

# on Spatial Planning Hierarchies at Various Administrative Levels



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INSTITUTIONAL STRENGTHENING AND CAPACITY BUILDING FOR SUSTAINABLE URBAN DEVELOPMENT IN VIET NAM (ISCB PROJECT)

Comparative Legal Research on Spatial Planning Hierarchies at Various Administrative Levels

Bangladesh • Japan • Malaysia • Panama • Paraguay • Republic of Korea • South Africa • Thailand • Philippines

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Comparative Legal
Research on Spatial
Planning
Hierarchies at Various
Administrative Levels

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### List of acronyms and abbreviations

BLGF	Bureau of Local Government Finance (Philippines)		
CCND	Council of National Cooperation for Development (Panama)		
C/MPDC	City/Municipal Planning and Development Coordinator (Philippines)		
CDP	Comprehensive Development Plan (Philippines)		
CLUP	Comprehensive Land Use Plan (Philippines)		
CPDO	City Planning and Development Office (Philippines)		
CSO	Civil Society Organizations		
DDP	Departmental Development Plan (Paraguay)		
DILG	Department of the Interior and Local Government (Philippines)		
DPT	Department of Public Works and Town and Country (Thailand)		
EIA	Environmental Impact Assessment		
EPU	Economic Planning Unit (Malaysia)		
FYP	Five Year Plan (Bangladesh)		
GED	General Economics Division (Bangladesh)		
HLURB	Housing and Land Use Regulatory Board (Philippines)		
IDP	Integrated Development Plan (South Africa)		
ISCB	Institutional Strengthening and Capacity Building (UN-Habitat project in Viet Nam)		
KPI	Key performance indicator		
LAC	Latin America and the Caribbean		
LDC	Local Development Council (Philippines)		
LGC	Local Government Code (Philippines)		
LGI	Local Government Institution (Bangladesh)		
LGO	Local Government Organization (Thailand)		
LGU	Local Government Unit (Philippines)		
LPDC	Local Planning and Development Coordinator (Philippines)		
LPDO	Local Planning and Development Office (Philippines)		
LP	Local Plan (Malaysia)		
MGR	Modernizing Government Regulations		
MLIT	Ministry of Land, Infrastructure, Transport and Tourism (Japan)		
MNRE	Ministry of Natural Resources and Environment (Viet Nam)		
MoLGRD&C	Ministry of Local Government, Rural Development and Co-operatives (Bangladesh)		
MOLIT	Ministry of Land, Infrastructure and Transportation (RepublicofKorea)		
MPDO	Municipal Planning and Development Office (Philippines)		
MPI	Ministry of Planning and Investment (Viet Nam)		

MRDLR	Minister of Rural Development and Land Reform (South Africa)
MSDF	Municipal Spatial Development Framework (South Africa)
NB	NEDA Board (Philippines)
NDP	National Development Plan (South Africa)
NEC	National Economic Council (Bangladesh)
NEDA	National Economic and Development Authority (Philippines)
NFPP	National Framework for Physical Planning (Philippines)
NGA	National Government Agency
NLUC	National Land Use Committee (Philippines)
NPFP	National Physical Framework Plan (Philippines)
NPPC	National Physical Planning Council (Malaysia)
NPP	National Physical Plan (Malaysia)
NGO	Non-Government Organizations
NSC	National Strategy Committee (Panama)
NSDF	National Spatial Development Framework (South Africa)
NUA	New Urban Agenda
PCLUP	Provincial Comprehensive Land Use Plan (Philippines)
PDC	Provincial Development Council (Philippines)
PDP	Provincial Development Plan (Philippines)
PDPFP	Provincial Development and Physical Framework Plan (Philippines)
PEI	Institutional Strategic Plan (Panama)
PEN	National Strategic Plan with State Vision "Panama 2030"
PLUC	Provincial Land Use Committee (Philippines)
PND	National Development Plan (Paraguay)
POUT	Urban and Territorial Management Plan (Paraguay)
PPDC	Provincial Planning and Development Coordinator( Philippines)
PPDO	Provincial Planning and Development Office (Philippines)
PPFP	Provincial Physical Framework Plan (Philippines)
PP2041	Perspective Plan for 2041 (Bangladesh)
PSDF	Provincial Spatial Development Framework (South Africa)
RAI	Regional Authority Index
RDC	Regional Development Council (Philippines)
RDP	Regional Development Plan (Philippines)
RLUC	Regional Land Use Committee (Philippines)
RPFP	Regional Physical Framework Plan (Philippines)
SB/P	Sangguniang Bayan/Panlungsod(Philippines)
SDGs	Sustainable Development Goals(UN)
SDP	Social Development Planning (Paraguay)
SDPM	Sustainable Development Plan of the Municipality (Paraguay)

SPLUMA	Spatial Planning and Land-Use Act (South Africa)
SSP	State Structure Plans (Malaysia)
TWG	Technical Working Group (Philippines)
UDD	Urban Development Directorate (Bangladesh)
UPZ	Upaliza (Bangladesh)
ZO	Zoning Ordinance
12MP	Twelfth Malaysia Plan

#### Introduction

Over the last three decades of economic growth in Viet Nam, urbanization has been accelerating rapidly in the country and this trend is set to continue. The level of urbanization is expected to rise from 33 per cent in 2014 to 50 per cent by 2030.¹ Cities are major drivers of economic development and growth in Viet Nam, as about 70 per cent of gross domestic product is generated in urban areas.² In relation to climate change, 70 per cent or more of the carbon emissions and waste are generated in cities. Sustainable urban development has become a top priority for the Government of Viet Nam.³

The main challenges facing the urban sector arise from the absence of linkages between the different policies, plans and strategies such as (sectoral policies, urban policies, master plans and special plans). Efforts have been made to address shortcomings in urban planning such as the drafting of the **National Urban Development Strategy** as well as enacting the **Planning Law (issued in 2017)** and the upcoming **Planning Law (2025)**.

The aim is to encourage decentralization of urban planning and development responsibility to include all government administration levels and to require stakeholder consultation with respective organizations, individuals, and communities. However, a major challenge is the lack of capacity of subnational authorities to plan and manage urban growth and development in an integrated manner, plan and operate urban infrastructure, and efficiently deliver equitable urban/municipal services.

While policy changes have been made to promote decentralization, institutional reforms and local capacity development have not kept pace.

UN-Habitat, through the Regional Office for Asia Pacific and the Viet Nam Country Office, is implementing the Institutional Strengthening and Capacity Building (ISCB) project in Viet Nam to strengthen capacities of national and local institutions to promote, plan and implement innovative and participatory solutions for urban development in Vietnamese cities.

<sup>&</sup>lt;sup>1</sup> Institutional Strengthening and Capacity Building Project Document for Vietnam. <a href="https://fukuoka.unhabitat.org/en/projects/2599/">https://fukuoka.unhabitat.org/en/projects/2599/</a>,

<sup>&</sup>lt;sup>2</sup> Ibid.

<sup>&</sup>lt;sup>3</sup> Ibid.

<sup>&</sup>lt;sup>4</sup> Ibid.

The project outcomes are the following:



I. Improved capacity of national and subnational authorities to drive sustainable urban development.



II. Policy and legal frameworks promote integrated and participative urban planning and management.



III. Pilot projects contribute to the introduction of innovative approaches, promoting cross-sectoral strategic planning and participatory urban development.

The UN-Habitat Policy, Legislation and Governance Section is supporting the ISCB project through technical legal assistance based on international tools and methodologies to ensure and promote rights-based legislation as well as functionally effective laws in Viet Nam. The Vietnamese partner for this technical assistance on planning law reform is the Department of Planning and Management under the Ministry of Planning and Investment.

The guiding principles for the planning law reform in Viet Nam should be the United Nations international frameworks on sustainability: the Sustainable Development Goals and the New Urban Agenda (NUA).

The Goals were adopted by all United Nations Member States in 2015 as a universal call to action to end poverty, protect the planet and ensure that all humankind enjoys peace and prosperity by 2030. The 17 Goals are integrated – that is, it is recognized that action in one area will affect outcomes in others, and that development must balance social, economic and environmental sustainability. Goal 11 (sustainable cities and communities) is a call for inclusive access to land, infrastructure,

housing and basic services. Goal 10 is intended to reduce inequalities and exclusion within and among countries while Goal 16 is a universal call for effective, accountable and transparent institutions at all levels, as well as participatory and representative decision-making.

The NUA was adopted during the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in Ecuador and endorsed by the United Nations General Assembly in 2016. It is universal in scope and represents a shared vision for a better and more sustainable urban future, setting out priorities and actions at the global, regional, national, subnational and local levels that governments and other relevant stakeholders in every country can adopt based on their needs.

With the principles and commitments of the NUA there is a recognition of the leading role played by national governments in the definition and implementation of inclusive and effective urban policies and legislation for sustainable urban development, and the equally important contributions of subnational and local governments, civil society and other relevant stakeholders, for participatory, transparent and accountable decisionmaking. To implement this commitment, the NUA contains the requirement that appropriate steps are taken to strengthen national, subnational, and local institutions to support local economic development, fostering integration, cooperation, coordination and dialogue across all levels of government, functional areas and relevant stakeholders. including through local and metropolitan multilevel governance, consultation mechanisms and by clearly defining the respective urban competences, tools and resources for each level of government.

#### Comparative legal research

To support the development of the Planning Law and to modernize the spatial legal system in Viet Nam, an international benchmarking/comparative study of laws and policy documents on how other developed and developing countries regulate spatial planning mandates and hierarchies at different administrative levels (national, provincial and local) would provide suitable best practices and recommendations to Viet Nam. Therefore, UN-Habitat has overseen an analysis of the legal and institutional frameworks of 9 countries focusing on 2 thematic areas, and 7 subtopics resulting in a total of 18 case studies.

### Brief descriptive note on the country selection

For the comparative analysis to produce meaningful results, the scope of selected case studies must be limited since certain legal systems or social contexts may not be comparable with those of Viet Nam. Thus, a methodology to identify planning legal models that are relevant, successful and comparable to the Vietnamese context was developed. In brief, first, given the scope and thematic topics of the study, a long list of 20 developed and developing countries was created, leveraging UN-Habitat's past experiences in countries with practical and innovative legislative best practices on territorial planning.

These included Australia, Bangladesh, Brazil, Chile, Denmark, Ghana, Japan, Kenya, Malaysia, Morocco, Panama, Paraguay, Philippines, Republic of Korea, Rwanda, South Africa, Spain, Thailand, Tunisia, and the United Kingdom of Great Britain and Northern Ireland.

Second, a set of structural parameters covering the social, institutional and economic characteristics of Viet Nam was developed and each country was awarded points and ranked in comparison with the following Vietnamese parameters:

#### **Viet Nam Institutional framework**



Form of State

Unitary



Centralization of urban development mandates

Mainly three tiers involved (national,

provincial and local)

### Socioeconomic variables of Viet Nam (the World Bank Data Bank)<sup>5</sup>



Urban population

38 per cent (2021)



Urban population growth

2.7 per cent (2021)



GDP per capita

US\$ 3,756.5 as of 2021 (lower middle income)



IHDI

0.6 as of 2021 (medium-low human development)



The population living in informal settlements

6 per cent of urban population, 2020



Individuals using the internet

74 per cent of the total population, 2021

 $<sup>^{\</sup>rm 5}$  Socioeconomic variables of Vietnam: https://databank.worldbank.org/



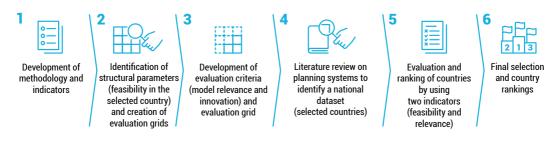
The countries that did not achieve a minimum score of 50 per cent in the structural assessment were no longer considered. After this, a thorough literature review of the planning system, the related legislation and institutional framework was carried out to identify relevant and successful country examples among the following 13 countries forming the key dataset for the final country selection: Bangladesh, Ghana, Japan, Malaysia, Morocco, Panama, Paraguay, Rwanda, South Africa, Spain, Thailand, the Philippines, and Tunisia. After the evaluation process, the following eight countries scored the highest:



Additionally, UN-Habitat included the Republic of Korea among the case studies and in the comparative analysis because it contained good best practices on the thematic topic, and there was interest expressed by the country partners to have more countries from East and South-East Asia. This working method ensured that the country selection was not only balanced, but also that the comparative analysis and recommendations were accurate, reliable and comprehensive.

Figure 1. Illustration of the country selection process

Source: UN-Habitat.





#### Agreed thematic topics for the case studies

Planning hierarchies at different administrative levels

#### **Subtopics**

- Institutional functions and capacity of planning authorities
  - Roles and responsibilities of planning institutions at a national, provincial/regional and local levels, coordination mechanisms, including definition of various spatial planning instruments operating at this administrative levels/scale.
  - Decentralization of planning mandates.
  - Stakeholder engagement and participatory governance in spatial planning.
- Hierarchies, objectives and content of planning instruments
  - Objectives and contents of the above spatial planning instruments.
  - Hierarchical order and coherence of the above planning instruments.
  - The integrated approach to spatial planning (environmental, social and economic factors).

### **Executive Summary**

The findings from the case studies in this report are meant to provide a spectrum of regulatory models and schemes showcasing how planning is hierarchically organized at different administrative levels in different countries, what the content is of each planning instrument, and how planning instruments at different administrative levels influence and complement each other. The following are some key lessons and takeaways:

### Institutional functions and capacity of planning authorities

Institutional roles and responsibilities should be clearly defined and divided among well-coordinated institutions. Spatial planning legislation should promote multilevel governance and coordination amongst institutions at all levels of government for the planning, implementation, approval and oversight of development projects, plans and documents.

As an example, in Japan, the *City Planning*Act of 1919, establishes the Council for the Greater Regional Plan to ensure the successful implementation of Greater Regional Plans. The Council is a multi-stakeholder body composed of municipal governments responsible for the areas included in the plan, bordering local governments, and other public and private sector entities.

This diverse composition for allows and inclusive comprehensive planning processes that consider various perspectives and expertise. The Council's role includes inter-municipal facilitating cooperation. aligning regional development objectives with national policies, and addressing crossborder issues such as transport networks, environmental conservation and economic development. This collaborative approach helps to create cohesive regional strategies that are more effective in addressing the unique needs and challenges of different areas within the region. The Council's work is further supported by the Local Autonomy Act of **1947**, which encourages voluntary partnership between agreements municipalities promote regional dynamism and growth. Human and financial resources should be adequate for the successful implementation of the urban law framework

Non-State actors should be allowed to engage and consult at all stages of spatial planning meaning the preparation and design, post-design (that is, once a plan is complete), the implementation, the monitoring/evaluation and the post-implementation. The legislative framework should include the mechanisms, timeframes and modalities for public participation in a clear manner (such as town halls, public charrettes, questionnaires and interviews).

For instance, in South Africa, public participation is not only encouraged, but it is a legislative mandate across all spheres of government. The importance of involving the public in the planning process is enshrined in the Constitution, emphasizing the South African Government's commitment to transparency, accountability and inclusivity. The 2013 Spatial Planning and Land Use Management Act (SPLUMA) and the 2000 Municipal Systems Act provide a legal framework that clearly defines the timeframe, procedure and mechanisms for participatory planning.

SPLUMA establishes the principles and standards for spatial planning, land-use management and land development, mandating that public participation is integral to the formulation and implementation of spatial development frameworks and land-use schemes. The Act requires municipalities to actively involve communities in the preparation, adoption and revision of these frameworks and schemes.

Similarly, the *Municipal Systems Act* outlines the requirements for municipalities to establish participatory governance structures, such as ward committees and community meetings, to ensure that residents have a say in local government decisions. These legislative instruments set out detailed procedures for notifying the public, conducting consultations and integrating public feedback into planning documents. This structured approach ensures that the voices of individuals, interest groups and stakeholders are heard and considered,

fostering a collaborative environment in which diverse perspectives contribute to sustainable and equitable urban development. Through these mechanisms, South Africa demonstrates a comprehensive and systematic approach to public participation, enhancing the legitimacy and effectiveness of spatial planning and landuse management.

### Hierarchies, objectives and content of planning instruments

The urban planning framework should be clearly defined in the legislative text, the objectives of which are consistent and based on clear policies or a vision guiding the long-term development objectives. For instance, in the Philippines, the Comprehensive Land-Use Plans (CLUPs) serve as the primary planning instruments at the municipal level, ensuring a cohesive approach to urban development.

The CLUPs are given precedence over other sectoral, development and investment plans, underscoring their importance in guiding local planning efforts. The formulation, adoption or modification of CLUPs must align with the approved Provincial Comprehensive Land-Use Plan, a requirement that ensures a harmonized planning process across different administrative levels. This alignment is critical for maintaining consistency with land-use planning standards and guidelines prescribed by the Housing and Land-Use Regulatory Board (HLURB). The HLURB's standards encompass various aspects of sustainable development, including climatechange adaptation, disaster-risk reduction and

the integration of planning for coastal areas, ancestral domains, biodiversity, infrastructure, economy and urban greening. By adhering to these standards, municipalities can effectively address local needs while contributing to broader provincial and national development goals. The CLUP Guidebook, approved by HLURB in 2013, provides detailed instructions on incorporating these considerations into local plans, ensuring that the CLUPs not only prioritize local objectives but also support the overarching vision for sustainable and resilient development in the Philippines. Furthermore, the planning vision should reflect the principles expressed by the Sustainable Development Goals and in the New Urban Agenda, such as the Vision "Panama 2030" that has strong foundations in implementing the Goals.

