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1. **Introduction**

The term ‘property development’ evokes many feelings depending on the particular perspective. The definition adopted in this text is that property development is ‘a process that involves changing or intensifying the use of land to produce buildings for occupation’*.* It is not the buying and selling of land for a profit; land is only one of the raw materials used. Others include the building materials, infrastructure, labour, finance and professional services (Wilkinson and Reed, 2008). Chitsulo, (2015) defined property development in three perspective, on Entrepreneur’s perspective, it is process of improving the usefulness of land or building through the development of facilities that meet social, commercial and infrastructural needs. On Architect’s perspective, it is shaping the built environment for commercial gain, finding the delicate balance between good design and the commercial imperative. On Town Planner’s perspective, it is the delivery and management of places for people to live, work, shop and play.

Property development is a process that operates as a linked sequence of events, some of which occur chronologically and sequentially, others of which occur simultaneously. It is a process that transforms a vacant site into a new land use or one that converts a redundant or obsolete property into a new use (Wilkinson and Reed, 2008).

It also refers to altering the landscape in any number of ways such as: Changing landforms from a natural or semi-natural state for a purpose such as agriculture or housing. Subdividing real estate into lots, typically for the purpose of building homes, developing property or changing its purpose, for example by converting an unused factory complex into condominia. The prudent landowner or developer on any size of project will inevitably want to maximise profits, minimise risk and control cash flow. This is a process called "profit enhancement", which means identifying and developing the best scheme for the local marketplace, whilst satisfying the local planning process. Essentially, development analysis puts development prospects, and the development process itself, under the microscope, identifying exactly where enhancements and improvements can be introduced. These improvements aim to align with best design practice, political sensitivities, and the inevitable social requirements of a project, with the overarching objective of increasing land values and profit margins on behalf of the landowner or developer (Wilkinson and Reed, 2008).

A completed development goes through a number of changes until obsolescence sets in and the cycle begins all over again. The cycle can last for decades, even centuries but can be much quicker. Retail, leisure and industrial property can often require refurbishment or redevelopment within ten years. Land and property development in Malawi faces a lot of challenges, hence the reason for research to find out why and where the problems are coming from.

Many different actors and institutions play their roles in the development process. Each actor has a definite role to play and a time to play it. The property developer, or property developer's representative, coordinates these roles. There is also a context to this process and the development process cannot be viewed in a vacuum, it is part of our ever-changing world and its operation is affected by, and contributes to these changes. Long-term social trends, economic conditions (nationally and increasingly globally), government policies and the health of the bodies contributing to the process set the scene for property development (Cross, 2002).

It is useful to consider the development process as the means by which land and property is transformed into a purpose that is more profitable, socially beneficial or practically useful. The process of transforming land and buildings in this way follows a predictable pattern although with complex offices, retail uses and redevelopment the peculiarities of the product render each development unique (Cross, 2002)

**2. Definition & Rationale for its selection**

The Malawi Decentralization Policy requires the transfer of functions and responsibilities from the Central Government to District Assemblies for efficiency and effectiveness sake. Land Resource Utilisation is one such function and this has been explained in the Land Policy, it focuses on valuation of properties, valuation of public and customary land and enforcement of lease agreement as agents of Central Government. Generation of more revenue for service delivery in the assemblies depends on timely and accurate valuations of property. This requires more Land Economy professionals skilled in property taxation, property valuation, land administration, property investment, and property law for the assemblies to ably perform its functions and offer required services and generate enough revenue (Government of Malawi, 2008).

Besides that the new land laws now just passed require the skills of more professional Land Economists to offer advice and provide services such as valuation of land and property for investment purposes, solve land -related grievances, and land management. With the new laws in place, land management will begin from the Traditional Authority level through national level. This requires more graduates skilled in Land economy to execute duties required at the different levels in land-related sectors. It is for these reasons that this research would want to add the voice in professional practice to simulate the minds of academicians to think broadly educate the public efficiently to contribute to the sustainable development of Malawi (Government of Malawi, 2008).

