

The Importance Of The Urban Land Policy For Sustainable Development, Problems And Solution Recommendations

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SUMMARY

In recent years, the globalization process which has been started with the parallel of social, economic and technological development in the world and Turkey has caused to begin a rapid urban change and transformation process. Although the process experienced has some positive returns, it has led to emerge the urban which is unplanned, lack of infrastructure and has unhealthy urban environment because of wrong or inadequate land policies applications. With recognizing of negative improvement such as insufficiency to meet the people's needs, living urban, the concept of "sustainability" in international platforms has been declared and has begun to be investigated. If negative interaction between changing urban life style and shortage of natural resources are supposed to be a major threat for "urban sustainability", the issue can be recognized as a task of interdisciplinary professionals.

In this study, it will be dealt with the importance of the effective use of a limited land for sustainable urban life with the parallel of right policies; politicians, decision makers and planners to fight fire, and the representative of the administrative unit in order to increase interest in the implementation of programs should be developed, particularly children and young people, including the target mass media, educational institutions and non-governmental organizations, institutions and organizations such as the protection of the natural environment through the efficient use of space awareness and should improve the planning and decision-making process for the participation of local people and civil society organizations should make an effort to the results achieved.

1. INTRODUCTION

Soil is a limited natural source that can not be produced. It has a vital importance as a tool for urban development and its ergonomic use is an important problem in every countries of today's world (Erkan, 2009). On the one hand, responsible administrations provides urban population's request for building plots which's technical infrastructure is created and ready for structuring, on the other hand they will first diverge to urban area reserves to realize inclination of directing city's "urbanism movements"; they will want to make rural areas subject to planning studies and open them for urban use. In here, rural areas are seen as "potential areas" for urban settlement by administrations and it has been subjected to "urban transformation of rural areas" when necessary (Celik, 2007; Keles, 2002). Urban movements are always disadvantageous for rural areas. But it should be known that; rural areas, is a part which is responsible for fulfilling increasing agricultural and animal needs of the society and it should not be restricted unless really necessary.

For this reason, both administrators and practitioners importantly emphasise that; within the concept of sustainability of urban areas;

- natural resources and livable environment and ecological conditions should be saved,
- local administrations should develop efficient and applicable rural land policies by support of centralized management,
- Usable land and areas should be planned by optimal efficiency and should be subject to applications.
- Remission of construction related actions should not be allowed.
- Inspection by "control units" should be provided all around the countries by the support of legal arrangements.

Because developing methods and strategies for producing of urban areas with infrastructures will be authority and responsibility of related managements. It will be proper to solve problems not alone (centralized management and local governing units) but by users and others actors' attendance because of plenitude of land demands, necessity of finding the most appropriate solution and limited land use.

2. IMPORTANCE OF URBAN LAND POLICIES FOR SUSTAINABLE DEVELOPMENT

a. Sustainability and Sustainable Urbanisation

Sustainability is a contemporary consideration fact, which has economical and social dimensions as well as its ecological dimensions, based upon balanced use of existing resources; not only appeals to existing users of the environment in the era to provide the most interest, but also protects usage rights of posterities (Demirel, vd. 2008). If we degrade this general concept to land management studies which is defined as "All studies for efficient use of land sources" for applying on areas and lands in urban areas;

Below points should be provided to constitute realistic land management policies and receive positive results;

- centralized management organs (governments) should make general principle decisions and application principles,
- city management should provide cooperation between inter-enterprises.
- Responsible municipality management should make planning and application decisions for coordination of planning and actions.

These decisions should be supported by political organisation without exploiting. Below points should be provided for the application and permanency of a construction problem purified “land use model”;

- a detailed land policy should be adopted by political authorities,
- qualified technical staff is needed for consistent constitution of these policies,
- preparation of, middle, long-termed construction plans for the future of town and realistic urbanisation policies,
- Informing inhabitants about prepared plans and take public’s support, answering the plan change needs of society unless plan decisions are changed.