Vision "Panama 2030" adopts the Goals as a cornerstone for national planning, ensuring that all development initiatives contribute to broader global sustainability goals. The planning vision prioritizes inclusivity, resilience and sustainability, aiming to address the diverse needs of Panama's population while fostering economic growth and environmental stewardship. Moreover, the Vision promotes a cohesive policy approach that addresses interconnected challenges, such as poverty, health, education and climate change. It emphasizes creating urban environments that are inclusive, safe, resilient and sustainable, reflecting the New Urban Agenda's principles.

The vision integrates climate resilience into national planning processes, aligning with Goals' targets related to climate action (Goal 13).6 It promotes inclusive governance structures, encouraging active involvement of the public and local communities in decision-making processes, as outlined in Goal 16 for peace, justice and strong institutions. Furthermore, Vision "Panama 2030" underscores the importance of equity, aiming to reduce inequalities (Goal 10) and ensure that marginalized and vulnerable groups benefit from development gains. It aligns with the Goals in fostering sustainable economic growth and innovation (Goals 8 and 9), promoting policies that encourage entrepreneurship, technological advancement and infrastructure development.

The minimum content and scope of each planning instrument, implemented at all administrative levels, should also be clearly established in the legislation and mechanisms to ensure that coordination among different planning instruments should be in place. The content and the hierarchical order of planning instruments should be in the sectoral or scale. axis. A good example comes from the Republic of Korea, where the spatial planning framework is guided by the 2009 Framework Act on the National Land and the 2002 National Land Planning and Utilization Act. These legislative acts are crucial in establishing a structured and cohesive approach to spatial and land-use planning.

<sup>&</sup>lt;sup>6</sup> Vision "Panama 2030", Chapter 4, Section 5: Promoting Inclusive and Resilient Urban Environments.: <a href="https://siteal.iiep.unesco.org/sites/default/files/sit\_accion\_files/panama\_plan\_panama\_2030.pdf">https://siteal.iiep.unesco.org/sites/default/files/sit\_accion\_files/panama\_plan\_panama\_2030.pdf</a>.

The Framework Act on the National Land sets out the overarching policies and principles for national land use, including the sustainable development and use of land resources. Meanwhile, the National Land Planning and **Utilization Act** provides detailed guidelines and standards for the practical implementation of these policies at various administrative levels. These laws were harmonized, ensuring that spatial planning and land-use decisions in the Republic of Korea were consistent, sustainable and aligned with national objectives. This integrated framework facilitates coordination among different levels of government, from the national to the local, and promotes a unified approach to addressing spatial development challenges. The legal harmonization also supports the country's commitment to sustainable development, balancing economic growth, environmental protection and social equity across all regions.

Planning should follow an integrated approach aiming to balance short-term needs with the long-term desired outcomes of a competitive economy, high quality of life and sustainable environment, and should consider statistics and demographic projections as well. The National Physical Plan (NPP) of Malaysia exemplifies an integrated approach to spatial planning, balancing short-term needs with long-term outcomes.

The NPP serves as a strategic framework guiding the development of the country, considering economic. social and environmental dimensions. In addressing short-term needs, the NPP focuses on urban growth and housing by planning for new residential areas and upgrading existing urban infrastructure to accommodate a growing population. Economic development initiatives are also prioritized in the short-term, focusing on developing economic corridors and special economic zones to boost regional economies and create job opportunities. For long-term desired outcomes, the NPP emphasizes environmental conservation, promoting the creation of green corridors and protecting natural resources. Policies are in place to ensure that development projects incorporate sustainable practices. For instance, the "Low Carbon Cities Framework" promotes reducing carbon emissions through energyefficient buildings and transport systems.7The "National Policy on Climate Change" integrates climate resilience into planning processes, requiring new developments to incorporate flood mitigation measures and green building standards.8 Additionally. the "National Biodiversity Policy" ensures the protection of natural habitats and biodiversity in planning urban expansions.9

<sup>&</sup>lt;sup>7</sup> Low Carbon Cities 2030 Challenge: <a href="https://www.mgtc.gov.my/what-we-do/low-carbon-cities-lcc/low-ca

<sup>8</sup> Malaysia: National Policy on Climate Change: https://policy.asiapacificenergy.org/node/3982#:~

<sup>=</sup>The%20National%20Policy%20serves%20as,a%20concerted%20and%20holistic%20manner.

 $<sup>^9</sup>$  National Policy on Biological Diversity 2022–2030:  $\frac{\text{https://www.mybis.gov.my/pb/5710\#:}\sim =\text{The}\%20}{\text{National}\%20Policy}\%20on\%20Biological, the\%20utilisation\%20of\%20biological\%20resources\%E2\%80\%9D.}$ 

The NPP also aims to enhance the quality of life by developing public amenities, healthcare facilities, and educational institutions, ensuring equitable access for all residents. Strategic planning under the NPP supports the vision of Malaysia to be a high-income nation by focusing on infrastructure development and technological innovation. An integrated approach is a key feature of the NPP, involving cross-government collaboration.

The implementation of the NPP includes coordination between various ministries, such as the Ministry of Housing and Local Government, the Ministry of Economic Affairs, and State Governments.<sup>10</sup> This coordination ensures that planning is cohesive and aligned across different levels of government. Public engagement is also a crucial aspect of the planning process under the NPP, including public consultations and stakeholder engagements to incorporate the views and needs of the community, ensuring that the plans are inclusive and reflective of the population's aspirations.

By following this integrated approach, the NPP of Malaysia successfully balances immediate needs with long-term goals, using statistical and demographic data to guide sustainable development and improve the quality of life for its residents. This planning framework ensures that Malaysia can achieve a competitive economy, high quality of life and a sustainable environment

#### **High-level recommendations**

These recommendations from the countries' best practices are intended to provide advisory services that will support the process on planning law reform. These approaches should be contextualized to suit the Vietnamese social, cultural, economic and environmental context. Table 1 provides a summary of gaps and recommendations for Viet Nam based on the case study findings.

<sup>&</sup>lt;sup>10</sup> Economic Planning Unit, Prime Minister's Department, Malaysia (2020). National Physical Plan 3.: <a href="https://myplan.planmalaysia.gov.my/admin/uploads\_publication/rancangan-fizikal-negara-ke-3-chapter-7-en-31102020.pdf">https://myplan.planmalaysia.gov.my/admin/uploads\_publication/rancangan-fizikal-negara-ke-3-chapter-7-en-31102020.pdf</a>.

Table 1. Summary of gaps and recommendations for Viet Nam under each thematic topic

Source: Author

#### Thematic topic Gap identified in the legal Recommendations from **Institutional functions** framework and planning country best practice practice of Viet Nam and capacity of planning authorities The planning legislative framework Roles and Panama provides an innovative has limited coordination and legal mechanism to coordinate responsibilities of accountability mechanisms planning functions because planning institutions necessary for effective land it emphasizes the role of at national, provincial/ Municipal Planning Boards, management and territorial regional and local levels. planning. While the National as outlined in Law No. 6 Assembly, Government, and of 2006, of the National Ministry of Planning and Planning and Development Investment (MPI) have defined System, in formulating and roles at the national level. approving territorial and urban collaboration between these development plans. This entities and lower levels of mechanism ensures that local government is insufficient. planning is carried out with This lack of clear guidelines for advice from the Ministry of coordination between national, Housing and Spatial Planning provincial and district-level and in coordination with other institutions leads to overlapping relevant bodies. The system responsibilities and inefficiencies allows for a structured and in land management practices. integrated approach to planning, Additionally, the absence of enhancing the effectiveness and efficiency of urban comprehensive statutory consequences for non-compliance development initiatives across undermines the enforcement of different administrative levels. the planning and land laws and By clearly defining the roles and

provincial and district-level People's

Committees face challenges in

resources and unclear procedural

implementing and overseeing

compliance due to limited

frameworks.

responsibilities of each planning

institution and promoting inter-

agency collaboration, the model

used in Panama helps to avoid

implementation of landuse

policies.

overlaps and ensures a cohesive

Thematic topic	Gap identified in the legal	Recommendations from
Institutional functions	framework and planning	country best practice
and capacity of	practice of Viet Nam	
planning authorities		
Decentralization of spatial planning mandates.	Limited capacity to operationalize decentralized mandates, hence weak delivery of equitable municipal services.	Bangladesh has a sound legal mechanism to coordinate planning functions, employing a dual system of decentralized and deconcentrated entities at the subnational level. The country's planning framework is guided by the 8th Five Year Plan (2020–2025), which emphasizes comprehensive coordination between national, regional and local levels of government. This approach ensures effective management of planning mandates across different administrative levels, promoting integrated territorial development and equitable delivery of municipal services.
		Directorate within the Ministry of Housing and Public Works plays a pivotal role in coordinating
		urban development plans, ensuring they align with national
		policies and strategic objectives, thus facilitating a cohesive and
		well-organized urban planning system.

Thematic topic	Gap identified in the legal	Recommendations from
Institutional functions	framework and planning	country best practice
and capacity of	practice of Viet Nam	
planning authorities		
	Limited opportunities for the public to participate in decision making on legislative and planning matters. Article 4 of the Planning Law provides for public participation as a principle of planning, but it does not contain a detailed procedure on public participation, nor does it contain specific mechanisms tailored for vulnerable groups such as women and the Indigenous communities.	South Africa has a good legislative mechanism to coordinate planning functions by emphasizing public participation and involvement in urban development at every stage of the process.  Recently in South Africa, the Spatial Planning and Land Use Management Act (SPLUMA) of 2013 was enacted to ensure that community participation is guaranteed in incorporating safeguard or incentive regulations in regulatory plans.  SPLUMA mandates specifically in Section 20 (1)(iv) and (v) that drafting intercommunal or metropolitan regulatory plans and sectoral plans must be transparent and participatory, requiring the opinion of the community affected. This law ensures that diverse stakeholders, including vulnerable groups, are involved in the planning
		process, significantly
		impacting the inclusivity and
		comprehensiveness of urban
		development initiatives.

<sup>&</sup>lt;sup>11</sup> South Africa (2013). Spatial Planning and Land Use Management Act (SPLUMA) of 2013, Section 20 (1)(iv) and (v): <a href="https://www.gov.za/sites/default/files/gcis\_document/201409/367305-8act16of20.pdf">https://www.gov.za/sites/default/files/gcis\_document/201409/367305-8act16of20.pdf</a>.

## Thematic topic Institutional functions and capacity of planning authorities

#### Gap identified in the legal framework and planning practice of Viet Nam

### Recommendations from country best practice

Integrated approach to planning (in relation to the content including environmental, social and economic factors). The legal framework for urban planning in Viet Nam, outlined in the Urban Planning Law (Law No. 30/2009/QH12), is critiqued for lacking effective institutional coordination and integration, leading to fragmented management. The National Strategy on Green Growth 2011-2020 emphasizes environmental considerations, but implementation is limited, with insufficient indicators and standards for green growth. Reports from organizations such as the World Bank highlight inadequacies in social inclusion and public participation, particularly for vulnerable groups. Additionally, underdeveloped, unsustainable financing frameworks and landvalue capture mechanisms hinder comprehensive urban development.

The approach to spatial planning used in Malaysia integrates environmental, social and economic factors at all government levels. The National Physical Plan and State Structure Plans incorporate environmental sustainability, prioritizing biodiversity conservation and climate resilience. Social inclusion is emphasized through extensive public participation in Local Plans, ensuring the needs of local communities are met. Economic development is fostered through strategic commercial and industrial locations, promoting mixed-use developments and enhancing transport infrastructure.

This multilevel governance system ensures coordination across federal, State and local levels, supported by a comprehensive legal framework including the **Town and Country Planning Act 1976.**<sup>12</sup>

<sup>&</sup>lt;sup>12</sup> Town and Country Planning Act 1976. Available at: <a href="https://tcclaw.com.my/wp-content/uploads/2020/12/">https://tcclaw.com.my/wp-content/uploads/2020/12/</a> <a href="https://tcclaw.com.my/wp-content/uploads/2020/">https://tcclaw.com.my/wp-content/uploads/2020/</a> <a href="https://tcclaw.com.my/wp-content/uploads/2020/">ht

Thematic topic	Gap identified in the legal	Recommendations from
Institutional functions	framework and planning	country best practice
and capacity of	practice of Viet Nam	
planning authorities		
Planning authorities  Hierarchical order and coherence of the above planning instruments.	The spatial planning system in Viet Nam, governed by laws such as the Law on Urban Planning (2009), Law on Planning (2017), Land Law (2013), Construction Law (2014), and Law on Housing (2014), lacks effective mechanisms for integration and coherence among various planning instruments. For instance, Article 17 of the Law on Urban Planning emphasizes the need for coherence in spatial planning, yet practical implementation often falls short. Despite principles outlined for sustainable and coordinated planning, such as those in Article 14 of the Land Law, inconsistencies in urban development and spatial planning practices persist due to inadequate integration and coherence.	The Philippines provides a good legal mechanism to coordinate planning functions through its structured and hierarchical spatial planning system. The national government prepares the Philippines Development Plan (PDP), outlining policy priorities and principles for spatial development, which guides local government units (LGUs). LGUs are responsible for preparing local development frameworks, including Comprehensive Land Use Plans (CLUPs) and Comprehensive Development Plans (CDPs), ensuring alignment with national policies. The Local Government Code of 1991 fosters collaboration and integrated planning between national and local authorities, promoting hierarchical order and coherence of planning instruments. This system ensures planning is efficient,
		inclusive, and aligned with national development goals. <sup>13</sup>

<sup>&</sup>lt;sup>13</sup> Department of the Interior and Local Government of the Philippines (DILG). (1991). Local Government Code of 1991. Available at: <a href="https://faolex.fao.org/docs/pdf/phi93246.pdf">https://faolex.fao.org/docs/pdf/phi93246.pdf</a>

## Thematic topic Institutional functions and capacity of planning authorities

## Gap identified in the legal framework and planning practice of Viet Nam

### Recommendations from country best practice

Objectives and contents of spatial planning instruments.

The legal framework for spatial planning in Viet Nam, including laws such as the Law on Urban Planning (2009) and the Law on Planning (2017), aims to provide a comprehensive approach to urban development. However, these laws often fall short in defining the content for different plans at various administrative levels, leading to significant challenges. Specifically, the contents of provincial plans are not clearly defined, which results in weak implementation, particularly in regions such as the Mekong Delta. This lack of clarity contributes to inconsistencies and inefficiencies in spatial planning across different administrative levels. In the document Rapid Urban Legal Assessment Viet Nam, UN-Habitat points out that without precise definitions and standards in the planning laws, effective coordination and implementation at the provincial level are hindered, underscoring the need for a more comprehensive legislative framework to guide urban development.

The urban planning system used in Japan with its multilevel governance structure, clearly defines the objectives and contents of spatial planning instruments at national, regional and local levels. The objectives focus on balanced land development, disaster resilience and sustainable growth. National legislation such as the City Planning Act provides a detailed framework for spatial planning, ensuring that the responsibilities at each level, such as land-use regulation and infrastructure management, are addressed comprehensively. This approach ensures consistency, addresses local needs and effectively integrates environmental. social and economic factors. thus promoting cohesive and strategic urban development.

### **Methodology for Country Selection**

### 1. Indicators for country selection

The selection of countries for the case studies was based on a weighting of the following indicators:



**A.** Socioeconomic and institutional similarities with Viet Nam: This indicator ensures that selected countries are comparable to the institutional and socioeconomic context of Viet Nam.



3. Thematic relevance (planning mandates and hierarchies): This indicator guarantees that the selected countries provide good examples of the thematic area, according to each parameter/topic identified.



C. Regional diversity: This indicator aims to achieve regional diversity and balance in the country selection. The first two indicators have more weighting than the regional diversity indicator. However, based on the results from the socioeconomic and institutional indicator, the highest scoring country from each region (not already represented among pre-selected countries) will be awarded an additional point to ensure regional diversity in the pre-selection. To ensure that some of the selected countries are easily comparable with Viet Nam due to their geographical proximity, an additional point was awarded to those countries from South-East Asia.

**Table 2** is a summary of what each indicator contains while **Table 3** shows the parameters and the evaluation grid for each indicator. The minimum requirement for the selection of a country is an overall score of 5/10 and a minimum of 50 per cent in indicators A and B. This result can be interpreted as a viable and relevant case study for Viet Nam. If a country does not get at least 50 per cent in indicator A (2 points), the country will not be classified to be assessed under indicator B. **Table 4** outlines the socioeconomic and institutional parameters while **Table 5** showcases the evaluation of socioeconomic and institutional parameters. **Table 6** contains the evaluation grid for the relevance indicator while **Table 7** outlines the assessment of countries according to thematic relevance.