Thirdly, the liberalized economy that Malawi embraced leads to more urbanization and infrastructure development. More infrastructure development entails creation of more property rights. This requires more skilled land economists to offer transactional advice on such complex legal property rights.

Fourthly, globalization requires skilled workforce in all sectors of the economy for countries to compete favourably. This includes land economists who can compete locally and internationally in property investment, property management, valuation of land and property and land administration including resettlement for the betterment of the society.

Lastly, the degree will help to explore ways of how the researcher contribute to build environment world through learning from other countries how they have managed to develop and what challenges were faced that we need to take care in order to speed up our countries development that has stalled for long time.

**3. Description**

The world is faced with challenges in all three dimensions of sustainable development that is economic, social and environmental. Malawi being one of the countries of the world that have more than 14 million people are still living in extreme poverty, and income inequality within and among many countries has been rising; at the same time, unsustainable consumption and production patterns have resulted in huge economic and social costs and may endanger life on the planet. The greatest problem that Malawi continues to experience is poverty which result into lack of social facilities that would give them enough health and participate positively on how to be bailed out from such extreme poverty.

According to The National Land Policy 2002, Malawi is a landlocked country with an agricultural economy that accounts for over 40% of Gross Domestic Product (GDP). The country is wedged between Zambia to the west, Tanzania to the north and northeast and Mozambique to the southeast, south and southwest. Lake Malawi defines 548 kilometres of Malawi’s eastern border and serves as an important economic resource and navigation channel. The physiology of the country is characterized by undulating terrain with five large plateaus; namely Mulanje, Zomba, Dedza, Viphya and Nyika, dominating the landscape (Government of Malawi, 2002).

Malawi National Land Policy, (2002) stipulate that achieving sustainable development will require global actions to deliver on the legitimate aspiration towards further economic and social progress, requiring growth and employment, and at the same time strengthening environmental protection. For the case of Malawi development would mean creation of jobs that can burst economy and at the same time provide infrastructure that would increase office working space economically, socially living in good houses which is not the case now. Decent working place is the right of any working employee with good facilities and provides generational buildings that contribute to the national development and attracting international world to visit and share tourism proceeds (Government of Malawi, 2002).

According to the Malawi National Land Policy, (2002), sustainable development will need to be inclusive and take special care of the needs of the poorest and most vulnerable. Strategies need to be ambitious, action-oriented and collaborative, and to adapt to different levels of development. They will need to systemically change consumption and production patterns, and might entail, inter alia, significant price corrections; encourage the preservation of natural endowments; reduce inequality; and strengthen economic governance. The majority of Malawians are living below poverty line and the domestic, social and economic needs are not met in their communities, hence this paper seeks how such people would be involved and participate in sustainable development (Government of Malawi, 2002).

The United Nations Department for Southern Africa, (UN DESA), World Economic and Social Survey 2013 aims towards contributing to the deliberations on sustainable development with a focus on three important cross - sectoral issues: sustainable cities, food security and energy transformation. While the entire range of thematic areas identified for action and follow-up in section V of the outcome document of the 2012 United Nations Conference on Sustainable Development, entitled “The future we want” (General Assembly resolution 66/288, annex), cannot be covered comprehensively in this Survey, highlighting three of the cross-sectoral issues may hopefully contribute to the addressing of sustainable development challenges in the follow-up to the Conference (UN DESA. 2013).

**4. General Analysis**

State policies in nearly all developing countries have abetted the incorporation of rural people and resources into national and world markets. In some countries, however, the state adopted peasant-based strategies that put a high priority on promoting greater equity among rural people and on broad-based articulated economic growth. In many others, the dominant state strategy was merely to stimulate economic growth. Several predatory states did not give much priority to either growth or equity. But in all cases the state sooner or later encouraged commercialization and modernization. Some of the political economy factors determining state strategies especially in Malawi has made poor people fail to produce enough out-put resources in order to support themselves.

