to only 29 instances (formal objections) out of 478 objections (6%) in a period of sixteen years (mostly after democratisation). Simultaneously, internal departments contributed 36% and external departments 58% of the participation (by means of commentary). Taking into account that civil society is integral in democracy (Reddy & Shikane, 2008: 681), no or

⁶ Civil society is referred to as organisations separate from legislative and judicial power of state to include labour unions, religious groups, cultural and educational associations, sport clubs, student groups, political parties and ethnic groups (Maphunye & Mafunisa, 2008: 469).

limited participation by civil society in town planning may be problematic. While limited participation by civil society does not necessarily mention something *per se* about participation in terms of, for example, its effectiveness, success or satisfaction, one of the major reasons for citizens' reluctance to engage, according to Martin (cited in Bovaird & Löffler 2004: 199), is widespread scepticism about whether governments and public service providers are willing to respond to public opinion. Mirrored against the bigger picture of negative perceptions of public participation in South Africa (referred to elsewhere), and questions with regard to its legitimacy, Williams's (2009: 566) explanation of limited participation as a form of passive resistance to the 'tyranny of participation' (Cooke & Kothari, 2001) may offer a valuable point to consider.

It is also interesting to note that, while participation by civil society increased over time in this study, it had the least influence in swaying decision in town-planning applications, as internal and external departments had a far more significant influence. Secondly, in instances where civil society did influence the outcome, town-planning firms were the main objectors who managed to influence the outcome. This raises questions as to the balance of power between those who have technical knowledge (or access to it) to influence decisions as opposed to the influence of lay persons. This is confirmed by interviews with members of decision-making bodies such as the Development Tribunal and Land Committee who stated that, when it comes to objections, well-motivated objections (referred to, in this instance, as based on factual and/or technical aspects) and not those emotional in nature are considered, as decision-makers have to differentiate between facts and opinions. This is also supported by the fact that technical reasons have the greatest chance to influence decisions.

A further question may be raised as to how effective participation is when based on a consultative foundation, as consultation does not necessarily translate into participation (Mafunisa & Xaba, 2008: 459). Merely taking part passively in externally designed and managed activities does not in itself represent participation (Mzimakwe, 2010: 502). In most municipalities, participation seems to be incorporated

mainly for the sake of compliance with procedural guidelines, without deep and intense involvement on the part of the community (Mafunisa & Xaba, 2008: 457). A key person who influences decisions stated that he relies on the "scientific nature of the legislative procedures in town planning to guide public participation". It is appropriate to consider that one of the criteria for effective democratic participation is that democracy can only come into being when ordinary men and women, young and old, are afforded an opportunity to actively and meaningfully contribute to their own development and well-being (Ababio, 2007: 615). For this type of democracy to exist, the public must at least be actively involved in government (Nzimakwe & Reddy, 2008: 671; Vyas-Doorgapersad & Muller, 2006: 343). In town-planning applications, public participation is conducted reactively. People are asked to participate by reacting towards development proposals, regarding which the final decision resides with the local authority.

It is suggested that public participation should be a two-way process, usually with more scope for influencing the agenda than consultation. In genuine participation, power is shared between the public authority and the participating citizens (Mzimakwe, 2010: 503). True participation is, therefore, more than giving the public a voice. It is rather "educative and engenders negotiation" (Aregbeshola *et al.*, 2011: 1281) by "developing skills and abilities so that they can negotiate with the development delivery system and can make own decisions in terms of own needs and priorities" (Nzimakwe & Reddy, 2008: 67). Therefore, deepening democracy calls for more than merely invitations to participate. It calls for a "step-by-step process of radical reform and social learning in all domains of public action" (Friedmann 1987: 407). This type of participation implies more than asking people to participate in public processes, because it does not get people to speak to one another (Cash & Swatuk, 2011: 72). Acknowledging the public's opinion perhaps underestimates the true meaning and value of people-centred development.

8. CONCLUSION

This article shows that, although public participation is especially important in the new democratic South Africa, negative perceptions of its legitimacy are widely acknowledged. As an instrument to address social and economic inequality through inclusive planning processes in South Africa, town planning is an important agent for change and has a significant role in enhancing democracy. However, policies and legislations, as well as the communicative planning theory as theoretical context, although conducive for giving the public a voice in planning practice, cannot create a culture of participation *per se*, as it does not allow for different voices to be heard. The concrete day-to-day micro- and local context, in which town planning is shaped, namely decisions on land development and land uses, provides a first step to measure the impact of public participation in planning procedures. In Tlokwe Local Municipality, an authorised local authority in the North-West province, an analysis of town-planning applications over a sixteen-year period (1992-2008) reveals how public participation influenced decision-making. However, decisions are mostly swayed by internal and external departments in government while, in terms of the public, objections from town planners and technically based reasons are most prominent in influencing decisions. Furthermore, participation, especially by civil society, is extremely limited and, due to the consultative nature of participation in town-planning applications, does not create opportunities for active involvement and is not transformative in nature. Public participation's widespread appeal in planning and idealistic "feel good" mask do not always live up to the expectations of an empowered civil society engaged in the socio-political systems, as enshrined in the Constitution – at least not in micro-planning practices of town-planning applications in Tlokwe Municipality. Results presented in this instance constitute only a step towards changing negative perceptions of the public as not having any input in development.

Although it is suggested that micro-level planning processes ultimately have to be changed towards more proactive inclusive two-way processes in which mutual learning and empowerment can take place, more research on

the influence of public participation in town planning is needed in other local contexts before policy implications can be discussed. Research about why people participate or not, how they experience participation in day-to-day planning practice, as well as the appropriateness of methods and tools used to conduct participation in planning may provide insight into this important topic and is thus suggested for future research.

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