



HOUSE OF REPRESENTATIVES

House Bill No. 842

Introduced by Representative Christian Tell A. Yap

EXPLANATORY NOTE

The Philippines is one of the most dynamic economies in Asia. According to the United Nations Development Program (UNDP), more than half of the world’s population lives in urban areas. It is estimated that by 2050, that figure will have risen to 6.5 billion people or two-thirds of all humanity.

The rapid growth of cities, coupled with increasing rural to urban migration, has led to a boom in mega-cities. In the National Capital Region (NCR), the overall population as of the 2020 national census is 13.4 million people, with over half-a-million people living in informal settlements.

However, extreme poverty and inequality has risen in these highly populated and concentrated urban spaces. It is therefore essential to make cities safe and sustainable by ensuring access to safe and affordable housing, upgrading highly dense slum settlements, investing in public transport, creating green public spaces and improving urban planning through inclusive and participatory management.

This legislation seeks to institutionalize a national policy framework for establishing sustainable cities and communities by setting sustainability standards and ensuring development to be geared towards sustainability.


CHRISTIAN TELL A. YAP
Representative, 2nd District of Tarlac

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AN ACT
PROVIDING FOR THE DEVELOPMENT OF SUSTAINABLE CITIES AND
COMMUNITIES IN THE COUNTRY, AND FOR OTHER PURPOSES

SECTION 1. *Short Title.* - This Act shall be known as the "*Sustainable Cities and Communities Act*".

Sec. 2. *Declaration of Policy.* – The State shall, pursuant to the constitutional mandate to undertake a continuing program of urban land reform and housing which will make available to underprivileged and homeless citizens decent and affordable housing, access to basic services, and adequate employment opportunities, and in consonance with the constitutional guarantees on social justice, general welfare, public health, and ecological balance, recognize the right to the city of all which encompasses the collective access to sustainable resources, meaningful participation in urban planning and governance, and social inclusion.

It is likewise declared the policy of the State to promote inclusive, resilient, and sustainable urban development.

Toward these ends, the State shall ensure the inclusive use of urban space for housing and livelihood, improve access to basic services, develop integrated public transportation systems and green infrastructures, protect ecosystems, and manage risks to climate change and disasters.

Further, the State shall pursue programs to celebrate diversity and cultural heritage, foster creativity, innovation, and participation in urban planning and policy-making, and maintain public order and safety through the prevention of crime, violence and discrimination.

Sec. 3. *Coverage.* -All cities and municipalities, with a majority of barangays classified as urban by the Philippine Statistics Authority (PSA), hereinafter referred to as urban areas, are hereby mandated to align their plans, programs and activities towards the full implementation of this Act.

Sec. 4. *Guiding Framework for Sustainable Cities and Communities.* -To fulfill its economic, political and social functions, a local government unit covered under this Act shall conform with and implement plans, programs and activities, guided by *Ambisyon 2040* and the Philippine Standards for Sustainable Cities and Communities, according to the following principles:

- (a) Inclusive urban circular economy which creates decent jobs with fair wages; supports entrepreneurship, creativity and innovation; ensures safe and non-discriminatory working environments; and promotes resource-efficient industries and consumption;

- (b) Spatial justice which promotes multiple use of land to prevent forced evictions, displacement, marginalization, and gentrification; and ensures that urban development provides vulnerable and marginalized sectors the access to safe, adequate and affordable housing under different tenurial arrangements, giving priority to on-site resettlement, as well as universal healthcare, accessible education, infrastructures, livelihoods, food security and nutrition; and safe and inclusive public spaces that foster social cohesion;
- (c) Urban renewal which includes slum upgrading to improve housing, infrastructures and services; urban greening, including the promotion of urban agriculture for food security and communal wellness; and the development of inclusive, safe, accessible and enjoyable open spaces and parks;
- (d) Urban mobility which provide for inclusive, safe, accessible, affordable, efficient and sustainable public transportation through the development of adequate transportation infrastructures, utilities and intermodal transportation systems, including non-motorized modes of transportation to strengthen global and urban-rural linkages and management;
- (e) Digital connectivity which provides for fast, secure, stable, and affordable internet connectivity that would be able to cater to technological innovations and enhance digitalization to strengthen global and urban-rural linkages and management;
- (f) Urban safety which ensures freedom of all persons, regardless of gender, age, health status, income, nationality, ethnicity, and political, religious or sexual orientation from crimes and all forms of violence and discrimination in the workplace and public spaces;
- (g) Ecological balance which requires the sustainable management of natural resources; protection and conservation of biodiversity, natural ecosystems and landscapes; proper waste management and sanitation; provision of green infrastructures; and the development and use of renewable energy sources in transportation, industry and households to reduce carbon footprint and improve water and air quality;
- (h) Climate resilience which builds the capacity of urban areas to adapt to and manage threats and risks posed by climate change and disasters to constituents especially vulnerable groups, and to facilitate post-disaster rehabilitation and recovery;
- (i) Cultural diversity which respects, protects, and promotes the diverse livelihoods, customs, memory, identities, expressions, and sociocultural forms of its inhabitants; preserves tangible cultural heritage, such as artistic creations, historical sites and monuments; and safeguards intangible cultural heritage, such oral traditions, performing arts, indigenous knowledge and traditional skills, as well as the instruments, objects, artifacts and cultural spaces associated therewith;
- (j) Participatory urban governance which involves political participation in the formulation, implementation, monitoring, and budgeting of urban policies in order to promote transparency, effectiveness, and inclusiveness in the engagement of a diverse set of inhabitants and their organizations, especially of urban poor and marginalized groups, upholding communal spirit and supporting community-building; and
- (k) Alignment of economic, social, and environmental policies between and among national, regional, city, and municipal government units, facilitating the achievement of the goals of each unit