The country's population in 1998 was approximately 9.8 million people and has been growing at an average rate of 1.9% per annum. Of this population 12% were enumerated in the Northern Region, 41% in the Central Region and 47% in the Southern Region. The land area occupies 118,324 square kilometres of land and water, of which 53,070 is considered suitable for cultivation. With more than 105 inhabitants per square kilometre of arable land, Malawi has one of the highest population densities in Africa and this has contributed to land degradation and accelerated deterioration of natural resources. This increased through migration of the refugees from Mozambique during time of internal war in bordering Mazambique (National Statistical Office (NSO), 1998).

Barraclough, (1999), states in his Discussion Paper No. 101, June that processes of land alienation, commercialization and modernization have been accompanied by growing rural populations in most developing countries. Traditional rural livelihood systems often provided deplorable living levels, but under the triple pressures of commercialization, modernization and population growth they are disintegrating before alternative employment opportunities become available. Rural wages deteriorate while rents and other financial obligations of the rural poor become impossible to meet. Barraclough, (1999) noted that Landlords expel their tenants and workers. Many smallholders lose their land. Faced with these trends, large numbers of the rural poor have no choice but to migrate. Some move to forest frontiers and other sparsely populated ecologically fragile areas unsuitable for sustainable agriculture. Many more go to urban slums to seek employment or other sources of income, no matter how unpromising their prospects may seem. The influence of attracting unplanned settlement of poor development quality that support breeding of unhealthy conditions within urban areas.

Matchaya, (2014) in his paper "Land ownership and productivity in Malawi" point that the land registration programs that are sweeping across developing countries especially in Sub-Saharan Africa operate under the implicit assumption that traditional land ownership systems in developing countries are inefficient, and compromise agricultural productivity. Dorner, (1964) Feder and Onchan, (1987) among many others have for instance specifically emphasized that unregistered land does not offer security to the operators and hence land owners have little incentive to use such lands intensively. Malawi government has tried to offer fertilizer coupons to encourage local farmers to grow maize but has not improved life of locals in food production and therefore considers on the commercial farming for increased production.

Holstein, (1996) highlighted in his paper that in undertaking land administration reform by drawing on “Best practices in land administration”, it is important to consider the factors that affect the reform and the choice of the specific strategies adopted. These factors are many and varied which re-enforces the statement that the land administration system for each country requires its own individual strategy. On the other hand strategies can be developed using the “tool box” approach. That is each specific strategy and resulting system can be made up of many separate, well understood, proven and widely accepted. Where there is security of land tenure the confidence to invest or develop is accelerated and produce quality sustainable development and investments.

**5. Actualization**

In the earliest stage the land and its produce is shared by the community as a whole; later the produce is the property of the family or individuals by whose toil it is won, and the control of the land becomes vested in the head of the family. When the tribal stage is reached, the control passes to the chief, who allots unoccupied land at will, but is not justified in dispossessing any family or person who is using the land. Later still, especially when the pressure of population has given to the land an exchange value, the conception of proprietary rights in it emerges, and sale, mortgage and the lease of the land, apart from its user, is recognised. These processes of natural evolution, leading up to individual ownership, may, I believe, be traced in every civilisation known to history (Lord Lugard, 1928).

Malawian small farmers occupying the land under customary tenure have faced over 100 years of land alienation without compensation. The state during both the colonial and post-colonial periods regarded customary users as a residual group, to be mobilised for labour purposes or more generally limited to the low-input low-output production of staple food crops. These show how far the material basis for production has shrunk and been degraded, the breaking down of social networks, and the reduction of social capital. The study aims at examining the operation of certain non-state organisations in terms of their capacity to support livelihood and welfare outcomes, and also find out how the state can support different development infrastructures being carried out as state projects and improved communities throughout Malawi.