Table 2. Summary of indicators

Indicators	Parameters	Type of assessment	Weighting
A. Socioeconomic and institutional similarities with Viet Nam	Institutional framework  • Form of State: Unitary State  • Centralization of planning mandates: mainly three tiers involved (national, provincial and local)	Qualitative	3-4/4 The country has an institutional and socioeconomic context similar to Viet Nam and is a good comparator.  1.75-2.75/4 The country has an institutional and socioeconomic context that is moderately similar to Viet Nam and can be comparable.  0-1.5/4 The country does not have enough elements to be comparable to Viet Nam.
B. Thematic relevance	Effective spatial planning legislation, from analysing the following substantive criteria:  Institutional Functions and capacity of planning authorities /5  Hierarchies, objectives and content of planning instrument /5	Qualitative	5 4-5/5 The country provides excellent models of planning mandates and hierarchies

Indicators	Parameters	Type of assessment	Weighting
C. Regional diversity	Geographical region*  • Viet Nam Geographic region: Asia  • Viet Nam Geographic sub- region: Southeast Asia  *According to the UN Statistics division	Qualitative	Based on the results from the first two indicators above, the highest scoring countries from each geographic subregion is awarded an additional point to ensure regional diversity in the final selection.
Total			10

#### Table 3. Evaluation grids for the indicator

Indicator	Results
A. Feasibility and Structural Similarity to Viet Nam	/04
B. Thematic Relevance	/05
C. Regional Diversity	/01
Total	/10

### 2. Socioeconomic and institutional parameters

 Table 4.
 Socioeconomic and institutional parameters

Country	Form of State	Level of decentralization of urban planning mandates	Surface (km², 2021)	Population density (People per km² of land area, 2021)	Urban population (Per cent of total pop., 2022)	Urban population growth (Annual per cent in 2022)	GDP per capita (Current US\$, 2022)	Inequality- Adjusted Human Development Index (IHDI) (2021 value)	Individuals using the Internet (% of total pop., 2022)	Geographic region
Viet Nam	Unitary State	3 tiers	331,340	311	38	2.6	4,163.5	0.6 (medium)	79	Asia – South- East Asia
Australia	Federal State	3 tiers, but mostly State/regional level	7,741,220	3	86	1.3	64,491.4	0.88 (Very high)	96 (2021)	Oceania – Australia and New Zealand
Bangladesh	Unitary State	4 tiers	147,570	1,301	40	3	2,688.3	0.5 (Low)	39 (2021)	Asia – Southern Asia
Brazil	Federal State	3 tiers (National federal, sub- national /States/ federal district, and local / municipal)	8,515,770	26	88	0.7	8,917.7	0,58 (Medium)	81	Latin America and Caribbean (LAC) – South America
Chile	Unitary State	4 tiers (National, regional, metropolitan and local/municipal)	756,700	26	88	0.7	15,355.5	0.72 (High)	90 (2021)	Latin America and Caribbean (LAC) – South America

Country	Form of State	Level of decentralization of urban planning mandates	Surface (km², 2021)	Population density (People per km² of land area, 2021)	Urban population (Per cent of total pop., 2022)	Urban population growth (Annual per cent in 2022)	GDP per capita (Current US\$, 2022)	Inequality- Adjusted Human Development Index (IHDI) (2021 value)	Individuals using the Internet (% of total pop., 2022)	Geographic region
Denmark	Unitary State	3 tiers (National, regional and local)	42,920	146	88	0.9	66,983.1	0.9 (Very High)	99	Europe – Northern Europe
Ghana	Unitary State	1 tier	238,530	144	59	3.2	2,175.9	0.46 (Low)	68	Africa – West Africa
Japan	Unitary State	3 tiers	377,974	345	92	(-) 0.3	33,823.6	0.85 (Very high)	83	Asia – East Asia
Kenya	Unitary State	2 tier- decentralized (National and local, but mostly county governments at the local level)	580,370	93	29	3.7	2,099.3	0.43 (Low)	29 (2021)	Africa – East Africa
Malaysia	Federal State	3 tiers (National, regional/ state, and local)	330,411	102	78	1.7	11,993.2		97	Asia – South- East Asia
Morocco	Unitary State	3 tiers – with strong oversight from national government. (Subnational, regional and local)	446,550	83	65	1.8	3,527.9	0.5 (Low)	88 (2021)	Africa – North Africa

Country	Form of State	Level of decentralization of urban planning mandates	Surface (km², 2021)	Population density (People per km² of land area, 2021)	Urban population (Per cent of total pop., 2022)	Urban population growth (Annual per cent in 2022)	GDP per capita (Current US\$, 2022)	Inequality- Adjusted Human Development Index (IHDI) (2021 value)	Individuals using the Internet (% of total pop., 2022)	Geographic region
Panama	Unitary State	3 tiers (National, regional and local)	75,320	59	69	1.8	17,357.6	0.64 (Medium)	68 (2021)	Latin America and Caribbean – Central America
Paraguay	Unitary State	3 tiers (National, regional and local)	406,752	17	63	1.7	6,153.1	0.58 (Medium)	76	Latin America and Caribbean – South America
Republic of Korea	Unitary State	4 tiers (National, provincial, metropolitan and local/municipal)	100,430	530	81	- 0.2	32,254.6	0.84 (Very high)	97	Asia – East Asia
Rwanda	Unitary State	3 tier – decentralized (National, Provincial/ district and local)	26,340	546	18	3.2	966.3	0.4 (Low)	30 (2021)	Africa – East Africa
South Africa	Unitary State	3 tiers (National, regional/ provincial and local)	1,219,090	49	68	1.6	6,776.5	0.47 (Low)	72 (2021)	Sub-Saharan Africa – Southern Africa

Country	Form of State	Level of decentralization of urban planning mandates	Surface (km², 2021)	Population density (People per km² of land area, 2021)	Urban population (Per cent of total pop., 2022)	Urban population growth (Annual per cent in 2022)	GDP per capita (Current US\$, 2022)	Inequality- Adjusted Human Development Index (IHDI) (2021 value)	Individuals using the Internet (% of total pop., 2022)	Geographic region
Spain	Unitary State	3 tiers (National, regional/ provincial and local)	505,965	95	81	0.7	29,350.2	0.79 (High)	94	Europe – Southern Europe
Thailand	Unitary State	3 main tiers (national, regional/ provincial and local) with additional sub- levels	513,120	140	53	1.5	6,910	0.69 (Medium)	88	Asia – South- East Asia
The Philippines	Unitary State	3 tiers (National, Provincial/ Metropolitan and Local level)	300,000	382	48	2.1	3,498.5	0.57 (Medium)	53 (2021)	Asia – South- East Asia
Tunisia	Unitary State	3 tiers	163,610	79	70	1.2	3,776.7	0.59 (Medium)	79	Africa – North Africa
United Kingdom	Unitary State	4 tiers (National/ federal, sub- national, sub- regional - Greater London and local)	243,610	277	84	0.2	45,850.4	0.85 (Very high)	97 (2021)	Europe – Northern Europe

### 3. Evaluation of socioeconomic and institutional parameters

 Table 5.
 Evaluation of socioeconomic and institutional parameters

Country	Form of State	Surface (km², 2021)	Population density (People per km² of land area, 2021)	Level of decentralization of urban development mandates	Urban population (per cent of total pop., 2022)	Urban population growth (annual per cent, 2022)	GDP per capita (current US\$, 2022)	Inequality adjusted Human Development Index (IHDI), 2021 value	Individuals using the Internet (% of total pop., 2021)	FINAL SCORE /17	FINAL SCORE /4 + Regional Diversity /1
	Baseline= unitary Unitary=1 Other = 0	140 - 400 km² = 2 410 - 1 million km² = 1 1.1 - 2 million km² = 0.5 75 - 130 km² = 0.5 Other = 0	+/- 100 = 2 +/- 150 = 1 +/- 200 = 0.5 Other = 0	- Highly centralized (1 tier) = 0  - Centralized with some degree of autonomy; or decentralized but with control by central government (2 tiers) = 0.5  - Highly decentralized (3 tiers) = 2 (4 tiers) = 1	+/- 10% = 2 +/- 20% = 1 +/- 30% = 0.5 Other = 0	+/- 1% = 2 +/- 1.5% = 1 +/- 2% = 0.5 Other= 0	+/- 5,000 = 2 +/- 10,000 = 1 +/- 15,000 = 0.5 Other = 0	+/- 0.1 = 2 +/- 0.2 = 1 +/- 0.25 = 0.5 Other = 0	$90\% \ge 2 \ge$ $68\%$ $96\% \ge 1 \ge$ $62\%$ $100\% \ge 0.5 \ge$ $58\%$ Other = 0	/17	/4
Viet Nam Australia	Unitary State	331,340	311	3 tiers	38	2.6	4,163.5 0	0.6	79	3.5	0.8 (+1) =
Bangladesh	1	2	0	1	2	2	2	2	0	12	1.8 2.8 (+1) = 3.8
Brazil Chile	0	0	0	1	0	0	0.5	1	2 2	6.5	1.9

Denmark	1	0	1	2	0	0	0	0	0.5	4.5	1.1
Ghana	1	2	1	0	0.5	1	2	1	2	10.5	2.5 (+1) = 3.5
Japan	1	1	2	2	2	0	0	0.5	2	9.5	2.2
Kenya	1	2	0	0.5	2	0.5	2	1	0	8	1.9
Malaysia	0	1	0	2	0	2	1	0*	0.5	7.5	1.8 (+1) = 2.8
Morocco	1	0	0	2	0.5	1	2	2	2	11.5	2.7
Panama	1	2	0	2	0	1	2	2	2	8.5	2 (+1) = 3
Paraguay	1	2	0	2	0.5	2	2	2	2	13.5	3.2
Republic of Korea	1	0	0.5	1	0	0	0	0.5	0.5	3.5	0.8
Rwanda	1	0	0.5	2	1	1	2	1	0	8.5	2
South Africa	1	0.5	0	2	0.5	1	2	1	2	10	2.4 (+1) = 3.4
Spain	1	1	0.5	2	0	0	0	1	1	6.5	1.5 (+1) = 2.5
Thailand	1	1	0.5	2	1	1	2	2	2	12.5	2.9 (+1) = 3.9
The	1	2	2	2	2	2	2	2	0	15	3.5 (+1)
Philippines											= 4.5
Tunisia	1	2	0	2	0	0.5	2	2	2	11.5	2.7
United Kingdom	1	2	2	1	0	0	0	0.5	0.5	5	1.2

## 4. Evaluation grid for the relevance indicator

 Table 6.
 Evaluation grid for the relevance indicator

	0	1	2	3	4
Institutional functions and capacity of planning authorities	Several institutions have responsibilities in implementing the regulations and no coordination mechanism is in place.  No mechanisms for public participation in spatial planning processes. Human and financial resources are completely inadequate to implement the legislative framework.	Several institutions have responsibilities in implementing the regulations.  Coordination mechanisms exist but they do not work.  Limited mechanisms for public participation in spatial planning processes.  Human and financial resources are inadequate to implement the legislative framework but could be improved in several years (+5 years) with capacity development.	Several institutions have responsibilities in implementing the regulations.  Coordination mechanisms exist but they work only occasionally. There are mechanisms for public participation in spatial planning processes, but not structured (timeframes, modalities or avenues) or tailored to accommodate the needs of vulnerable groups.  Human and financial resources are inadequate to implement the legislative framework but could be realistically improved in a few years (2–3 years) with capacity development.	Institutional roles and responsibilities in this sector are concentrated in one institution or in several coordinated institutions that do not always work efficiently.  There are mechanisms for public participation in spatial planning processes, they are structured (clear timeframes, modalities or avenues), but not tailored to accommodate the needs of vulnerable groups.  Human and financial resources are somewhat adequate.	The definition of the institutions in charge of executing the spatial planning policies is contained in the legal text, as well as their roles and responsibilities.  There are mechanisms for public participation in spatial planning processes, they are structured (clear timeframes, modalities or avenues) and tailored to accommodate the needs of vulnerable groups.  The legislation contains coordination mechanisms for the different institutions to implement spatial planning policies. This coordination can be horizontal or vertical.  Human and financial resources are adequate for the spatial planning legislative framework.

	0	1	2	3	4
Hierarchies, objectives and content of planning instrument	Planning is highly centralized with only one level of planning.  There is no guiding policy and the legislation does not provide a clear definition of spatial planning.	The legislation does not provide a clear definition of the objective, scope and content of plans.  There are different levels of planning but no coherence among them nor a clear vision guiding planning.	Planning is decentralized to a certain degree (three main levels of planning, national, regional and local). The legislation defines planning as well as the objectives, and content of plans. However, the contents of plans are not always aligned or coordinated.	The definition of spatial planning and of planning instruments is contained in the legislative text.  Planning objectives are consistent and based on clear policies.  The content and the hierarchical order of planning instruments is in the sectoral or scale axis.	The definition of urban planning is contained in the legislative text, the objectives of which are consistent and based on clear policies or a vision guiding the long-term development objectives including urban and spatial planning. The planning vision is linked to the SDGs and the New Urban Agenda and contains an integrated approach.  The content and the hierarchical order of planning instruments is in the sectoral or scale axis.

# 5. Assessment of countries according to relevance

 Table 7.
 Assessment of countries according to thematic relevance

Country	Institutional functions and capacity of planning authorities /4	Hierarchies, objectives and content of planning instrument /4	Score /8	Score /5
Bangladesh	3	3	7	3.8
Ghana	2	2	4	2.5
Japan	4	4	8	5
Malaysia	3	4	7	4.4
Morocco	2	2	4	2.5
Panama	4	4	8	5
Paraguay	4	4	8	5
Rwanda	3	3	6	3.8
South Africa	3	4	7	4.4
Spain	3	4	7	4.4
Thailand	3	3	6	3.8
The Philippines	3	3	6	3.8
Tunisia	2	2	4	2.5

### 6. Final selection

 Table 8.
 Final ranking of countries

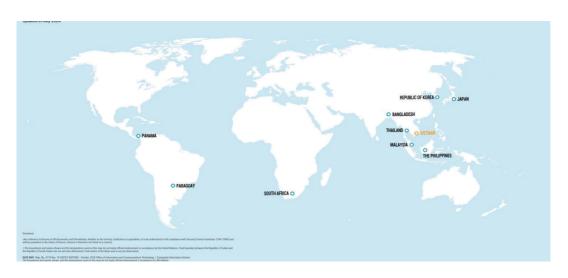
Country	Score for the socio-economic and institutional parameters /4	Score for the assessment criteria /5	Final score /10 (9 +1 for regional diversity)
Bangladesh	3.8	3.8	7.6
Ghana	3.5	2.5	6
Japan	2.2	5	7.2
Malaysia	2.8	4.4	7.2
Morocco	2.7	2.5	5.2
Panama	3	5	8
Paraguay	3.2	5	8.2
Rwanda	2	3.8	5.8
South Africa	3.4	4.4	7.8
Spain	2.5	4.4	5.9
Thailand	3.9	3.8	7.7
The Philippines	4.5	3.8	8.3
Tunisia	2.7	2.5	5.2

Table 9. Final selection of countries

Ranking	Final selection (in alphabetical order)	
1	Bangladesh	
2	Japan	
3	Malaysia	<b>(*</b>
4	Panama	* *
5	Paraguay	<b>ॐ</b>
6	South Africa	
7	Thailand	
8	The Philippines	*

In addition to the eight selected countries, the **Republic of Korea** will be included in the comparative research. Although it did not qualify for the final shortlist, that country's interesting best practices in territorial planning and its relevance to the Vietnamese context, given its East Asia location, make it a valuable case for comparison.

Figure 2. Map showing the geographical location of case study countries and Viet Nam





# Planning framework: institutional functions, coordination, hierarchy and scope of plans, and participatory planning

Viet Nam is aiming to systematically decentralize spatial planning responsibility to involve lower-level government administration levels and to require meaningful stakeholder consultation with respective organizations, individuals and communities. However, a major challenge is the lack of capacity of subnational authorities to plan and manage territorial planning and development in an integrated manner, to plan and operate urban infrastructure, and to efficiently deliver equitable municipal services.

The 2030 Agenda for Sustainable Development, articulated through the Sustainable Development Goals, serves as the foremost global framework for addressing critical global challenges. It establishes universal norms, values and fundamental principles essential for territorial planning and urban development. Notably, Goal 16 emphasizes the importance of effective, accountable and inclusive institutions, recognizing them as integral to the broader sustainable development process.

The New Urban Agenda (NUA) localizes the Goals by appreciating the role of multilevel urban governance in sustainable and inclusive cities.