If we define urbanisation as “increasing number of the cities as a result of industrialisation and economical developments; increasing number of organisations in public structure, division of labor and experting; an increasing of population indigenous to cities and humans behaviours and relations” ; we have to admit that 90% field of occupation of the responsible city management is about land and area use, structuring and urban planning, and there is a need for principled “urban area policy” and application.

b. Urban Area Policies, Importance and its necessity for our country

First examples of borning and application of “urban policy” is emerged in USA; and increasingly in developed west countries, they have created the application area of this “new social organism”. In these countries, planning of land and areas with principle of sustainability, have not only provided producing of important service projects and a public policy transformation which is inspected by state, but also it has helped construction plans to take their place as a public intervention device. In this regard, urban policies developed upon urban areas; has an important role on access to common purposes and finding solutions for problems and creating the unity of “thoughts, targets, strategies” for providing a healthy permanence of urban life and providing harmony, unity and orientation within various public interventions.

Another step for sustainable urbanisation is Environment and Development Conference which is organised by UN in Rio de Janerio in 1992. “Order21” document which is accepted as a result of summit, is of a great importance for sustainable urbanisation. In the seventh chapter of Order 21 document which is named as “ Support of Development of Sustainable Human Settlements”,developing the social, economical and environmental quality of human settlements is aimed and some programs are determined according to this aim. These programs which are examined under the titles of enough sheltering for everyone, development of human settlement managements, providing enviromental infrastructure, sustainable energy and transportation services, settlement planning in the places which encountered with disasters, creating capacity for human developments are the targets of sustainable urbanisation (Keles, 2002).

There is a great change and transformation in middle and big sized cities in Turkey, especially in regards to recently developed regulations. But it is also a truth that these are not sourced from urban land policies for sustainable development but just directions which solve today's problems. For this reason, it is needed to developed the point of view about Turkish urban concept and expectations, and actualization of general public area in regards to public policies but in fact construction activities. Because usable lands are of small percentages in existing continents and the percentage decrease because of cutting forests, erosion,etc and wrong usage. In this situation making an inventory of existing lands, providing usage of them with planned usage and under the control of a programme and preventing extravagancy is of a great importance. Land and area policies; can only be applied if adopted by state multidirectionally, with a policy which is consistent within itself (Karakurt, 2009).

As the urban population grows, the necessity for land and construction to shelter this population is increased correspondingly. But land producing by insufficient and partial policies, is a very important problem for the development of our cities. Insufficient land producing, causes infrastructure developments, squatting, fast increase of land speculation, problems for choosing place of businesses, insufficiency of urban equipment areas and as a result of all of these, creating of unhealthy placed urban developments (Cartography Engineers, 1996). A consistent land policy will ease healthy application urban plans. To make a healthy and regular urbanisation, providing necessity of infrastructure and building which are requirements of fast urbanisation, solving land problems of squats are the main targets of land policies which are observed especially within planned period. Most important profit of a true land policy is to provide zoned areas for the people who want to live in the city. With this aim, inspection of urban development, limiting the urban usage of agricultural lands, preventing rapid and artificial increase of land and area prices and speculations, giving incomes required by land sales to public management which cause boring of these incomes are within the basic aims of urban land policies.

It should be known that urban area is not only an area for construction. There is also a lot of other functions in the cities (industrial areas, green areas, open areas etc.). As the cities grown, variability increase, different cultures come together and their integration constitutes a very important problem. For this reason, below points should be aimed within the scope of producing urban area producing with infrastructure;

- Necessity and demands should be met in a short time,
- Opening areas to construction which will effect social and economical developments in a positive way and will not limit protection and development of natural resources,
- Protection of natural and environmental values and creating a sustainable urban development,
- Increasing the efficiency in presentation of urban infrastructure opportunities and increasing the urban quality.

Urban area necessity should not be assessed as a need only for low-income group; a land policy, which can fulfill land needs of every income groups, should be followed. Especially, in order to be able to control developments in metropolitan areas, producing areas for fulfilling every kind and type land needs should be planned in the beginning. Urban lands which will be produced should appeal to families with very high purchasing power, middle class families, lower class families, cooperatives, public and half public enterprises and

recreation, pleasure and tourism enterprises. So demands and priorities of these enterprises should be considered.