Notably they lack a sufficient formal articulation with the ongoing attempts to build up local government through the roll-out of decentralization. The current proposals for fiscal and land reform are assessed in terms of their adequacy and relevance. These presuppose a large administrative competence and rational bureaucratic culture at District Assembly level, and do not deal adequately with the need for transparency and accountability. The 2002 land reform policy does offer some solid grounds for the restitution of formal legal rights to the customary sector; but its implementation requires the operation not only of a land market but also a political market, with dubious prospects for success. The short term measures proposed are unlikely to take place, and would have little effect if they did. The implementation of the said policy is getting challenges especially in economic and political influences that render the traditional authorities loose of control and power (The Malawi National Land Policy, 2002).

The longest period in the process now begins at occupation stage. The normal expectation would be for a development to last for perhaps eighty years although this may be much faster as we have seen. During this period, essential maintenance, repairs and replacements will be necessary to avoid premature failure or obsolescence. The predicted life of the building and the expenditure needed for maintenance will depend greatly on the decisions that were made at the feasibility and design stages. Less durable materials are often specified to reduce the initial (capital) costs of the scheme. Poor workmanship is another possible cause of building defects during this period.

The requirements of the occupier will change over the life of a development resulting in the alteration, extension or conversion of the building. A decision to sell and find or procure new premises may be an alternative. The property may be bought and sold several times over eighty years and pass into a number of different uses.

In conclusion, consideration is given to the possible role of public-private partnerships by ethically grounded and professionally skilled intermediary organisations in support of the embattled rural poor, hence the study aims to explore how poor communities could be supported in order to promote their livelihood in terms of both urban and rural development communities that can stand the test of time.

**6. Discussions**

Property development is subject to the same process of decision-making as most other policy areas. However, with development the expression of that decision eventually emerges as a planning application. To the developer this is the beginning of one of many concurrent tests of the feasibility of their aspirations. The intention of these tests is to inform the developer of the likely success (viability) of their proposition. In order to develop land, one needs an interest in that land and developers will set out either to own or take an option on land that

 they have identified as having development potential. It will in general be a time of careful calculation and planning by the developer, in consultation at some points with the public sector.

Land is the most basic of all resources available for social and economic development in Malawi. When considered in combination with water, it produces other resources including arable soils, forest, pasture, wildlife habitat and marine ecosystems valuable to people. Through the forces of nature and/or prior actions of many generations, these resources are spatially distributed in differing quantities in differing locations throughout Malawi. This distribution of land related resources is, however, not static; people have the ability to alter the mix. They can conserve or deplete existing resources or they can invest time and effort to improve the stock of certain land resources by improving accessibility.

A number of tasks must be undertaken in order that the developer can confidently acquire an interest in a suitable site such as assembling suitable sites (if not already owned by the developer). A large development may need the purchase of several adjoining sites or developing in partnership with adjacent owners. Formulation of a design brief to set main criteria against which the development project can be evaluated in terms of time, cost, quality and performance. Production of sketch schemes and outline costing to set a 'cost limit'. The design philosophy will be set early on so that structural, electrical and mechanical design engineers can progress harmoniously but within a realistic cost limit.

Public permissions – in order that the development may be allowed to proceed, e.g. outline planning permission and adherence to the building regulations to be applied for later.

Preliminary site investigations to determine suitability of the sub-soil for foundations, possible contaminants, boundary and access issues, legal covenants and easements. The unexpected discovery of ancient archaeological remains while excavating foundations is a sure way to slow progress.

Environmental impact assessment – these arrangements are undertaken to ensure that the likely effects of a new development on the environment are fully understood before the development proceeds. The assessment describes the nature of such effects on the environment and proposes mitigation measures to reduce the impact. Its contents must be taken into account by local planning authorities before granting planning consent.

If it is to pass through the development process, a site must change and it must become developed. This phase is where that change is first considered and planned. Ultimately, these changes are expressed in a variety of statements about land requirements and allocations (in plans from both public and private sectors) and in applications for planning permission from planning authorities concerned within the locality.

Development finance is an essential element of any project and the availability of finance can enable or restrict the opportunity for development. It will be seen from the model that economic influences pervade all stages of the development process both directly and through links with the financial institutions.