It calls for stronger coordination and cooperation among national, subnational and local governments, including through multilevel consultation mechanisms and by a clear definition of mandates; <sup>14</sup> and coherence between goals and measures of sectoral policies at different levels of administration. <sup>15</sup>

Furthermore, the NUA supports strengthening the capacity of subnational and local governments to implement effective local and metropolitan multilevel governance, across administrative borders, and based on functional territories, ensuring the involvement of subnational and local governments in decision-making and working to provide them with the necessary authority and resources to manage critical urban, metropolitan and territorial concerns.<sup>16</sup>

The NUA also encourages effective and collaboration participation among all relevant stakeholders, including local governments, the private sector and civil society,17 and promotes participatory age- and gender-responsive approaches at all stages of the urban and territorial policy and planning processes, from conceptualization to design, budgeting, urban implementation, evaluation and review.

<sup>14</sup> New Urban Agenda, paragraph 87.

<sup>15</sup> NUA, paragraph 88.

<sup>16</sup> NUA, paragraph 90.

<sup>17</sup> NUA, paragraph 48.

This is rooted in new forms of direct partnership between governments at all levels and civil society, including through broadbased and well-resourced permanent mechanisms and platforms for cooperation and consultation open to all.<sup>18</sup> Effective urban governance relies on legislation that creates a coordinated and integrated institutional framework, clearly defining the competencies, roles and mandates of public authorities responsible for urban development.

Without such legislation, there can be a duplication of roles and a lack of policy coordination and integration, leading to institutional overlaps and sectoral fragmentation. These issues can have adverse effects, particularly on public service delivery. This section will examine the above thematic topics in all the nine case study countries.

## Roles and responsibilities of planning institutions

Spatial planning, the process by which land is allocated and managed, varies significantly across the case study countries, reflecting their unique administrative structures, legal frameworks and governance models.

This part of the present document provides a brief comparative analysis of how spatial planning is organized and implemented in several countries, highlighting the roles and responsibilities of various planning institutions. In Panama, spatial planning is highly decentralized, with municipalities serving as the core political-administrative divisions of the State. Each municipality is responsible for organizing the development of its own territory, which includes land use planning, zoning and urban development.<sup>19</sup>

This decentralized approach allows for tailored solutions that address local needs and priorities. The national Government, through the Ministry of Housing and Spatial Planning, provides guidelines and support to ensure that municipal plans align with broader national objectives, promoting coherent development across the country. Malaysia is a federal State where spatial planning functions are undertaken at three different levels, the national – federal level, the regional – state level and at the local – municipal level. Both Federal and State Governments have legislative power over town and country planning.<sup>20</sup>

Similarly, in Paraguay, all three administrative levels have political and administrative functions concerning spatial planning, which is also the case in South Africa where spatial planning is a responsibility of all the three administrative levels, to which a fourth level (regional) might be added by the ministry based on spatial planning needs. Many countries in Asia and the Pacific have a dual system of territorial administration, with a mix between decentralized and deconcentrated

<sup>&</sup>lt;sup>18</sup> NUA, paragraph 92.

<sup>&</sup>lt;sup>19</sup> Art. 233 of the Political Constitution of the Republic of Panama.: <u>www.constituteproject.org/constitution/</u> Panama\_2004.

<sup>&</sup>lt;sup>20</sup> Ninth Schedule of the Federal Constitution. For the distribution of legislative power among the Federation and the States see articles 74 – 77: <a href="https://sagc.sabah.gov.my/sites/default/files/law/NinthSchedule.pdf">https://sagc.sabah.gov.my/sites/default/files/law/NinthSchedule.pdf</a>.

entities at the subnational level. For instance, since the 1990s, decentralization in East and South-East Asian countries such as, Japan, the Republic of Korea and Thailand has meant the adoption of new public management models oriented towards more effective public policies and service delivery, which seeks to contribute to economic competitiveness and respond to the challenges of globalization.<sup>21</sup> Bangladesh has also adopted a decentralized approach to urban development and planning, establishing autonomous city governments that form part of the Urban Local Government Institutions (LGIs), divided into urban and rural local governments.

However, deconcentration results in a geographic displacement of power from the central Government to units based in regions (territorial administration of the central Government, line ministerial departments, territorial agencies, etc.).<sup>22</sup> Deconcentration enables the central Government to maintain certain functions at the local level, ranging from representational functions to more significant ones.<sup>23</sup>

In many cases, a deconcentrated executive body, often at the regional level, is appointed by a central government (or an upper level of government), and a deliberative body is elected by the population (for example, local council). In such systems, regional or local government bodies elected by the public must co-exist alongside deconcentrated bodies that are embedded in a vertical, hierarchical structure and are under the supervision of the tier of government above them.<sup>24</sup>

A possible adverse effect of such systems is overlapping functions, particularly if there is no clear definition and distinction of these. For example, in the Republic of Korea, where the functions of local governments are not clearly defined by the Local Autonomy Act, there is a large degree of overlap in the division of responsibilities, as the regional and local levels have the same functions but at different scales. The central Government can use its own power and control over any function.<sup>25</sup> In Japan, there is also no clear-cut delineation of tasks between the responsibilities of prefectures and municipalities.<sup>26</sup>

<sup>&</sup>lt;sup>21</sup> OCED/ADB, Regional development papers, Multilevel governance and subnational finance in Asia and the Pacific, 2023: <a href="https://www.oecd-ilibrary.org/docserver/f3e8a2fb-en">https://www.oecd-ilibrary.org/docserver/f3e8a2fb-en</a>. pdf?expires=1715861553&id=id&accname=guest&checksum=031701424430F5BD1BC1D9496E2AB0B3. OCED, Fiscal Federalism Studies; Kim, J. and S.

Dougherty, Fiscal decentralization and inclusive growth in Asia, 2019: <a href="https://read.oecd-ilibrary.org/governance/fiscal-decentralisation-and-inclusive-growth-in-asia\_25cf7545-en#page1">https://read.oecd-ilibrary.org/governance/fiscal-decentralisation-and-inclusive-growth-in-asia\_25cf7545-en#page1</a>.

<sup>&</sup>lt;sup>22</sup> OECD, Making Decentralization Work: A Handbook for Policymakers, OECD Multilevel Governance Studies, 2019: <a href="https://doi.org/10.1787/q2q9faa7-en">https://doi.org/10.1787/q2q9faa7-en</a>.

<sup>&</sup>lt;sup>23</sup> Ibid.

<sup>&</sup>lt;sup>24</sup> OECD/ADB (2023). Multilevel governance and subnational finance in Asia and the Pacific, OECD Regional Development Papers, No. 61, https://doi.org/10.1787/ f3e8a2fb-en.

<sup>&</sup>lt;sup>25</sup> OCED/ADB, Multilevel governance and subnational finance in Asia and the Pacific, p. 29.

<sup>&</sup>lt;sup>26</sup> Ibid.

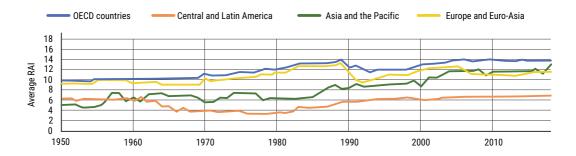
In Malaysia, there is a federal list of competencies as well as vertically shared responsibilities between States and municipalities.

Overall, in some Asian countries such as Bangladesh and Thailand, there has been an increase in the Regional Authority Index (RAI) driven by a significant increase in regional authority, due to, for example, the development of metropolitan governance and city corporations (Bangladesh).

On the other hand, RAI has decreased in Malaysia.

Figure 3. Evolution of the Regional Authority index in Asia and the Pacific, and other world regions (1950-2018)<sup>27</sup>

**Source:** OCED/ADB Regional development papers, multilevel governance and subnational finance in Asia and the Pacific, 2023.



<sup>&</sup>lt;sup>27</sup> Note: The average Regional Authority Index score for Asia and the Pacific includes the following countries: Australia, Bangladesh, Bhutan, Cambodia, Japan, India, Indonesia, the Lao People's Democratic Republic, Malaysia, Mongolia, Nepal, New Zealand, Pakistan, the People's Republic of China, the Philippines, the Republic of Korea, Sri Lanka, Thailand, Viet Nam.



#### Comparative analysis

Effective spatial planning and land-use management require robust coordination mechanisms to ensure that policies and initiatives are aligned across different levels of government. Coordination mechanisms facilitate the integration of national, regional and local plans, ensuring coherent and sustainable development.

These mechanisms typically involve vertical coordination (between higher and lower levels of government) and horizontal coordination (between agencies at the same level of government). Countries adopt various approaches to achieve this integration, reflecting their unique administrative structures and governance models.

In Japan, all levels share planning responsibility and are involved in the planning process of the above and lower level through several vertical and horizontal coordination mechanisms. Similarly, the Philippines has a decentralized government structure where the upper level supervises the lower one. National agencies and offices with project implementation functions coordinate with one another and with the concerned local government units and ensure the participation of local government units in both the planning and implementation of said national projects.

Institutions with coordination functions exist at all local administrative levels and the coordination among all levels of governments and of policy documents, planning instruments and programs is listed among the operative

principles of decentralization. In South Africa, institutions and planning processes must facilitate and promote principles of cooperative government and intergovernmental relations amongst the three spheres of government in respect of spatial development planning and land-use management systems.

By contrast, countries like Panama and Malaysia have ad hoc institutions ensuring the coordination of all levels of government and among planning instruments, programmes and projects. To coordinate institutional functions among the central and regional governments, Paraguay relies on a comprehensive stakeholder consultation process involving the Departmental Board.

The Departmental Government collaborates with local municipalities, engaging community leaders, business representatives, civil society organizations and technical experts to ensure that the regional development plan reflects the diverse needs and aspirations of the population.

This coordination ensures that the planning instruments and projects are aligned with national objectives and tailored to the unique requirements of each municipality within the department, promoting balanced and sustainable development across all levels. In Bangladesh, the Technical Secretariat for Economic and Social Development Planning coordinates with various ministries to ensure that national and regional plans are aligned.

The Secretariat for the Environment integrates environmental considerations, and Departmental Boards work closely with municipalities to implement these plans.

collaborative framework promotes This coherence between national policies and local implementation, ensuring that environmental and socioeconomic aspects are harmonized in the planning process. Similarly, the Republic of Korea uses a dual system that combines decentralized local governments deconcentrated central government agencies. This ensures that local governments have the autonomy to address specific regional issues while maintaining consistency with national policies through the 2009 Framework Act on the National Land and the 2002 National Land Planning and Utilization Act.

The integration of these two systems allows for flexible yet unified spatial planning, accommodating local needs while adhering to overarching national strategies. In contrast, Thailand relies on the Department of Public Works and Town and Country Planning to oversee the implementation of national policies at the regional and local levels.

Regional offices play a crucial role in ensuring that local plans align with national objectives, supported by the Town Planning Act. This structure facilitates effective vertical and horizontal coordination, enabling regional offices to act as intermediaries between the central Government and local municipalities. This ensures that local development plans are consistent with national goals, addressing both local and national priorities.

Bangladesh, the Republic of Korea and Thailand have developed unique mechanisms to coordinate planning functions across different levels of government, reflecting their administrative structures and development priorities.

Bangladesh emphasizes the integration of environmental considerations and collaborative regional implementation. The Republic of Korea balances local autonomy with national oversight through a dual system of administration, while Thailand leverages regional offices and comprehensive national planning frameworks to ensure coherent implementation of national policies.

**Table 10.** Overview of the planning system: institutional functions, coordination and content of plans, Bangladesh



#### Bangladesh

#### Legislative framework:

- Constitution of Bangladesh 1972
- Local Government (Municipalities) Act No. 58 of 2009, as amended in 2022
- Local Government (City Corporation) Act 2009
- Zilla Parishad Act No. 19 of 2000 Regulating the District Council (Zila Parishad) and its functions.
- Local Government (Upazila Parishad) Act 1998, as amended in 2009. Regulating the Sub-district Council (Upazila Parishad) and its functions
- Local Government (Union Parishad) Act 2009

Tier of government	Planning instrument	Drafted by	Approved by	Scope
National	Perspective Plan for 2041.	General Economics	National Economic	This plan aims to elevate Bangladesh to upper-middle-income status by 2031
	Five-year plan.	Division (GED). <sup>28</sup>	Council (NEC). <sup>29</sup>	and highincome status by 2041, with a target per capita income of US\$ 12,500 and a GDP growth rate of 9.9 per cent. It focuses on eradicating extreme poverty, ensuring universal access to healthcare and education, and promoting sustainable development and environmental preservation. The plan also seeks to strengthen governance and institutional capacity to support these ambitious goals. <sup>30</sup>
Subregional District	District-level regional plans.	Urban Development Directorate.	Ministry of Local Government, Ru- ral Development and Cooperatives (MoLGRD&C) Na- tional Parliament of Bangladesh.	The scope of district-level regional plans includes developing essential infrastructure such as roads, water supply and sanitation facilities to support urbanization. They involve comprehensive land-use planning to ensure sustainable and balanced growth by integrating residential, commercial and agricultural needs. Additionally, these plans focus on promoting economic development through the establishment of markets, industrial zones and social services, including healthcare, education and community facilities.

<sup>&</sup>lt;sup>28</sup> Bangladesh, General Economics Division, Planning Commission, Perspective Plan of Bangladesh 2021–2041.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

Local-Urban Municipal (Pourasha- vas)	Long-term development plans, including five- year plans.	The Ministry of Local Government, Rural Development and Cooperatives in collaboration with other government bodies. <sup>31</sup>	The National Parliament of Bangladesh. <sup>32</sup>	This plan includes regulating the administration and governance of municipal areas in Bangladesh. It provides a framework for municipal authorities to manage urban development, tax collection, public services and ensure the overall welfare of the municipal public.
Local-rural Zila (District)	Urban development plans. <sup>33</sup>	Urban Development Directorate.	Ministry of Local Government, Rural Development and Cooperatives.	This plan includes the development of essential infrastructure such as roads, water supply and sanitation facilities to support urbanization. It also involves planning for housing, economic development and social services to enhance the quality of life for residents. Additionally, it incorporates sustainable practices and comprehensive landuse planning to ensure balanced and sustainable urban growth.
Local-rural Upazila (subdistrict)	Upazila Development / Master Plan. <sup>34</sup>	Urban Development Directorate under the Ministry of Housing and Public Works.	Ministry of Local Government, Rural Development and Cooperatives.	This plan includes comprehensive planning for infrastructure development, such as roads, water supply and sanitation, to enhance the quality of life in subdistrict areas. It also focuses on landuse planning to ensure sustainable and balanced growth, integrating residential, commercial and agricultural needs. Additionally, the plan aims to promote economic development through the establishment of markets, industrial zones and social services, including healthcare, education and community facilities.

<sup>&</sup>lt;sup>31</sup> Bangladesh (2009). Local Government (Municipalities) Act, 2009. Available at: FAOLEX.

<sup>32</sup> Ibid.

<sup>&</sup>lt;sup>33</sup> Art. 49 of the Zila Parishad Act.

 $<sup>^{34}</sup>$  Local Government Engineering Department (n.d.). Preparation of Development Plan for Fourteen Upazilas. <u>https://14upazilaudd.gov.bd/documents/reports/65.pdf.</u>

Local-rural unions	Urban development plans, including: Structure plans Detailed area plans Action plan	Urban Development Directorate under the Ministry of Housing and Public Works.	Ministry of Local Government, Rural Development and Cooperatives.	The structure plans outline the overall spatial framework for development, integrating land use, infrastructure and environmental considerations. Detailed area plans provide specific guidelines for the development of particular areas, ensuring that land use is optimized and development is sustainable. Action plans focus on the implementation of these development strategies, detailing the steps, timelines and resources required to achieve the planned urban growth and infrastructure improvements.
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#### Coordination mechanisms and authority

In Bangladesh, urban development and planning are structured across several tiers of government, with distinct roles and responsibilities at each level to ensure effective coordination and implementation.

#### National level coordination

The Ministry of Planning, through the General Economics Division (GED), plays a central role in coordinating the implementation of national development plans in Bangladesh. The GED is tasked with the formulation of these plans, ensuring that they align with the country's national economic goals and strategic priorities. Once formulated, the GED oversees the execution of these plans, continuously monitoring progress and making necessary adjustments to keep them on track. The Prime Minister's Office provides overall oversight to ensure that the plans are implemented in accordance with the Government's broader vision. A key component of this oversight mechanism is the National Economic Council (NEC), chaired by the Prime Minister.

The NEC is responsible for the approval of national development plans, ensuring they are comprehensive and feasible. Additionally, the NEC monitors the progress of these plans, providing high-level guidance and intervention when needed. Sectoral ministries and agencies are responsible for the specific implementation of various components of the national plans. Each ministry and agency executes projects and initiatives within their respective domains, ensuring that sector-specific goals contribute to the overarching national objectives. The Planning Commission plays a crucial role in this process by monitoring progress across all sectors, evaluating the effectiveness of initiatives and ensuring that activities remain aligned with the national development goals.

Through regular reporting and reviews, the Planning Commission identifies any issues or deviations and makes necessary adjustments, ensuring that development efforts are well-coordinated, transparent and effectively address any challenges that arise.