For the areas which are thought to be opened for settlement in the future, "urban land stocks" should be done. Mission of land stock in regards to construction policy, should be compensated by spare land and real estate transformation and preparing available priced lands for building constructions. This period which can also be defined as pre urbanisation, public should make as much stock as possible and should allocate this areas to lower income class and public necessities as long as necessary, will be a preventive factor for balancing real estate market and preventing speculations.

Relation between urbanisation speed and constructed area which is ready to use. It is advantageous to execute land presentation by local administrations. Producing collective housing, creating technical and social infrastructures for gathered lands should be the way to follow instead of making unique building on a land. By this aim, effect of land presentation on the urban development should be inspected and approaches for its execution via organised groups (cooperatives, real estate investment company, not public debate during the period of urban land presentation, by presenting projects for housing acquisition for different income groups and subsidizing land of lower income groups, low interest and long term credits; on the other hand adding plus values for luxury building lands, and making one financial source for another.

Activation of land reserves and land potential within the urban, reuse of left or inactive areas by changing their plan values, usage and reconstruction of empty parcels within existing constructions, creating policies for decreasing technical infrastructure area use, especially modernisation and repair of constructions and supporting of healing construction environments and a land policy which includes "urban renovation and healing" should be provided in corporate level.

The base of the land development policies in Turkey should be determining techniques for easing land fastening of development methods and reducing the prices by increasing the demand in the market. It will be proper that municipalities should live some part of their budget, which is for construction activities, for land and area stock. (as in 10% example which is applied in Germany). By this way, municipalities can produce construction parcel for an easier structuring and on the other hand they will prevent possible land speculations in the future.

Urban land producing, should also contribute to urban quality and urban image; should show a special attention to environment and environmental values. It should be sensitive in protection of natural resources and ecology. Public policies should be constituted for sustainable house markets and supporting land producing by spending, tax, money and planning policies; accelerating financial precautions for sufficient housing and land presentation should be developed.

c. Existing Situation of Turkey

It can be said that there will be difficulties in reaching targets in regards of “sustainability of urban life” for the reports which are prepared for 48 years period between 1963-2001 and take place within State Planning Organisation- Five Years Developing Plans or realization of Turkey National Report and Action Plan which in frame of Habitat-II Urbans Summit Meeting. Another weak point beside this, is that we have not developed our land producing policies and a land usage which bases equal construction rights. Likewise, such policies; it will be possible that protection of natural and cultural values, more efficient usage of public’s rights, optimum usage of urban areas in a more contemporary and purposeful usage (Göksu 2004).

In our cities, private sector, cooperatives and related public enterprises;

- Private sector produces lands by making construction plan on the real estates owned by it.
- Cooperatives, makes construction plans both for providing land and construction for their members and produce lands.
- Public institutions such as Ministry of Environment and Urban Planning, Collective Housing Administration Presidency (TOKI), National Real Estate General Management (MEGM) and Municipalities produce lands within their mission competence.

Related mentioned public enterprises;

(1) Ministry of Environment and Urban Planning;

- In accordance with Regulation about Landscaping Plans, this ministry prepares Landscaping plans, confirms ex officio, and making construction plans and confirming changes ex officio,
- Makes border confirmations, construction plans and preparing changes and confirming, urbanisation, physical planning, regulating plan application policy and making directing studies and creating related regulations for land supply and housing for lower income citizens in housing cooperatives in regards to 775 numbered Squatting Law.

(2) Collective Housing Administration Presidency

- Makes land producing with completed infrastructure beside producing houses in various parts of Turkey according to 2985 numbered Collective Housing Law and related regulation and provides house acquiring of middle class needers.
- Allocates constructed and infrastructured lands for cooperative headquarters associations and social welfare institution
- Land buying and selling all around the Turkey for increasing land stock.

(3) National Real Estate General Management; It officiates real estates under the control and execution of state and all real estates which are supposed to inherit to state and out of registration areas’ usage within care of Finance Ministry.