The financial institutions provide short-term funding to developers and funding covers the costs of purchase of land and construction of buildings, professional fees and marketing. It is the developer's working capital and traditionally, the banks are the providers of short-term finance, i.e. loans of three to five years' duration that are paid back after the completion of the development from the sale proceeds.

**7. General Recommendations**

The development process does not exist in isolation and external factors affect it including: economic trends, social trends, land requirements and the construction industry. These impinge both directly and indirectly upon the development process at a number of points. In addition, they set the general context or atmosphere in which it exists. They determine both the operation and the output of the process, and the development process cannot be fully understood without a good knowledge of these contextual external factors.

 Sustainability is a key external influence that has a direct relationship with all other factors and the very nature of sustainability is that it should not be considered as something that has a technical solution. In Malawi existing infrastructure is not properly maintained and it is recommended that such infrastructure be maintained to keep it updated and then construct modern infrastructure of the modern era. Ensure accountability and transparency in the administration of land matters, and guarantee that existing rights in land, especially customary rights of the smallholders, are recognized, clarified, and ultimately protected in law. Set guidelines for establishing economically viable ceilings on land ownership that will be translated into a statutory mandate to prevent extreme land concentration in a few hands, or individuals and/or organizations and extreme fragmentation.

There is need to guarantee secure tenure and equitable access to land without any gender bias and/or discrimination to all citizens of Malawi as stipulated under Article 28 of the Constitution and also ensure to instil order and discipline into land allocation and land market transactions to curb land encroachment, unapproved development, land speculation and racketeering.

A model of the development process includes five stages: occupation, opportunity, feasibility, design and production. It starts with an individual, public or private sector organisation taking stock of their property needs and opportunities. If a need is identified, finance secured and planning permission seems possible (in outline), then other tests will determine the overall viability of the scheme. Should the development pass all the necessary tests of feasibility, the developer or investor may commit more finance and firm up the design and proceed to the production stage.

Following completion the developer may sell or let the building and, thereafter, see a return on the investment. Alternatively, the developer may also be the occupier. Whatever reason for the development, it will pass into the final stage of the cycle, which is occupation and ultimately redevelopment.

**8. Conclusion**

The development process does not exist in isolation and external factors that affect it include: economic trends, social trends, land requirements and the construction industry. These impinge both directly and indirectly upon the development process at a number of points. In addition, they set the general context or atmosphere in which it exists. They determine both the operation and the output of the process, and the development process cannot be fully understood without a good knowledge of these contextual external factors.

Achieving sustainable development will require global actions to deliver on the legitimate aspiration towards further economic and social progress, requiring growth and employment, and at the same time strengthening environmental protection. For the case of Malawi development would mean creation of jobs that can burst economy and at the same time provide infrastructure that would increase office working space economically, socially living in good houses which is not the case now in Malawi. Decent working place is the right of any working employee with good facilities and provision of generational buildings that can contribute to the national development and attracting international world to visit and share tourism proceeds.

The importance of extend land use planning and strategies for disseminating land information to ensure effective utilization of land in urban and rural areas and facilitate efficient use of land under market conditions to ensure optimum benefits from land development. Establish a modern land registration system for delivering land services to all: by provide formal and orderly arrangements for granting titles and delivering land services in modern and decentralized registration system that support local governments throughout Malawi.

Enhance conservation and community management of local resources which can promote community participation and public awareness at all levels to ensure environmentally sustainable land use practices, and good land stewardship and also promote research and continuous education of the public on all aspects of the duties and obligations of land tenure, land stewardship, and operations of the land market.

Some of the models used to describe the development process finish on occupation. The completion of a construction project sees the end of the project but it is the start as far as the occupier is concerned. Ownership of the project may also change at this point. This stage may also involve the taking of a profit by the developer, either in strict monetary terms, i.e. through the sale of the building, or by virtue of the processes carried out in the new development, e.g. office or factory and the profits made through the activity of the building. Little development would ever happen if this could not be achieved.

Sustainability is a key external influence that has a direct relationship with all other factors. The very nature of sustainability is that it should not be considered as something that has a technical solution.

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