#### Regional and district level coordination

The Urban Development Directorate (UDD), under the Ministry of Housing and Public Works, is responsible for coordinating the preparation and implementation of urban development plans across municipalities in Bangladesh. The UDD ensures that these plans are comprehensive and effectively address urban development needs. The Ministry of Local Government, Rural Development, and Co-operatives (MoLGRD&C) provides oversight, ensuring that the urban development plans align with national policies and strategic objectives. Municipal authorities, known as Pourashavas, are tasked with the execution of these urban development plans. They work in close collaboration with both the UDD and MoLGRD&C to ensure that the plans are implemented efficiently and effectively at the local level. The Zila Parishad, which is responsible for local governance at the district level, manages the local implementation of these plans. They address specific district needs and challenges, working closely with the UDD and MoLGRD&C to ensure that the urban development initiatives are tailored to the unique requirements of each district and are aligned with broader national priorities. This multilevel approach ensures that urban development in Bangladesh is both coordinated and context-specific, addressing the needs of municipalities while aligning with national development goals.

#### Subdistrict and local level coordination

The Upazila Parishad (Subdistrict Council) is responsible for overseeing the practical aspects of development projects within their jurisdictions, addressing specific local challenges and requirements. They work closely with the Urban Development Directorate (UDD) and the MoLGRD&C to ensure that development plans are aligned with both local priorities and national policies. This collaboration ensures that development initiatives are well-coordinated and effectively address the unique needs of each subdistrict.

At the local level, the Union Parishad (Union Council) is tasked with the implementation of urban development plans. They ensure that these plans meet the specific needs of their communities, tailoring development initiatives to local contexts. The Union Parishad works in close collaboration with the UDD and MoLGRD&C, ensuring that local implementation aligns with broader development goals and policies.

The Planning Commission supports this process by monitoring progress and evaluating the effectiveness of the development plans at the subdistrict and local levels. Through regular reviews and reporting, the Planning Commission provides oversight and makes necessary adjustments to ensure that development efforts are on track and effectively address any emerging challenges. This multilevel approach ensures that urban development is context-specific, responsive to local needs and aligned with national development objectives.

**Table 11.** Overview of the planning system: institutional functions, coordination and content of plans, Japan



#### Japan

#### Legislative framework

- The Constitution of Japan of 1946.
- National Spatial Planning Act No. 205 of 1950 as revised in 2005.
- National Land Use Planning Act No. 92 of 1974.
- City Planning Act No. 100 of 1968.

Tier of government	Planning instrument	Drafted by	Approved by	Scope
National	National Spatial Strategy Plan (National Plan).	Minister of Land, Infrastructure, Transport and Tourism. <sup>35</sup>	The Cabinet of the National Government. <sup>36</sup>	The National Plan is a comprehensive and fundamental framework aimed at promoting the use, development and maintenance of national land, commonly referred to as "spatial planning". It establishes the core policies and objectives for national spatial planning, guiding the overall strategy for land use and development across the country. <sup>37</sup>
	National Land- Use Plans.	The Minister of Land, Infrastructure, Transport and Tourism, after hearing the opinions of the National Land Council and prefectural (regional) governors.	The Cabinet of the National Government.	The National Land-Use Plans in Japan include optimizing land use for economic growth, environmental sustainability and social well-being. Objectives are coordinating infrastructure development, mitigating disaster risks and promoting environmental conservation to address climate change. The plans have details on zoning for residential, commercial, industrial, agricultural and conservation areas, ensuring orderly development.

<sup>&</sup>lt;sup>35</sup> Art. 6.4 of the National Spatial Planning Act.

<sup>36</sup> Ihid

<sup>&</sup>lt;sup>37</sup> Art. 6.1 and 6.2 of the National Spatial Planning Act.

			They include strategies for transport networks, utilities, public services and disaster management to enhance resilience and safety. Regional development strategies are intended to balance growth and address regional needs, integrating socioeconomic policies to improve overall societal well-being. Formulated by the Minister of Land, Infrastructure, Transport and Tourism in consultation with the National Land Council and prefectural governors, these plans are approved by the Cabinet of the National Government to ensure alignment with national objectives.
Greater Regional Plan.	Minister of Land, Infrastructure, Transport and Tourism. <sup>38</sup>	Council for the Greater Regional Plans. <sup>39</sup>	This plan serves as the national spatial strategy for designated geographical regions. It provides comprehensive guidelines and objectives for national spatial planning, aligning with the broader goals of the relevant greater regional plan. 40

 $<sup>^{\</sup>rm 38}$  Art. 9.1 of the National Land-Use Planning Act.

<sup>&</sup>lt;sup>39</sup> Art. 9.3, ibid.

<sup>&</sup>lt;sup>40</sup> Art. 9.2, ibid.

Prefectural Land- Use Plan.	Prefectural governments after hearing the opinions of the council (Council for the Greater Regional Plans) or other council system of the prefectural government and municipal mayors. 41	The assembly of the prefectural government, 42 after a consultation process involving the Minister of Land, Infrastructure, Transport and Tourism, the National Land Council, and the prefectural	This plan outlines the use of national land, designating specific areas within each prefecture. It provides a framework for organized and efficient land use across the country. <sup>44</sup>
Land-Use Master Plan.	Prefectural governments after hearing the opinions of the of the prefectural government, the Minister of Land, Infrastructure, Transport and Tourism and the municipal mayors. 45	government. <sup>43</sup> The Assembly of the prefectural government.	These plans regulate matters concerning land use in urban, agricultural, forest, natural parks and conservation areas. <sup>46</sup>

<sup>&</sup>lt;sup>41</sup> Art. 7.1 and 7.3, ibid.

<sup>&</sup>lt;sup>42</sup> Minister of Land, Infrastructure, Transport and Tourism, National and Regional Planning Bureau, What Are National Land Use Plans?: <a href="https://www.mlit.go.jp/english/2006/b\_n\_and\_r\_planning\_bureau/02\_useplans/index.html">www.mlit.go.jp/english/2006/b\_n\_and\_r\_planning\_bureau/02\_useplans/index.html</a>.

<sup>&</sup>lt;sup>43</sup> Art. 7 of the National Land-Use Planning Act.

<sup>&</sup>lt;sup>44</sup> Art. 4, ibid.

<sup>&</sup>lt;sup>45</sup> Art. 9.1 and 9.10.

<sup>&</sup>lt;sup>46</sup> Art. 9.2 and 9.3.

	City plans of prefectures.	The prefecture after hearing the opinions of the municipalities concerned, and if national interests are involved, the Minister of Land, Infrastructure, Transport and Tourism. <sup>47</sup> City plans pertaining to areas spanning two or more prefectures are to be developed by the Minister of Land, Infrastructure, Transport and Tourism. <sup>48</sup>	Prefectural City Planning Council. <sup>49</sup>	These plans emphasize integrated urban development and preservation, considering natural and social conditions, as well as current trends and changes in population, land use, traffic volume and other factors. <sup>50</sup>
Local municipality	Municipal Land- Use Plan.	Municipal government. <sup>51</sup>	The Assembly of the municipal government, <sup>52</sup> after a consultation process involving and the council or other council system of the prefectural government. <sup>53</sup>	This plan designates the use of national land for various purposes, including the designation of areas for municipalities. <sup>54</sup>

#### Coordination mechanisms and authority

In Japan, urban development and planning are structured across various levels of government, with distinct roles and responsibilities to ensure effective coordination and implementation.

<sup>&</sup>lt;sup>47</sup> Art. 18.3 of the City Planning Act.

<sup>&</sup>lt;sup>48</sup> Art. 22.

<sup>&</sup>lt;sup>49</sup> Art. 18.

<sup>&</sup>lt;sup>50</sup> Art. 5.

<sup>&</sup>lt;sup>51</sup> Art. 8 National Land-Use Planning Act.

<sup>&</sup>lt;sup>52</sup> Minister of Land, Infrastructure, Transport and Tourism, National and Regional Planning Bureau, What Are National Land Use Plans?: <a href="https://www.mlit.go.jp/english/2006/b\_n\_and\_r\_planning\_bureau/02\_useplans/">https://www.mlit.go.jp/english/2006/b\_n\_and\_r\_planning\_bureau/02\_useplans/</a> index.html.

<sup>&</sup>lt;sup>53</sup> Art. 8 of the National Land Use Planning Act.

<sup>&</sup>lt;sup>54</sup> Art. 4.1, ibid.

#### National level coordination

The coordination of urban development plans is managed at the national level by the Ministry of Land, Infrastructure, Transport and Tourism (MLIT). The MLIT is responsible for drafting and aligning urban development plans with national objectives, including economic growth, sustainability, disaster resilience and infrastructure development. The ministry ensures that these plans are coherent with the overall strategic vision of the country, integrating various policy domains to foster a holistic development approach.<sup>55</sup>

Once the MLIT drafts the urban development plans, they undergo a thorough review process. The final approval and overarching oversight are provided by the Cabinet of the national Government. This high-level review ensures that the plans are comprehensive, feasible and aligned with the long-term strategic goals of Japan. The Cabinet's involvement is crucial for maintaining consistency in policy implementation across different regions and for making any necessary strategic adjustments during the plan's execution.

Additionally, the National Land Council, an advisory body attached to the MLIT, plays a significant role in this process. The Council conducts extensive studies and deliberations on national spatial strategies and provides recommendations to the minister. This ensures that the urban development plans are not only technically sound but also strategically aligned with national priorities. Through this multilevel coordination mechanism, Japan ensures that its urban development plans are well-integrated, strategically focused and capable of addressing both current and future challenges, maintaining a high standard of urban planning and development across the country.

#### Regional level coordination

Regional governments and agencies play a role in implementing urban development plans, tailoring them to the specific needs and contexts of their regions. These regional entities are responsible for executing various aspects of the plans, such as managing infrastructure projects, addressing urban congestion and promoting environmental sustainability. By focusing on regional priorities, they ensure that the development initiatives are not only aligned with national goals but also responsive to local challenges and opportunities.

The collaboration between regional governments and the central Government is essential for the effective execution of these plans. Regional agencies work closely with the Ministry of Land, Infrastructure, Transport and Tourism to ensure that their activities adhere to the established guidelines and policies. This partnership facilitates the integration of local insights and conditions into the planning process, enhancing the relevance and practicality of the development initiatives. Regular communication and coordination between these levels of government help to address any emerging issues and make necessary adjustments to the plans.<sup>56</sup>

Additionally, regional governments are tasked with promoting sustainable development within their jurisdictions. This includes implementing measures to reduce environmental impacts, enhance public transport systems and ensure the efficient use of resources. By addressing these regional challenges, the coordination between regional governments and the central Government contributes to the overall success of the country's urban development strategy, fostering balanced and inclusive growth across the country.

<sup>&</sup>lt;sup>55</sup> National Spatial Strategy Plan (Japan). Available at: JICA Urban and Regional Development Guidelines.

<sup>&</sup>lt;sup>56</sup> Japan. Ministry of Land, Infrastructure, Transport and Tourism. "Regional Plans". <a href="www.mlit.go.jp/">www.mlit.go.jp/</a> common/000162461.pdf.

#### Prefectural Governments and consultation process

Prefectural governments play a key role in the consultation and formulation of land use plans. After hearing the opinions of councils and municipal mayors, they draft the Land Use Master Plans, which detail the strategic use of land within their jurisdiction. The assembly of the prefectural government finalizes these plans, ensuring they reflect local needs and priorities, such as housing, transportation, and commercial development. The consultation process involves the Minister, the National Land Council, and other stakeholders, ensuring that all relevant opinions and requirements are considered. This inclusive approach helps to build consensus and address potential conflicts before plans are implemented.

#### Local municipality coordination

Local authorities and municipalities are tasked with the detailed implementation of the plans, ensuring adherence to guidelines and effective execution at the grassroots level. They address specific local issues such as zoning, community services, and public amenities. The Prefectural City Planning Council provides support to these local authorities, facilitating the implementation process and offering technical and administrative assistance. Regular reviews and adjustments, supported by mechanisms for periodic reporting and evaluation, ensure that the plans remain relevant and effective. This systematic approach helps maintain alignment with both local and national priorities, addressing any emerging challenges and making necessary adjustments to stay on track. This ongoing oversight and feedback loop ensure that urban development is dynamic and responsive to changing conditions and needs.

**Table 12.** Overview of the planning system: institutional functions, coordination and content of plans, Malaysia



#### Malaysia

#### Legislative framework

- Constitution of Malaysia of 1957, as revised in 2007
- Town and Country Planning Act No. 172 of 1976
- Local Government Act No. 171 of 1976

Tier of government	Planning instrument	Drafted by	Approved by	Scope
National	Five-Year Malaysia Plan (for example, current Twelfth Malaysia Plan, 2021–2025).	The Economic Planning Unit (EPU) <sup>57</sup> coordinates the drafting process involving many actors such as	Parliament. <sup>58</sup>	This plan is a medium- term strategy designed to implement the Government's development programme, set macroeconomic growth targets, and allocate resources for public sector development over a five-year period. <sup>59</sup>

<sup>&</sup>lt;sup>57</sup> Through extensive engagement sessions with various stakeholders, including ministries, State governments, the private sector and civil society organizations, as well as online engagement with the general public.

<sup>&</sup>lt;sup>59</sup> Twelfth Malaysia Plan, 2021-2025. https://rmke12.ekonomi.gov.my/en.

	the Ministry of Finance, the Central Bank of Malaysia and the Department of Statistics, the Inter Agency Planning Groups, Technical Working Groups and Focus Groups, the National Development Planning Committee, Special Committee of the Prime Minister and the Cabinet as well as private sector and civil society organizations, and the public.60		
National Physical Plan (NPP) (for example, the current fourth NPP, 2021 to 2025).	Director General of Town and Country Planning upon the direction of the National Physical Planning Council. <sup>61</sup>	National Physical Planning Council. <sup>62</sup>	The National Physical Plan (NPP) outlines strategic spatial planning policies and implementation actions to guide land use, development and conservation across the nation. Serving as a long-term development vision, the NPP provides a comprehensive framework for the next 15 to 20 years. <sup>63</sup>

<sup>&</sup>lt;sup>60</sup> Ministry of Economy, About Twelfth Plan: https://rmke12.ekonomi.gov.my/en/information/about-twelfth-plan.

<sup>&</sup>lt;sup>61</sup> The Council can prescribe the Director General to consult with every State Authority and other authorities and bodies.

<sup>&</sup>lt;sup>62</sup> Art. 6B of the Town and Country Planning Act.

<sup>&</sup>lt;sup>63</sup> Article 6B.4 of the Town and Country Planning Act.

Structure Plan.	State Director. <sup>64</sup>	State Planning Committee after consultation with the National Physical Planning Council. <sup>65</sup>	This plan offers spatial development guidelines, integrating policies from the National Physical Plan and regional spatial plans, along with proposals for urban and rural development. 66
Regional Plan.	Regional Planning Committee. <sup>67</sup>	State Planning Committees and the local planning authorities within the region. <sup>68</sup>	The Regional Plan outlines comprehensive spatial development strategies aimed at promoting balanced growth and equitable distribution of resources. It encompasses areas spanning two or more States, addressing regional disparities and fostering coordinated development efforts. The plan integrates economic, social and environmental considerations to ensure sustainable development across the involved regions. 69
Local Plan.	Local planning authority. <sup>70</sup>	State Planning Committee on assent of the State authority. <sup>71</sup>	The Local Plan encompasses a range of initiatives, including development and land-use planning, environmental protection and landscape enhancement within the designated area. It aims to guide sustainable growth, improve local infrastructure, and ensure the preservation of natural resources.  The plan also addresses community needs, promoting a harmonious balance between urban development and environmental stewardship. <sup>72</sup>

<sup>&</sup>lt;sup>64</sup> Art. 8.

<sup>&</sup>lt;sup>65</sup> Art. 8.

<sup>&</sup>lt;sup>66</sup> Art. 8.3.

<sup>&</sup>lt;sup>67</sup> Art. 6A

<sup>68</sup> Ibid.

<sup>69</sup> Ibid.

<sup>&</sup>lt;sup>70</sup> Art. 12 of the Town and Country Planning Act.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

,	Special Area	State Director or	State Planning	This plan provides
	Plan.	local planning	Committee.74	comprehensive details on the
		authority,		development, redevelopment,
		upon their own		improvement and conservation
		initiative or as		or management practices for
		directed by the		the entire special area or any of
		Committee. <sup>73</sup>		its parts. <sup>75</sup>

#### Coordination mechanisms and authority

In Malaysia, urban development and planning involve multiple levels of coordination and authority, ensuring alignment with national, regional, and local goals.

#### National level coordination

The Economic Planning Unit (EPU) coordinates the drafting process of the Five-Year Malaysia Plan, involving various actors, such as the Ministry of Finance, the Central Bank and the Department of Statistics. Parliament provides approval and overarching oversight, ensuring alignment with national strategies. Local authorities and stakeholders implement specific aspects of the plan, while regular reviews and adjustments ensure its relevance and effectiveness.