(4) Municipalities: Within construction borders it is responsible for;

- Determines development direction and dimensions by sustainable urban planning, developing urban policies,

- Making construction plan with priority of urban's demand areas or revision and making ready infrastructured construction parcel producings.
- Being balancer in the speculative land and construction market by executing efficient land policies, producing cheap municipality dwellings or leading up developments by building constructions under the leadership of municipality.

Land development applications of institutions which has authority of land producing by special laws do not match with municipality's plan and applications and it causes loss of source and time and emerging of land producing related problems.

As stated above, a lot of people, corporation and establishment in our country make applications by different regulations but basically about "representing sustainable life style on urban area" in their own assigned position and authority area. But if these applications, which are mostly done unconnected with each other and under the pressure of "speculative markets compromised within political and economical power balances", studied closely, their missions on the urban areas;

- Setting up and continuously operating the system which will provide use of land and areas within juridical regulations.
- Regulation, managing, protection of public lands' records and providing active use in accordance with its aims.
- Obtaining necessary areas for public use and providing coordination between corporations.
- Managing, developing and planning of land stock areas.
- Urban land planning and execution of urban development.

There is a need for creating land management administration (Esina, 2009). A management like this, is supposed to know the possible development of the town which will be construction planned and what is need to be done; and will make situation determination of the residence, industry, agriculture, regression areas, etc. Also it should efficiently assess inclinations of municipalities about how many constructed area is needed? How many construction demand will be? in an updated and efficient way (DPT 2001/b).

Reorganisation of centralised and local administrations by land and land policy creating efforts; for instance planning, construction and cartography-socialization managements should be established within municipalities which has particular population (50000-100000). Especially middle and big scaled municipalities, should give information to public for controlling land prices and determining the prices of real estates; if possible there should be Real Estate Assessing Offices.

3. CONFRONTED PROBLEMS AND SOLUTION OFFERS

In our country as there is no numerical maps for each city in our country, cadastral datas which are convenient for spatial data system and as there is no embedded construction plans which are produced by these datas, there will be problems both in the step of producing and applying process of construction plans and property usage type and considering legal limitations if available and property-construction relating problems. For this reason, all planning and application actions of Geographical Data System, which enables computer technology for all cities, should be given primacy (Esina, 2009).

Today, following the developments about housing and urbanisation, monitorise problems in spatial dimensions, developing an information system which will enable to compare existing situation with previous conditions is a must and it will serve needed decision making processes which is necessary for prudential projections and will be convenient with international standarts to provide top level integration. In Habitat II Action Plan and National Report an statistical system set up for “following the development of sustaniable settlement and house development” in Turkey is proposed. Setting up of such system is of importance for gaining a new perspective and area evolutions to sector.

Most important problem created by rapid and conurbanisation is; unable to supply housing zones that are prepared with every kind of infrastructure and residences can benefit from urban services; unable to produce enough quantity and various urban areas. Basic of the problem is that public can not represent lands to needers which are reinforced with constructed and equipped by infrastructure services. Providing infrastructured lands for healthy development of cities is the duty of public. Public areas which are under the control of state and municipalities, should be served to needers with a ready infrastructure and long termed payment plan and presupposition of building construction.

Under Ministry of Public Works’s responsibility, legistation regulation should be done for inspecting harmony between size of population, growth of the land opened for construction and urban form by support of local administrations and activation of technical inspection by Technical Research and Application General Management (TAU) should be provided.

Additionally, for addressing results of application plans; it will be proper to develop a tracking process for interfering results of planning studies when necessary. New usable communication technologies represent various new potentials about this subject. By using these potentials; completing service representation in planned areas, determining developments and available areas in plan area, determining land pieces which develop fastly and determining specification and infrastructure situation of available areas, housing stock situation in the city, estimation of newly builded and empty building quantities, and determination of land prices within the city is of importance. It is necessary to collect all these information constantly and creating central and local units which will follow development of urbans.