The Department of Human Settlements and Urban Development (DHSUD), in consultation with relevant government agencies, local government units, civil society organizations, the private sector and the academe, shall, within 180 days from the effectivity of this Act, harmonize existing national housing and urban development plans with this Act and formulate, in coordination with the Department of the Interior and Local Government (DILG), the National Economic and Development

Authority (NEDA), and the PSA, a National Housing and Urban Development Sector Plan (NHUDSP) to operationalize the goals of this Act, taking into consideration the unique and evolving economic, social and institutional contexts of the country.

The NHUDSP shall provide short-term, medium-term, and long-term strategic plans to achieve the goals of this Act.

The NHUDSP shall also generate estimates and projections to determine present and future demand for infrastructures and services in urban areas, and shall identify policy and program interventions to address challenges to sustainable urban development, and specific periodic targets and indicators and investment requirements thereof.

Sec. 5. *Targets and Indicators.* - In preparing the NHUDSP, the DHSUD, NEDA, DILG, and the PSA shall be guided by the principles provided under Section 4 of this Act, as well as the targets and indicators set forth in the 2030 Agenda for Sustainable Development and the New Urban Agenda of the United Nations:

- (a) Urban population living in slums - measured in terms of proportion of urban population living in slums, informal settlements or inadequate housing;
- (b) Public transport access - measured in terms of proportion of population that has convenient access to public transport, by sex, age, income group, and persons with disability;
- (c) Sustainable urbanization rates - measured in terms of ratio of land consumption rate to population growth rate;
- (d) Urban planning and management - measured in terms of proportion of cities with a direct participation structure of civil society in urban planning and management that operate regularly and democratically;
- (e) Protecting cultural heritage - measured in terms of total public and private expenditure per capita spent on the preservation, protection and conservation of all cultural and natural heritage;
- (f) Deaths and injuries from disasters - measured in terms of number of deaths, missing persons and directly affected persons attributed to disasters per 100,000 population;
- (g) Economic losses from disasters - measured in terms of direct economic loss in relation to global GDP, damage to critical infrastructure and number of disruptions to basic services, attributed to disasters;
- (h) Solid waste management - measured in terms of proportion of urban solid waste regularly collected and with adequate final discharge out of total urban solid waste generated;
- (i) Urban air quality - measured in terms of the annual mean levels of fine particulate matter;
- (j) Open spaces in cities - measured in terms of average share of the built-up area of cities that is open space for public use for all, by sex, age and persons with disabilities;
- (k) Safe spaces in cities - measured in terms of proportion of persons who are victims of physical or sexual harassment, by sex, age, disability status and place of occurrence, in the previous 12 months;
- (l) Urban and regional planning - measured in terms of proportion of population living in cities that implement urban and regional development plans integrating population projections and resource needs, by size of city;
- (m) Integrated disaster risk management - measured in terms of adoption and implementation of national disaster risk reduction strategies;

- (n) Local disaster risk management - measured in terms of adoption and implementation of local disaster risk reduction strategies in line with national disaster risk reduction strategies;
- (o) Urban economy – measured in terms of percentage of the labor force in the education and Research and Development sectors, and unemployment rate and number of businesses;
- (p) Innovation-gearred education – measured in terms of the number of Science, Technology, Engineering, and Mathematics higher education degrees;
- (q) Use of renewable energy – measured in terms of percentage of consumed energy from renewable sources;
- (r) Access to universal healthcare – measured in terms of number of in-patient hospital beds and physicians;
- (s) Access to food security – measured in terms of percentage of city budget spent on initiatives on urban agriculture;
- (t) water and wastewater management – measured in terms of water consumption per capita, percentage of households with access to basic water supply, percentage of treated wastewater that is reused; and
- (u) Such other targets and indicators as determined by DHSUD, NEDA, DILG, and PSA consistent with the principles that guide sustainable cities and communities as provided in Section 4 of this Act: *Provided*, That at any time, but not more than once every five years, such targets and indicators may be reviewed or revised as the need arises to conform to changes and new developments brought about by the latest trends in institutionalizing sustainable cities and communities.