The Director General of Town and Country Planning prepares the National Physical Plan (NPP) under the direction of the National Physical Planning Council (NPPC), which provides strategic direction and approval. Federal and State Governments collaborate to implement the NPP, aligning their programmes and projects with its recommendations. The plan undergoes regular reviews and adjustments, supported by mechanisms for periodic reporting and evaluation to maintain its relevance and effectiveness.<sup>76</sup>

#### State and regional level coordination

The State Director is responsible for drafting the Structure Plan after consultation with the National Physical Planning Council. The State Planning Committee provides further coordination and ensures alignment with national policies and regional strategies. Implementation of the plan involves collaboration between State and local governments, ensuring that development initiatives are effectively executed at all levels. The Regional Plan involves the Regional Planning Committee, which coordinates with State Planning Committees and local planning authorities within the region. This ensures that spatial development strategies are effectively implemented, balancing growth and equitable resource distribution.<sup>77</sup>

#### Local municipality coordination

The coordination mechanisms and authority for both Local Plans and Special Area Plans in Malaysia involve several key entities. For Local Plans, the local planning authority drafts and coordinates the plans, which are then approved by the State Planning Committee on the assent of the State Authority. For Special Area Plans, the State Director or local planning authority drafts the plans, often directed by the State Planning Committee. Both plans are implemented with oversight and coordination among local planning authorities, State governments, and various national bodies to ensure alignment with broader national and regional planning goals.<sup>78</sup>

<sup>&</sup>lt;sup>73</sup> Art. 16B.3.

<sup>74</sup> Ibid.

<sup>&</sup>lt;sup>75</sup> Art. 16B.

<sup>&</sup>lt;sup>76</sup> Twelfth Malaysia Plan, 2021–2025: https://rmke12.ekonomi.gov.my/en.

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

**Table 13.** Overview of the planning system: institutional functions, coordination and content of plans, Panama



#### Panama

#### Legislative framework

- Political Constitution of the Republic of Panama of 1972 (Amended in 2004)
- Law No. 6 of 1 February 2006
- Resolution No. 732-2015 of 13 November 2015, Official Gazette No. 27910 of 18 November 2015.
- Executive decree No. 89 of 2021

Tier of Government	Planning instrument	Drafted by	Approved by	Scope
National	National Plan	Ministry of Housing and Spatial Planning, with the participation of the competent authorities and entities. <sup>79</sup>	Ministry of Housing and Spatial Planning. <sup>80</sup>	This plan determines the broad guidelines for territorial planning in coordination with economic and social planning. <sup>81</sup>
Regional	Regional Plan	Similar process as for the National Plan. <sup>82</sup>	Similar process as for the National Plan. <sup>83</sup>	This plan governs the physical, environmental, social and economic development of an area defined as a region.84
Local	Local Plan	Municipality <sup>85</sup> through the Municipal Planning Board. <sup>86</sup>	Municipal agreement. <sup>87</sup>	The Local Plan aims to achieve a balanced development of the municipal territory, in accordance with national and regional plans.88

 $<sup>^{79}</sup>$  Art. 7 and 17.1 of the Urban Law No. 6 of 2006:  $\frac{https://plataformaurbana-cepal-org.translate.goog/es/instrumentos/legal/ley-ndeg-62006-reglamenta-el-ordenamiento-territorial-para-el-desarrollo-urbano?\_x\_tr\_sl=es&\_x\_tr\_tl=en&\_x\_tr\_pto=sc.$ 

<sup>&</sup>lt;sup>80</sup> Art. 20.

<sup>&</sup>lt;sup>81</sup> Art. 5.11.

<sup>&</sup>lt;sup>82</sup> Art. 7.

<sup>&</sup>lt;sup>83</sup> Art. 20.1.

<sup>84</sup> Art. 5.13.

<sup>85</sup> Art. 8 and 17.2.

<sup>86</sup> Art. 18.

<sup>87</sup> Art. 20.2.

<sup>88</sup> Art. 5.10.

Partial Plan.	Ministry of	Municipal	This plan is a detailed
	Housing	Council or the	planning instrument
	and Spatial	Ministry of	whose main objective is
	Planning or the	Housing and	the management, creation,
	Municipality as	Spatial Planning,	defence or improvement of a
	appropriate.89	as appropriate90	particular sector of the city,
			especially areas of historical,
			monumental, architectural or
			environmental conservation,
			informal settlements and areas
			of progressive urbanization,
			etc. <sup>91</sup>

#### Coordination mechanisms and authority

In Panama, urban development and planning are guided by a structured legislative framework that ensures coordination across various levels of government.

#### National level coordination

The National Plan in Panama is formulated by the Ministry of Housing and Spatial Planning, which leads the drafting process. This process actively involves various competent authorities and entities, such as the Ministry of Finance, the Central Bank and the Department of Statistics. This inclusive and collaborative approach ensures that the plan comprehensively addresses the diverse needs and priorities of different sectors, including housing, infrastructure, economic development and environmental sustainability.

The National Plan sets broad guidelines for territorial planning, ensuring effective coordination with economic and social planning efforts to promote balanced and sustainable development across the country. It outlines strategic objectives and policies that guide development initiatives, ensuring they contribute to the national goals of economic growth, social equity and environmental protection.

Once drafted, the National Plan is subject to a thorough review and approval process conducted by the Ministry of Housing and Spatial Planning. This ministry ensures that the plan aligns with overarching national strategies and policies, maintaining coherence with the country's long-term development framework. By approving the plan, the ministry also ensures that all proposed initiatives are feasible and aligned with the country's legislative and policy frameworks, thus providing a cohesive direction for national development.<sup>92</sup>

<sup>89</sup> Art. 17.3.

<sup>90</sup> Art. 20.3.

<sup>&</sup>lt;sup>91</sup> Art. 5.12.

<sup>92</sup> Twelfth Malaysia Plan, 2021–2025. https://rmke12.ekonomi.gov.my/en.

#### Local level coordination

At the local level, the Local Plan is drafted by the municipality through the Municipal Planning Board. This board involves a range of local stakeholders, including community leaders, local businesses, residents and various interest groups, to ensure the plan reflects the specific needs, aspirations and priorities of the community.

The drafting process considers local demographics, economic conditions, environmental factors and social dynamics to create a comprehensive development strategy. The Local Plan aims to achieve balanced development of the municipal territory by promoting local economic growth, enhancing environmental sustainability and improving social well-being. This involves detailed zoning regulations, land-use policies, infrastructure development projects and community services planning. The plan also aligns with broader national and regional strategies, ensuring that local initiatives contribute to the overall development objectives of the country.

Once the Local Plan is drafted, it undergoes a rigorous approval process. The municipal agreement, which includes input from local councils and community leaders, is responsible for reviewing and approving the plan. This approval process ensures that the plan is coherent with broader strategic goals, such as national economic policies and regional development plans, while being tailored to local conditions and requirements. By securing approval from a diverse group of local authorities and stakeholders, the Local Plan gains legitimacy and is more likely to be effectively implemented, addressing the unique challenges and opportunities within the municipality.

#### Partial plan coordination

The Partial Plan in Panama serves as a specialized planning instrument aimed at addressing the management, creation, defence or improvement of specific urban sectors. These sectors can include historical areas, monumental and architectural conservation zones, environmental protection areas, informal settlements and regions marked for progressive development.

The drafting of a Partial Plan is carried out by either the Ministry of Housing and Spatial Planning or the municipality, depending on the particular focus and scope of the plan. For example, plans that involve significant infrastructure or heritage conservation might be handled by the ministry, while more localized initiatives, such as neighbourhood improvements, might be managed by the municipality.

This ensures that the appropriate level of expertise and resources are applied to each project. Once drafted, the Partial Plan is subjected to an approval process either by the Municipal Council or the Ministry of Housing and Spatial Planning. This ensures that the plan aligns with both local needs and broader municipal and national planning objectives. The approval process involves a thorough review to ensure that the proposed interventions are feasible, sustainable and beneficial to the targeted areas.

The targeted approach of a Partial Plan allows for focused and strategic interventions that directly address specific urban challenges and opportunities. By concentrating efforts on defined sectors, these plans contribute to the overall development and improvement of urban areas, ensuring that resources are used efficiently and effectively to achieve meaningful progress in key areas of the city. This method helps to preserve cultural heritage, enhance environmental sustainability, improve living conditions in informal settlements and foster balanced urban growth.

**Table 14.** Overview of the planning system: institutional functions, coordination and content of plans, Paraguay



#### Paraguay

#### Legislative framework

- Political Constitution of the Republic of Paraguay of 1992 (revised in 2011)
- Law No. 426 of 1994 establishes the organic chart of the departmental government.
- The Municipal Organic Law No. 3966 of 2010

Tier of Government	Planning instrument	Drafted by	Approved by	Scope
National.	National Development Plan (Plan Nacional de Desarrollo – PND).	Technical Secretariat for Economic and Social Development Planning through a consultative process.93	Ministry of Economy. <sup>94</sup>	The PND (current plan is the PND Paraguay 2030) is a strategic document that facilitates the coordination of actions of the sectoral bodies of the executive branch, as well as of the different levels of government, civil society, the private sector and, eventually, the legislative and judicial branches of government. <sup>95</sup>
Regional – department.	Regional- Department Development Plan.	Governor together with the Departmental Board <sup>96</sup> with wide stakeholder consultation. <sup>97</sup>	The Departmental Board. <sup>98</sup>	This plan synthesizes the aspirations of the population of each region, covering aspects such as territorial development, basic services, economic growth and social well-being. It is aligned with the framework of the National Development Plan 2030, ensuring coherence with national goals and strategies.

<sup>&</sup>lt;sup>93</sup> Ministry of Economy and Finance, Functions of the STP. <u>www.stp.gov.py/v1/funciones/</u>.

<sup>&</sup>lt;sup>94</sup> The plan is approved by Decree of the Ministry of Finance. See Law Decree No. 2794 of 2014.

<sup>95</sup> National Development Plan 2030, Executive summary.

 $<sup>^{96}</sup>$  Technical Secretariat for Economic and Social Development Planning, Guide for the elaboration of a Departmental Development Plan.  $\underline{www.stp.gov.py/v1/wp-content/uploads/2018/07/Gu\%C3\%ADa-Plan-de-Desarrollo-Departamental.pdf.}$ 

<sup>97</sup> Ibid.

<sup>98</sup> Ibid.

				By addressing regional needs within the context of the national plan, it promotes balanced and sustainable development across Paraguay. <sup>99</sup>
Local – municipality	Sustainable Development Plan of the Municipality	Municipal Administration (Intedencia Municipal). <sup>100</sup>	The Municipal Board. <sup>101</sup>	This plan is a technical and municipal management instrument that defines the objectives, strategic lines, programmes and projects in the social, economic, environmental, institutional and infrastructure areas. <sup>102</sup>
	Urban and Territorial Management Plan	A technical team formed by experts in architecture, geography, land- use planning, urbanism, engineering, cartography and cadastral public law. <sup>103</sup>	The Municipal Board with the support of the Local Development Council and issued by the mayor (intendente). <sup>104</sup>	This plan is a technical and municipal management instrument defining the territorial objectives and strategies in accordance with the Sustainable Development Plan and with the aim of guiding the use and occupation of the territory in the urban and rural areas of the municipality. <sup>105</sup>

#### Coordination mechanisms and authority

#### National level coordination

The National Development Plan (Plan Nacional de Desarrollo - PND) is meticulously drafted by the Technical Secretariat for Economic and Social Development Planning through an extensive consultative process. This process actively involves a broad range of key stakeholders, including government bodies, civil society organizations, the private sector, and representatives from the legislative and judicial branches. These consultations ensure that the plan reflects diverse perspectives and addresses the multifaceted needs of the nation.

<sup>99</sup> Articles 16 and 17 of Law No. 426/1994

<sup>&</sup>lt;sup>100</sup> Technical Secretariat for Economic and Social Development Planning of the Presidency of the Republic, Guide for the elaboration of a Sustainable Development Plan for the Municipality. <a href="www.stp.gov.py/v1/wp-content/uploads/2018/07/Gu%C3%ADa-Plan-de-Desarrollo-Municipal.pdf">www.stp.gov.py/v1/wp-content/uploads/2018/07/Gu%C3%ADa-Plan-de-Desarrollo-Municipal.pdf</a>.

<sup>101</sup> Ibid.

<sup>&</sup>lt;sup>102</sup> Art. 225 of Law No. 3966 of 2010.

<sup>&</sup>lt;sup>103</sup> Technical Secretariat for Economic and Social Development Planning of the Presidency of the Republic, Guide for the elaboration of an Urban and Territorial Management Plan. <a href="www.stp.gov.py/v1/wp-content/uploads/2018/07/Guia-POUT.pdf">www.stp.gov.py/v1/wp-content/uploads/2018/07/Guia-POUT.pdf</a>.

<sup>104</sup> Ibid.

<sup>&</sup>lt;sup>105</sup> Art. 266 of Law No. 3966 of 2010.

The PND serves as a strategic blueprint for the country's development, currently embodied in the PND Paraguay 2030. It coordinates the actions of the sectoral bodies of the executive branch, integrates various levels of government, and includes inputs from civil society and the private sector. This comprehensive approach facilitates alignment and collaboration across different sectors and levels of governance, promoting cohesive and integrated development strategies.<sup>106</sup>

The Ministry of Economy plays a significant role in this process by providing final approval of the PND. This ensures that the plan aligns with national economic policies and overarching development goals. The Ministry's oversight helps maintain the plan's relevance and coherence with the country's fiscal and economic strategies. Regular reviews and adjustments are integral to the PND's implementation. These reviews are designed to monitor progress, evaluate effectiveness, and make necessary modifications to address emerging challenges and changing conditions. This iterative process ensures that the PND remains dynamic, responsive, and capable of achieving its long-term objectives, driving sustainable and inclusive development across Paraguay.

#### Regional-department level coordination

The Regional-Department Development Plan in Paraguay is collaboratively drafted by the Governor and the Departmental Board through a comprehensive stakeholder consultation process. This process involves engaging a broad spectrum of local stakeholders, including community leaders, business representatives, civil society organizations, and technical experts. Such inclusive consultations ensure that the plan accurately reflects the diverse needs and aspirations of the region's population.

The plan addresses key aspects of regional development, including territorial planning, provision of basic services, economic growth, and social well-being. By integrating these elements, the plan aims to foster development that enhances the quality of life for residents. It is aligned with the framework of the National Development Plan 2030, ensuring that regional strategies are coherent with overarching national goals and policies.<sup>107</sup>

The Regional-Department Development Plan synthesizes local aspirations with national objectives, promoting balanced and sustainable development. It ensures that regional initiatives are tailored to local conditions while contributing to the broader goals of national development. This alignment is critical for creating synergy between local actions and national strategies, fostering an integrated approach to development.

The final approval of the plan is granted by the Departmental Board, which reviews and endorses the proposed initiatives. This approval process involves a thorough assessment to ensure that the plan is feasible, sustainable, and aligned with both regional priorities and national objectives. By securing approval from the Departmental Board, the plan gains legitimacy and a mandate for implementation, ensuring that regional development efforts are well-coordinated and effectively contribute to Paraguay's overall development agenda.

<sup>&</sup>lt;sup>106</sup> Paraguay National Development Plan. Available at: <a href="https://www.stp.gov.py/v1/wp-content/uploads/2018/07/">https://www.stp.gov.py/v1/wp-content/uploads/2018/07/</a> PGR-Paraguay-13-06.pdf.

<sup>&</sup>lt;sup>107</sup> Technical Secretariat for Economic and Social Development Planning, Guide for the elaboration of a Departmental Development Plan: <a href="https://www.stp.gov.py/v1/wp-content/uploads/2018/07/Gu%C3%ADa-Plan-de-Desarrollo-Departamental.pdf">www.stp.gov.py/v1/wp-content/uploads/2018/07/Gu%C3%ADa-Plan-de-Desarrollo-Departamental.pdf</a>.

#### Urban and Territorial Management Plan coordination.

The Urban and Territorial Management Plan is developed by a specialized technical team that includes experts in architecture, geography, land-use planning, urbanism, engineering, cartography, and cadastral public law. This team ensures that the plan is comprehensive and grounded in a thorough understanding of both the built environment and the natural landscape, addressing the diverse needs of the municipality.<sup>108</sup>

The drafting process is actively supported by the Local Development Council, which includes representatives from various local stakeholder groups such as community leaders, local businesses, and civil society organizations. This inclusive approach ensures that the plan reflects the community's diverse priorities and aspirations.

Once the plan is developed, it is issued by the mayor (intendente), who ensures alignment with the municipality's broader strategic objectives. The Urban and Territorial Management Plan sets out clear territorial objectives and strategies, providing detailed guidelines for land use and occupation in both urban and rural areas. It includes zoning regulations, infrastructure development guidelines, and land-use policies designed to promote sustainable and orderly development. The plan aligns closely with the Sustainable Development Plan of the municipality, ensuring that all initiatives are coordinated and contribute to longterm sustainability goals. This alignment fosters balanced growth and enhances the quality of life for all individuals, ensuring that urban and rural development efforts are efficient, effective, equitable, and sustainable.

<sup>108</sup> Ibid.