Land’s portion for housing and settlement costs except for exceptions is a high rate such as 35-40%. Wrong or insufficient land producing and collective housing policies, on one hand increase of population and land demand created by urbanisation, on the other hand construction plans of public and increase of land cost without the effort of land owner, incomes are in the monopol of people who owns the land, barely their not giving the land to public; caused organisation of land mafia in our fastly urbanising cities (especially in our coastal areas). For control and taxing of urban incomes, a new tax system which can be called as “real estate value increase tax” should be included. In this regard, the fund which will be created by income of “real estate value increase tax” , should be provided to use for financing infrastructured land producing by rules determined by local administrations.

Taxing system, local specifications, spatial differences and sides should be assessed in a balanced way, and should be based upon a dynamic system which follows value changes in a

closer way. Public policies which also include spending, tax, money and planning should be created for supporting sustainable house markets and land producing and new arrangements are necessary for taxes about real estates. Financial precautions should be applied for accelerating enough house and land presentation. Tax, which is one of the application devices of urban area policy, on one hand makes preventive effect for speculations on empty areas which are waiting on construction plan areas, on the other hand it should create the preventive power for speculative land changes which cause increase of land prices; required tax income should be used for land buying and sellings of municipalities and disburden municipalities. For determination, more efficiently assessing and preventing occupiers of real estates controlled by state, related laws are changed and local ministrators should be authorised for “inspection and preserve of real estates belong to state” and if occupy is determined they should inform local authorities and local management.

Detailed envaners of public areas should be prepared and programs for making them a part of economical development and a tools for development of housing and human settlements should be prepared and paralel execution of “inland balanced development policies” and “urbanisation policies”. The land, area and out of record areas owned by public; real estate investment partnership should be set up for settlement policies, environment order plans and construction plans should be included in system. And land stock amount should be increased by MEGM and TOKI for preventing whole sale of the public areas by the support of Local Administrations. (TMMOB SPO, 1996.)

Selling of treasury and municipality lands to people decreases land stocks. Public administrations should have as much land as possible and should increase land stocks for this aim. But in our country because of the must for paying high socialization costs and insufficient sources of municipalities, this opportunity can not be created. Today nearly any municipality have not got enough stock for easing development of its own planned development. But municipalities should escape from selling their lands; if necessary, as in example of England, long termed hiring should be created by decision of city council or cheap urban land producing should be emphasised by using land and areas which are property of public. Nowadays, municipalites in most of developed countries, are only have to made land stocks for preparing and application of construction plans. (for example in Germany, municipalities should make land stocks with 10% of their budgets). (DPT, 2001/a)

Parcelation order of the lower income group (200-250m²) should be provided controlled, registry guaranteed, cheap housing areas and technical, management, financial support should be supplied by municipalities.

Urban land produce, should be realise by 3194/18. Statement and with priority of construction plans and by making parcelation plans in large areas.

As facility cadastre and forest cadastre could not completed in our country, cause as the forest cadastre maps can not be registered as they are not proper for cadastrel standarts, possession of states is taken by private property. Construction remissions, changes in forest and pasture laws which are like remissions paved the way for urban land and area occupiers, unlawful profit, illegal housing, unplanned and unhealthy urbanisation; has become one of the biggest obstacles in front of urban land and land management.

RESULTS

If we accept that human population in urban settlements increase fastly and related with this numerical increase, human necessities will increase as well; local managements should give up classical and daily solutions for fulfilling public's demands and must make consistent land management and producing urban area policies.

In cities existing infrastructured land producing problem's solving, use of treasury property real estates is not sufficient and enough; managements which are responsible for city managing, should be supported by economical and social policies, should be dealt with non governmental organisations project supports and produce middle and long termed policies.

Politics, decision maker who are representative of administrative units and planners should be informed and programs should be developed and applied for increasing their attention. Administrative unit representatives, decision makers and planners are need to be informed and programmes for increasing relevant people must be developed and applied; the conscious of protecting natural environment and efficient use of places must be increased by media, educational establishments and non-governmental organizations for determined target groups, particularly for children and teenagers; local community and non-governmental organizations should attend planning and decision making processes.

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