

14. Land Use Conversion

UP-PLANADES Foundation, Inc. Review and Analysis of DAR Land Conversion Rules and Regulations and HLURB-Approved Town Plans (Volume One). Food and Agriculture Organization (FAO) of the United Nations and the Department of Agrarian Reform. December 1990.

This study is the initial phase of the comprehensive land use policy study in support of the Comprehensive Agrarian Reform Program (CARP) implementation project. The objectives of the study are: 1) to review and analyze the existing DAR rules and regulations on agricultural land conversions; 2) to provide empirical basis for strengthening the above-mentioned regulations; and 3) to determine the extent to which existing or future municipal/city or town plans approved by the Housing and Land Use Regulatory Board (HLURB) can be used as valid and reliable basis for land use conversion from agricultural to non-agricultural use. The study entailed a review and analysis of existing DAR rules and regulations, and a general review and content analysis of all HLURB-approved town/city plans in the six selected study provinces, namely: Bulacan, Pampanga, Cavite, Laguna, Iloilo and South Cotabato. The results of the review of existing DAR rules and regulations (i.e., Administrative Order No. 15, Series of 1988 and 1989; General Order No. 1, Series of 1989; Administrative Order No. 18, Series of 1989; and DAR Administrative Order No. 1 dated March 31, 1990) show a common limitation that they have all not been enforced long enough to “test” their workability and responsiveness to the problem situations to which they are supposed to respond or offer solutions to. In short, there has not been enough “experience” in their application which would adequately guide the recommendations for further improvements or changes. There were also issues that have been raised on the reliability of the town development plans in guiding and expediting land use conversion without compromising the policy-objectives of the CARL and other programs of the government. Notably, three important issues were identified which need to be satisfactorily answered before firming up the linkage of conversion activities to the town planning process: a) the usefulness/reliability of the town development plans and land use plans to determine that the lands applied for are suitable and “ripe” for non-agricultural use; b) the criteria or parameters to be used in the absence of a town plan or if the plan has not been approved by HLURB or the proposed conversion is not in accordance with the plan and the reliability of these parameters; and c) other safeguards and regulatory measures that should be introduced to ensure that the indiscriminate and premature conversion from agricultural to non-agricultural uses is avoided.