**Table 15.** Overview of the planning system: institutional functions, coordination and content of plans, Republic of Korea



#### Republic of Korea

#### Legislative framework

- Constitution of South Korea of 1987
- Framework Act of the National Land of 2009
- Seoul Metropolitan Government Ordinance on Urban Planning of 2000
- Seoul Metropolitan Area Readjustment Planning Act of 2008

Tier of Government	Planning instrument	Drafted by	Approved by	Scope
National	The 5th Comprehensive National Territorial Plan (2020 – 2040).	Ministry of Land, Infrastructure and Transportation (MOLIT). <sup>109</sup>	President. <sup>110</sup>	It aims to improve coherence with the central Government's mid- and long-term plans and regional plans. It also focuses on exploring territorial policy directions for sustainable national development and people's wellbeing as well as building a social consensus. <sup>111</sup>
	Comprehensive National Land Plan.	Minister of Land, Infrastructure and Transport. <sup>112</sup>	President <sup>113</sup>	This plan contains the long- term direction for development of the national land, covering the entire area of the national land. <sup>114</sup>
Regional/ provincial.	Comprehensive Provincial Plan.	Provincial Governor / Urban Planning Committee. <sup>115</sup>	Minister of the Ministry of Land, Infrastructure and Transportation (MOLIT). <sup>116</sup>	This plan contains the long- term direction for development of the jurisdictional area of a Do (province) or a Special Self- Governing Province, covering the entire area of the relevant region. <sup>117</sup>

<sup>109</sup> Lim, S. H. (2014) Planning Practice in the Republic of Korea: https://openaccess.city.ac.uk/id/eprint/31854/1/CLS%20WP%202023%2008%20Planning%20 Law%20and%20Development%20Process%20in%20South%20Korea.pdf.

<sup>&</sup>lt;sup>110</sup> Ibid.

<sup>&</sup>lt;sup>111</sup> The 5th National Territorial Plan 2020-2040 <a href="https://library.krihs.re.kr/dl\_image2/IMG/07/00000031068/">https://library.krihs.re.kr/dl\_image2/IMG/07/00000031068/</a> SERVICE/000000031068\_01.PDF.

<sup>&</sup>lt;sup>112</sup> Art. 9 of the Framework Act on National Land.

<sup>&</sup>lt;sup>113</sup> Art. 12.

<sup>&</sup>lt;sup>114</sup> Art. 6.

<sup>&</sup>lt;sup>115</sup> Lim, S. H. (2014) Planning Practice in the Republic of Korea.

<sup>116</sup> Ihid

<sup>&</sup>lt;sup>117</sup> Art. 6 of the Framework Act on National Land.

Metropolitan Urban Plan.	Minister of Land, Infrastructure and Transport, Mayor/Do Governor, Head of a Si/Gun. <sup>118</sup>	President Minister of MOLIT Mayor/ Governor <sup>119</sup>	A plan to set long-term development directions for metropolitan planning zones designated under the National Land Planning and Utilization Act <sup>120</sup>
Urban Master Plan.	Special Metropolitan City Mayor, Metropolitan City Mayor, Special Self- Governing City Mayor, Governor of a Special Self-Governing Province. Head of a Si/ Gun (region/ county).¹²¹	President  Metropolitan City Mayor, Special Self- Governing City Mayor, Governor of a Special Self-Governing Province. <sup>122</sup>	The Urban Master Plan is a comprehensive plan for setting basic spatial structures and long-term development directions for the jurisdictions of the Special Metropolitan City. It forms the overarching guidelines for urban development, focusing on high-level strategic objectives and spatial configurations. The Urban Master Plan establishes the foundational spatial structure of urban areas, defines long-term development goals and directions, and provides a strategic framework for sustainable growth and urban expansion. It guides the formulation of urban management plans by outlining key development principles and integrates high-level policy directives related to economic growth, environmental sustainability and social inclusion. <sup>123</sup>

<sup>&</sup>lt;sup>118</sup> Art. 11 of the National Land Planning and Utilization Act.

<sup>&</sup>lt;sup>119</sup> Art. 16.

<sup>&</sup>lt;sup>120</sup> Art. 2.

<sup>&</sup>lt;sup>121</sup> Art. 18

<sup>&</sup>lt;sup>122</sup> Art. 22.

<sup>&</sup>lt;sup>123</sup> Art. 2.

Urban Management Plan.	Special Metropolitan City Mayor, Metropolitan City Mayor, Special Self- Governing City Mayor, Governor of a Special	President.  Metropolitan City Mayor. Special Self- Governing City Mayor. Governor of a Special Self-Governing Province. <sup>125</sup>	The urban management plan is a detailed plan for translating the guidelines and objectives set out in the Urban Master Plan into actionable steps. It is designed for the same jurisdictions as the Urban Master Plan: the Special Metropolitan City, The urban
	Self-Governing Province. Head of a Si/Gun. <sup>124</sup>		management plan provides detailed, practical steps for implementing the spatial structures and development directions defined in the Urban Master Plan. It focuses on zoning regulations, land-use management and specific infrastructure projects.  Additionally, it outlines specific policies and measures for urban development, including public services, transport, housing and environmental protection. An urban management plan ensures that development initiatives are aligned with the strategic framework set by the Urban Master Plan and facilitates coordination among various stakeholders and government bodies for effective implementation. 126
Si/Gun Comprehensive Plan	Head of si/gun <sup>127</sup>	Province Governor <sup>128</sup>	The basic spatial structure and long-term direction for development of the jurisdictional area of a special metropolitan city, a metropolitan city, a si, or a gun. <sup>129</sup>

<sup>&</sup>lt;sup>124</sup> Art. 24.

<sup>&</sup>lt;sup>125</sup> Art. 30.

<sup>&</sup>lt;sup>126</sup> Art. 2.

 $<sup>^{127}</sup>$  Art. 20 of the Framework Act on National Land 2002 .

<sup>&</sup>lt;sup>128</sup> Ibid.

<sup>&</sup>lt;sup>129</sup> Art. 6.

City/County Master Plan.	City Mayor. <sup>130</sup>	Province Governor. <sup>131</sup>	Sets the basic spatial structure. The plan acts as a guideline for formulating the City/County Management Plan. The City/County Management Plan involves plans on land use, traffic, environment, scenery, safety, industries, information and communications, health, welfare, security, culture, etc. 132 Only the City/County Management Plan creates a legally binding land-use plan based on zoning regulations. 133
1st Local Area Comprehensive Plan (2023– 2027).	Presidential Local Area Committee. <sup>134</sup>	Local Area Committee and State Council. <sup>135</sup>	This plan is a mid-term plan established every five years, and local and central Governments establish annual implementation plans for city/provincial local plans, sectoral plans and supra-metropolitan area development plans each year and submit them to the Local Area Committee. <sup>136</sup>

<sup>130</sup> Ibid.

<sup>&</sup>lt;sup>131</sup> Ibid.

<sup>&</sup>lt;sup>132</sup> Art. 19 of the National Land Planning and Utilization Act.

<sup>&</sup>lt;sup>133</sup> Art. 36 and Art. 37.

<sup>134</sup> Smart City Korea, Yoon Seok-yeol government announces "Comprehensive Plan for Local Era (2023-2027)", 2023: https://smartcity.go.kr/en/2023/11/02/%EC %9C%A4%EC%84%9D%EC%97%B4-%EC%A0%95%EB%B6%80-%E3%80%8C%EC%A7%80%EB%B0%A9%EC%8B%9C%EB% 8C%80-%EC%A2%85%ED%95%A9%EA%B3%84% ED%9A%8D2023-2027%E3%80%8D-%EB%B0%9C%ED%91%9C/#:~:text=The%20five%20major%20strategies%20for,for%20the%20next%20five%20 years.%20.

<sup>&</sup>lt;sup>135</sup> Ibid.

<sup>136</sup> Ibid.

District Unit Plan.	Special Metropolitan City Mayor, Metropolitan City Mayor, Special Self- Governing City Mayor, Governor of a Special Self- Governing Province The head of a Si/ Gun <sup>137</sup>	President.  Metropolitan City Mayor. Special Self- Governing City Mayor. Governor of a Special Self-Governing Province. <sup>138</sup>	This is under the urban management plan. A plan formulated to rationalize land use; to increase its functionality; to improve aesthetics; to secure a better environment; and to manage the relevant area in a systematic and planned manner, for part of an area subject to the formulation of an urban or gun plan. <sup>139</sup>
City/County Management Plan	Provincial Governor, Large city mayor (a population exceeding 500,000) City mayors or heads of gun Minister of Land, Infrastructure and Transport. <sup>140</sup>	Provincial Governor or large city mayor Minister of Land, Infrastructure and Transport. <sup>141</sup>	This is a detailed, local zoning, long-term (10 years) plan that presents the specific ways to translate the direction presented by the city/county master plan in the urban space. It incorporates urban development, location of land use, designation of zones and districts etc., and needs to conform to higher tier plans.

#### Coordination mechanisms and authority

#### National level coordination

The 5th Comprehensive National Territorial Plan (2020–2040) in the Republic of Korea is drafted by the Ministry of Land, Infrastructure and Transport (MOLIT). This extensive plan aligns the nation's territorial development with the central Government's mid- and long-term strategies and regional policies. It focuses on providing clear policy directions for sustainable national development, aiming to enhance the quality of life for individuals through balanced and strategic land use, infrastructure development and environmental sustainability.

MOLIT ensures the plan's alignment with national and regional policies by coordinating with various government bodies and local governments. This coordination involves detailed assessments of regional needs, infrastructure requirements and environmental considerations, ensuring the plan is both comprehensive and adaptable. The ministry's role includes facilitating the implementation of the plan's policies and strategies, thereby promoting coherent and integrated development across the country. 142

<sup>&</sup>lt;sup>137</sup> Art. 24 of the National Land Planning and Utilization Act.

<sup>&</sup>lt;sup>138</sup> Art. 30.

<sup>&</sup>lt;sup>139</sup> Art. 2.

<sup>&</sup>lt;sup>140</sup> Arts. 29.1 and 29.2.

<sup>&</sup>lt;sup>141</sup> Art. 30.1.

The President of the Republic of Korea provides the final approval for the 5th Comprehensive National Territorial Plan, ensuring it adheres to the central Government's long-term goals. This approval process helps mobilize resources and establish a unified approach to national development. Regular reviews and updates are conducted to monitor progress, evaluate the impact of implemented strategies and make necessary adjustments. This iterative process ensures the plan remains dynamic, responsive and effective in driving national development and sustainability goals.

#### Regional-department level coordination

The Comprehensive Provincial Plan is developed under the leadership of the Provincial Governor or the Urban Planning Committee. These entities are tasked with drafting a detailed plan that addresses the specific needs and aspirations of the provincial jurisdiction. The plan outlines long-term development directions, focusing on critical aspects such as land use, infrastructure, economic growth and environmental sustainability.

MOLIT plays an oversight role, ensuring that the provincial plan aligns with national policies and strategic objectives. This alignment process involves a thorough review and approval by MOLIT, which ensures that provincial initiatives are consistent with national goals and frameworks. The ministry's involvement ensures that regional plans are not only tailored to local conditions but also contribute to the broader national development agenda.

Implementation of the Comprehensive Provincial Plan requires active collaboration between provincial authorities and various local government bodies. This coordinated effort ensures that regional needs are effectively addressed through integrated planning and resource allocation. Regular reviews and updates of the plan are conducted to monitor its progress, evaluate its effectiveness and make necessary adjustments. This ongoing process helps the plan to remain relevant and responsive to changing circumstances, thereby maintaining its effectiveness in promoting balanced and sustainable regional development.<sup>143</sup>

#### Urban and Territorial Management Plan coordination

At the local level, urban and territorial management is guided by several key plans, most notably the City/County Master Plan. This plan is meticulously formulated by the city mayor, incorporating input from a wide range of local stakeholders, including community groups, local businesses and residents. This inclusive approach ensures that the plan addresses the specific development needs and priorities of the local area, such as infrastructure, housing, economic development and environmental sustainability.

The Provincial Governor plays a vital role in reviewing the City/County Master Plan to ensure its alignment with broader provincial and national spatial planning policies. This review process ensures that local plans are consistent with the overarching strategies and goals set at higher levels of government, promoting coherence and integration across different administrative levels. The Provincial Governor's approval is crucial for the plan to move forward, providing a necessary check to align local initiatives with regional and national objectives.

The implementation of the City/County Master Plan involves close coordination between city/county authorities and the provincial government. This collaborative effort ensures effective resource allocation, adherence to zoning regulations and the integration of various aspects of urban planning, including land use, traffic management, environmental protection and public safety. Regular monitoring and updates are conducted to adapt to new challenges and opportunities, ensuring that the plan remains relevant and effective in fostering sustainable and balanced local development.<sup>144</sup>

<sup>143</sup> Ibid.

<sup>144</sup> Ibid.

**Table 16.** Overview of the planning system: institutional functions, coordination and content of plans, South Africa



#### South Africa

#### Legislative framework

- Constitution of the Republic of South Africa of 1996
- The Spatial Planning and Land Use Management Act No. 16 of 2013 (SPLUMA)
- The Local Government Municipal Systems Act of 2000
- The Intergovernmental Relations Framework Act 13 of 2005

Tier of Government	Planning instrument	Drafted by	Approved by	Scope
National.	National Spatial Development Framework (NSDF).	Ministry of Rural Development and Land Reform, after consultation with other organs of the State and the public. <sup>145</sup>	Cabinet. <sup>146</sup>	The NSDF is a long-term spatial planning instrument that provides an overarching spatial development framework for all the spheres and sectors of government. It includes a set of principle-driven spatial investment and development directives and a set of strategic spatial areas of national importance from an ecological, social, economic or infrastructure perspective. <sup>147</sup>
Regional – department.	Provincial Spatial Development Framework (PSDF).	Premier of each province. <sup>148</sup>	Provincial Executive Council. <sup>149</sup>	The PSDF provides a spatial representation of the land development policies, strategies and objectives of the province, indicates the desired land-use development and coordinates and integrates the spatial expression of sectorial plans and coordinates regional and municipal spatial development frameworks. <sup>150</sup>

<sup>&</sup>lt;sup>145</sup> Art. 13.3 of the Spatial Planning and Land-Use Management Act (SPLUMA).

<sup>&</sup>lt;sup>146</sup> Art. 13.5.

<sup>&</sup>lt;sup>147</sup> Art. 14.

<sup>&</sup>lt;sup>148</sup> Art. 15.1.

<sup>&</sup>lt;sup>149</sup> Art. 15.7.

<sup>150</sup> Art. 16.

Local – municipality	Integrated Development Plan.	The executive committee or the mayor of a municipality. <sup>151</sup>	Municipal Council. <sup>152</sup>	This plan reflects the municipal council's vision for the long-term development of the municipality and its development priorities, objectives and strategies, which must be aligned with national and provincial sectorial plans. 153  The plan comprises a Municipal Spatial Development Framework and a land-use scheme. 154
	Municipal Spatial Development Framework.	The executive committee or the mayor of a municipality <sup>155</sup> with recommendation from the executive committees. <sup>156</sup>	Municipal Council. <sup>157</sup>	This framework includes a long-term spatial development vision for the municipal area indicating the desired spatial growth and development pattern. <sup>158</sup>
	Land-use scheme.	The executive authority of the municipality (executive committee or the mayor). 159	Municipal Council. <sup>160</sup>	The land-use scheme gives effect to and should be consistent with the municipal spatial development framework and determine the use and development of land within the municipal area. <sup>161</sup>

<sup>&</sup>lt;sup>151</sup> Art. 29 of the Municipal System Act.

<sup>&</sup>lt;sup>152</sup> Art. 30.5 of the Local Government Municipal Structure Act of 1998.

<sup>&</sup>lt;sup>153</sup> Art. 26.

<sup>&</sup>lt;sup>154</sup> Art. 5 SPLUMA.

<sup>&</sup>lt;sup>155</sup> Art. 29 of the Municipal System Act

<sup>&</sup>lt;sup>156</sup> Art. 44.2 of the Local Government Municipal Structure Act

<sup>&</sup>lt;sup>157</sup> Art. 20.1 SPLUMA

<sup>&</sup>lt;sup>158</sup> Art. 21

 $<sup>^{\</sup>rm 159}$  Art. 23 SPLUMA, 2013 and Art. 29 of the Municipal Systems Act, 2000

<sup>&</sup>lt;sup>160</sup> Art. 25 of the Municipal Systems Act of 2000

<sup>&</sup>lt;sup>161</sup> Art. 25 SPLUMA, 2013

Framework	The executive	Municipal	This framework identifies
for Integrated	committee or	Council.163	the plans and planning
Development	the mayor of		requirements according to
	each district		the national and provincial
	municipality,		frameworks for a district
	after following		area including two or more
	a consultative		municipalities, and it identifies
	process with		the matters to be included in
	the local		the integrated developments
	municipalities		plans of the municipalities
	within its area.162		within the district.164

#### Coordination mechanisms and authority

#### National level coordination

The National Spatial Development Framework (NSDF) in South Africa is coordinated by the Ministry of Rural Development and Land Reform. This comprehensive framework is developed through extensive consultations with other state organs, various stakeholders and the public to ensure an inclusive and participatory approach to spatial planning. The NSDF serves as an overarching spatial development framework that guides all government spheres and sectors by setting principle-driven directives for spatial investment and development.