Sec. 6. *Urban Planning and Development.* -The DHSUD, in coordination with NEDA and DILG, shall provide technical assistance to local government units in the integration of the pertinent provisions of this Act, the National Urban Development and Housing Framework, and the NHUDSP in their Annual Development Plans, Annual Investment Plans, Physical Framework Plans, Development Master Plans, Comprehensive Land Use Plans, Disaster Risk Reduction and Management Plans, and similar plans.

National agencies and local government units shall ensure the genuine and adequate participation in urban, regional, spatial and environmental planning; *Provided*, That, access to information, official records, public records and to documents and papers pertaining to official acts, transactions or decisions, and research data related to urban development to enable informed participation in the decision-making shall be made available pursuant to Section 7, Article III of the 1987 Constitution.

Sec. 7. *Incentives for Sustainable Cities.* -The DILG and the Department of Budget and Management shall incorporate the annual targets set by DHSUD, DILG, and NEDA in the awarding of the Seal of Good Local Governance under Republic Act No. 11292 otherwise known as "The Seal of Good Local Governance Act of 2019."

Sec. 8. *Appropriations.* - National government agencies and local government units shall include in their respective programs the needed operational and institutional requirements in upholding the enumerated rights in this Act which fall within their respective legal mandates, the initial funding of which shall be charged against their current appropriations. Thereafter, such sums as may be necessary for the continued implementation of this Act by the national government agencies shall be included in the annual General Appropriations Act.

1 The National Government and local government units shall accordingly pursue alternative resource
2 mobilization strategies, including, but not limited to, public-private partnerships with guidance of the
3 Public-Private Partnership Center, official development assistance, and land value capture, to
4 leverage public resources and maximize their value to finance the operational requirements of this
5 Act.

6
7 Sec. 9. *Public Participation.* - National Agencies and Local Government Units shall ensure
8 the genuine and adequate participation in urban, regional, spatial and environmental planning through
9 the following:

10 (a) Incentives for the private sector - the Department of Finance shall provide incentives to the
11 participation of the private sector in the achievement of the goals identified under this Act, in
12 accordance with Republic Act No. 10771, otherwise known as the “Philippine Green Jobs Act of
13 2016”;

14 (b) Capacity building for communities - the DHSUD shall provide technical assistance to
15 homeowners associations, neighborhood associations, people's organizations, and other local
16 organizations to empower them as partners in achieving the goals of this act, and enable them to
17 undertake community-level actions towards becoming sustainable communities; and

18 (c) Informed participation - information, education and communication materials shall be
19 developed to make the NHUDSP accessible to all. Every Filipino shall have access to
20 information, official records, public records and to documents and papers pertaining to official
21 acts, transactions or decisions, and research data related to urban development to enable informed
22 participation in the decision-making process.

23
24 Sec. 10. *Report to Congress.* -The DHSUD, NEDA, and DILG shall submit an annual report
25 on the performance of their respective duties provided for under this Act and the compliance of cities
26 and urban municipalities to the provisions of this Act to Congress of the Philippines, through the
27 Committee on Housing and Urban Development of the House of Representatives and the Committee
28 on Urban Planning, Housing and Resettlement of the Senate.

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30 Sec. 11. *Implementing Rules and Regulations.* - Within six (6) months from the effectivity of
31 this Act, the DHSUD, in consultation with the NEDA, DILG, PSA, local government units, civil
32 society organizations, the private sector and the academe, shall promulgate the implementing rules
33 and regulations for the effective implementation of this Act.

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35 Sec. 12. *Separability Clause.* - If any provision of this Act or portion thereof is declared
36 unconstitutional, the remainder of this Act or any provision not be affected thereby shall remain in
37 force and effect.

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39 Sec. 13. *Repealing Clause.* - All laws, decrees, orders, rules and regulations or parts thereof
40 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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42 Sec. 14. *Effectivity.* - This Act shall take effect after fifteen (15) days from its publication in
43 the Official Gazette or in a newspaper of general circulation.

Approved,