The NSDF identifies strategic spatial areas of national importance, encompassing ecological, social, economic and infrastructure perspectives. This identification process ensures that critical areas receive focused attention and resources, promoting balanced and sustainable development. The framework is reviewed and approved by the Cabinet, ensuring that it aligns with national policies, priorities and development goals. This alignment provides a unified direction for national development, facilitating coordinated efforts across different levels of government and sectors to achieve cohesive and sustainable growth.<sup>165</sup>

#### Regional-department level coordination

The Provincial Spatial Development Framework (PSDF) in South Africa is coordinated by the premier of each province, with approval from the Provincial Executive Council. This framework acts as a detailed spatial representation of the province's land development policies, strategies and objectives, guiding the overall land use and development within the province. The PSDF ensures that sectoral plans, such as those related to housing, transport and environmental management, are spatially expressed in a coordinated manner.

A critical aspect of the PSDF is its role in integrating and aligning the spatial development frameworks of regional and municipal levels. This integration ensures that development initiatives at the municipal level are consistent with provincial goals and policies, promoting a cohesive approach to regional development. The process involves extensive collaboration among various provincial departments, municipal authorities and other stakeholders to ensure that regional plans are effectively addressing local needs while maintaining alignment with national development objectives. Furthermore, the PSDF includes mechanisms for regular reviews and updates, allowing it to adapt to changing circumstances and emerging challenges. This ongoing process ensures that the framework remains relevant and effective in guiding sustainable development across the province. By maintaining coherence between regional and municipal planning efforts, the PSDF plays a vital role in achieving balanced and integrated development throughout all provinces.

<sup>&</sup>lt;sup>162</sup> Art. 27 and Art. 30 of the Municipal System Act, 2000

<sup>163</sup> Art. 29

<sup>164</sup> Ibid.

<sup>&</sup>lt;sup>165</sup> Spatial Planning and Land-Use Management Act No. 16 of 2013 (SPLUMA).

<sup>&</sup>lt;sup>166</sup> Intergovernmental Relations Framework Act 13 of 2005.

#### Urban and Territorial Management Plan coordination

At the local level, urban and territorial management in South Africa is primarily guided by the Integrated Development Plan (IDP) and the Municipal Spatial Development Framework (MSDF). The IDP is prepared by the executive committee or the mayor of a municipality and is subsequently approved by the Municipal Council. This plan reflects the Municipal Council's vision for long-term development and strategically aligns local development priorities, objectives and strategies with those of national and provincial sectoral plans. By doing so, it ensures that local initiatives contribute to broader development goals.

The Municipal Spatial Development Framework (MSDF) forms an integral part of the IDP, offering detailed guidance on spatial growth, land-use patterns and the strategic allocation of land for various uses. It addresses the spatial aspects of municipal planning, ensuring that growth and development are managed in a sustainable and orderly manner. This framework provides specific directives on how land should be used to meet the municipality's developmental objectives, including zoning regulations, infrastructure development and environmental conservation.

Implementation of the IDP and MSDF involves close coordination between municipal authorities and the provincial government. This collaboration ensures effective resource allocation, adherence to zoning regulations and the integration of various aspects of urban planning, such as land use, traffic management, environmental sustainability and public safety. Regular reviews and updates of these plans are conducted to adapt to changing circumstances, address emerging challenges, and maintain their relevance and effectiveness in achieving the municipality's long-term development goals.<sup>167</sup>

 $<sup>^{167}</sup>$  Integrated Development Plan Guidelines: <a href="https://soer.environment.gov.za/soer/UploadLibraryImages/UploadDocuments/030318132026\_Integrated%20 Development%20Planning.html#:~:text=The%20IDP%20 has%20a%20lifespan,takes%20into%20consideration%20existing%20plans.

**Table 17.** Overview of the planning system: institutional functions, coordination and content of plans, Thailand



#### Thailand

#### Legislative framework

- Constitution of the Kingdom of Thailand of 2017
- Town Planning Act No, B.E. 2562 of 2019
- State Administration Act No. 5, B.E. 2545 of 2002.
- Royal Decree on Criteria and Procedures in Good Governance, B.E. 2546 of 2003.

Tier of Government	Planning instrument	Drafted by	Approved by	Scope
National.	National policy plan. <sup>168</sup>	Department of Public Works and Town and Country (DPT).	National Town Planning Policy Board. <sup>169</sup>	It is a framework for policies and strategies for national development with respect to the use of areas, urban development, the development of related areas and the countryside, key infrastructure, the development of special areas, the preservation of natural resources and the environment, and others. <sup>170</sup>
Regional	Regional policy plan.	DPT. <sup>171</sup>	National Town Planning Policy Board. <sup>172</sup>	Contains directions for the development and maintenance of areas covering more than one changwat (province) with respect to the same areas considered by the National Policy Plan. 173
Local	Changwat (province) policy plan.	DPT. <sup>174</sup>	Town Planning Commission. <sup>175</sup>	Contains directions for the development and maintenance of provincial areas. <sup>176</sup>

 $<sup>{}^{168}\,</sup>National\,Policy\,Plan\,of\,Thailand.\,Retrieved\,from\,\underline{www.fao.org/faolex/results/details/en/c/LEX-FAOC221134/.}$ 

<sup>&</sup>lt;sup>169</sup> Ibid, S. 13 and S. 75.

<sup>&</sup>lt;sup>170</sup> S. 13 and S. 14.

<sup>&</sup>lt;sup>171</sup> S. 15.

<sup>&</sup>lt;sup>172</sup> S. 15 and S. 75.

<sup>&</sup>lt;sup>173</sup> S. 15 and S.16.

<sup>&</sup>lt;sup>174</sup> S. 17.

<sup>&</sup>lt;sup>175</sup> S. 17 and S. 81.

<sup>&</sup>lt;sup>176</sup> S. 17 and S.18.

Unitary Town DPT or a local Town Planning The plan consists of a Plan<sup>177</sup> government Commission or single plan or several plans determining land-use organization the Changwat Specific Town or the two Town Planning classifications, designating Plan<sup>178</sup> institutions Committee open spaces for recreation together. If the or conservation, outlining Town Planning plan covers the Commission detailed communication areas of the after the DPT and transport infrastructure entire changwat, or the LGO have projects, identifying and the DPT and/ approved the protecting areas rich in natural or Changwat plan prepared by resources and sensitive the other.182 Administrative environmental zones, and Organization.179 includes provisions for public The concerned utilities, housing developments local government and industrial areas, ensuring organization a comprehensive approach to (LGO)180 or the urban and regional planning.<sup>183</sup> DPT.<sup>181</sup> Specific town plan consists of a single plan or several plans focusing on land use, transport projects, public utilities, facilities and services, open spaces and similar matters.<sup>184</sup>

#### Coordination mechanisms and authority

#### National level coordination

The National Policy Plan in Thailand is crafted by the Department of Public Works and Town and Country Planning (DPT), which undertakes extensive consultations with relevant stakeholders to ensure a comprehensive approach. This plan is subsequently approved by the National Town Planning Policy Board, providing it with formal legitimacy and authority. The National Policy Plan encompasses a broad spectrum of development areas, including urban and rural development, enhancement of national infrastructure, development of special zones, and conservation of natural resources and the environment.

The DPT's responsibilities extend beyond drafting the plan; it is also pivotal in ensuring that policies are harmonized and integrated across various government sectors and regions. This involves coordinating with different ministries and regional authorities to guarantee that all initiatives and projects are aligned with the national development goals outlined in the plan.

<sup>&</sup>lt;sup>177</sup> S. 22.

<sup>&</sup>lt;sup>178</sup> S. 39.

<sup>&</sup>lt;sup>179</sup> S. 23.

<sup>&</sup>lt;sup>180</sup> If this is the case, the local official must first submit principles of the specific town plan to the Town Planning Commission for approval. S. 41.4.

<sup>&</sup>lt;sup>181</sup> S. 41.

<sup>&</sup>lt;sup>182</sup> S. 46, S. 47 and S. 48.

<sup>&</sup>lt;sup>183</sup> S. 22.

<sup>&</sup>lt;sup>184</sup> S. 40.

The National Town Planning Policy Board plays a critical role in overseeing the implementation of the National Policy Plan. This board provides strategic direction, monitors progress and ensures that the plan's objectives are being met effectively. It collaborates closely with other government agencies, such as the Ministry of Interior, Ministry of Transport, and Ministry of Natural Resources and Environment, to ensure a unified and cohesive development strategy across the country. The board is also responsible for making periodic updates to the framework to address emerging challenges and incorporate new priorities, ensuring the plan remains relevant and effective in guiding national development.<sup>185</sup>

#### Regional-department level coordination

The Regional Policy Plan in Thailand is developed by the Department of Public Works and Town and Country Planning (DPT) and receives formal sanction from the National Town Planning Policy Board. This plan provides comprehensive guidelines for the development and maintenance of areas spanning multiple provinces (changwat), aligning closely with the focus areas of the National Policy Plan. The DPT plays a pivotal role in synchronizing regional policies with overarching national strategies, ensuring that regional development projects adhere to national objectives. The National Town Planning Policy Board is instrumental in overseeing the implementation of these regional directives, ensuring a consistent and coherent approach to regional development across the country.

This collaborative process necessitates close coordination between the DPT and regional authorities. The DPT works closely with provincial governors, regional planning committees and other local bodies to address specific regional needs, manage resources efficiently, and ensure that regional initiatives contribute meaningfully to broader national goals. This integration ensures that regional development plans not only reflect the unique characteristics and requirements of each province, but they also adhere to the unified vision of national development, fostering sustainable growth and equitable resource distribution.<sup>186</sup>

#### Local level coordination

At the local level, the Changwat (Province) Policy Plan is diligently crafted by the DPT and ratified by the Town Planning Commission. This plan offers detailed directives for the development and maintenance of provincial areas, ensuring alignment with both regional and national plans. The Town Planning Commission plays a crucial role in overseeing the execution of these plans, providing necessary guidelines and directives to local authorities to ensure coherent implementation.

Furthermore, Unitary Town Plans and Specific Town Plans are formulated either by the DPT or local government organizations, depending on the specific local needs and contexts. These plans focus on various local aspects such as land use, transportation, public utilities, and environmental conservation. Once drafted, these local plans are subjected to approval by the Town Planning Commission to ensure they comply with broader regional and national objectives.

The coordinated efforts between local government organizations, the DPT and the Town Planning Commission are essential in ensuring that local development initiatives are effectively managed and integrated into the larger framework of national and regional development. This structured approach allows for addressing local needs while maintaining consistency with national and regional development goals, fostering a holistic and sustainable growth trajectory for Thailand.<sup>187</sup>

<sup>&</sup>lt;sup>185</sup> Town Planning Act No, B.E. 2562 of 2019.

<sup>&</sup>lt;sup>186</sup> State Administration Act No. 5, B.E. 2545 of 2002.

<sup>&</sup>lt;sup>187</sup> S. 22, S. 23, S. 39, S. 41, S. 46, S. 47, S. 48 of the Town Planning Act.

**Table 18.** Overview of the planning system: institutional functions, coordination and content of plans, the Philippines



#### The Philippines

#### Legislative framework

The Constitution of the Republic of the Philippines of 1987

Presidential Decree No. 107 of 1973

Executive Order No. 325 of 1996

Act No. 11201 of 2019

Local Government Code 1991

Tier of Government	Planning instrument	Drafted by	Approved by	Scope
National.	Philippines Development Plan (PDP).	National Economic and Development Authority (NEDA). <sup>188</sup>	The National Economic and Development Authority Board Committee. <sup>189</sup>	The PDP (current one running from 2023-2028) serves as the country's overall blueprint in development planning for the next six years. It reflects the government's policies, strategies, programs, and legislative priorities. The Plan is geared toward the attainment of the country's long-term vision, the AmBisyon Natin 2040. <sup>190</sup>

<sup>&</sup>lt;sup>188</sup> Philippine Development Plan (PDP) 2023-2028, acknowledgments: <a href="https://pdp.neda.gov.ph/wp-content/uploads/2023/01/PDP-2023-2028.pdf">https://pdp.neda.gov.ph/wp-content/uploads/2023/01/PDP-2023-2028.pdf</a>.

 $<sup>^{189}</sup>$  Executive Order No.14 of 2023 of the President of the Philippines approving and adopting the Philippines Development Plan for the period 2023 – 2028:  $\underline{\text{https:// www.officialgazette.gov.ph/2023/01/27/executive-order-no-14-s-2023/}}$ .

<sup>&</sup>lt;sup>190</sup> Philippine Development Plan 2023–2028, Briefer: <a href="https://pdp.neda.gov.ph/wp-content/uploads/2023/01/PDP-2023-2028-Briefer.pdf">https://pdp.neda.gov.ph/wp-content/uploads/2023/01/PDP-2023-2028-Briefer.pdf</a>.

Regional – department.	National Framework for Physical Planning (NFPP).	The National Economic and Development Authority Board Committee [ex National Land Use Committee (NLUC) now reconstituted into a NEDA Board (NB) committee]. <sup>191</sup>	NEDA.	The current National Framework for Physical Planning 2001-2030 provides the analytical parameters for the planned allocation, use and management of the country's land and other physical resources. The NFPP serves as a framework through which the planning and management of these resources are guided at the national and subnational levels. <sup>192</sup>
Local – municipality	Regional Physical Framework Plan.	Regional Land Use Committee (RLUC) under the Regional Development Council (RDC). <sup>193</sup>	Regional Development Council (RDC). <sup>194</sup>	The RDPs encompasses the objectives, strategies, and priority programs carefully designed to foster economic and social transformation for the country's regions.  These plans are aligned with our national vision, the AmBisyon Natin 2040, as well as the development goals and national strategies outlined in the Philippines Development Plan 2023-2028.

See also S. 6 of the Executive Order No. 770, s. 2008.

<sup>&</sup>lt;sup>191</sup> National Framework for Physical Planning 2001 – 2030, Executive Summary, Background: <a href="https://neda.gov.ph/wp-content/uploads/2013/10/execsum.pdf">https://neda.gov.ph/wp-content/uploads/2013/10/execsum.pdf</a>.

See also S. 3 of Executive Order No. 770, s. 2008 amending letter of instruction 1350, otherwise known as "providing the institutional framework for national physical planning".

<sup>&</sup>lt;sup>192</sup> Socioeconomic Research Portal for the Philippines, National Framework for Physical Planning 2001–2030, Executive Summary: <a href="https://serp-p.pids.gov.ph/">https://serp-p.pids.gov.ph/</a> publication/public/view?slug=national-framework-for-physical-planning-2001-2030-executive-summary.

<sup>&</sup>lt;sup>193</sup> National Economic and Development Authority, the Regional Development Council, Q. What are the functions of the RDC? <a href="https://neda.gov.ph/fags/">https://neda.gov.ph/fags/</a>

<sup>194</sup> Ibid.

<sup>&</sup>lt;sup>195</sup> Government of the Philippines, Philippines Development Plan, Regional Development Plans (RDP) 2023 – 2018: <a href="https://pdp.neda.gov.ph/">https://pdp.neda.gov.ph/</a>.

	Regional Development Plan (RDP).	Regional Land- Use Committee (RLUC) under the Regional Development Council (RDC). <sup>196</sup>	Regional Development Council (RDC). <sup>197</sup>	The RDPs lay out the strategies for attaining development objectives at the local levels of governance to ensure that economic growth is inclusive. The RDPs are in line with the long-term vision and the goals of the PDP 2023–2028, and they address the challenges specific to each region's socioeconomic context. <sup>198</sup>
Local: Province Municipality City Barangay.	Comprehensive Land-Use Plan (CLUP).	Local government units. <sup>199</sup>	The local legislative authority: <sup>200</sup> Sangguniang Panlalawigan for the Province <sup>201</sup> Sangguniang Panlungsod <sup>202</sup> for the City Sangguniang Bayan for the Municipality <sup>203</sup> Sangguniang Barangay for the Barangay (village)	Comprehensive land-use plans, enacted through zoning ordinances, are the primary and dominant bases for the future use of land resources. Requirements for food production, human settlements and industrial expansion are considered in the preparation of such plans. <sup>204</sup>

See also S. 6 of the Executive Order No. 770, s. 2008.

See also S. 6 of the Executive Order No. 770, s. 2008.

<sup>&</sup>lt;sup>196</sup> National Economic and Development Authority, the Regional Development Council, Q. What are the function of the RDC? <a href="https://neda.gov.ph/fags/">https://neda.gov.ph/fags/</a>.

<sup>&</sup>lt;sup>197</sup> NEDA, the Regional Development Council, Ibid.

 $<sup>^{198}</sup>$  Regional Development Plan 2023-2028 of region 1, Message:  $\underline{\text{https://ilocos.neda.gov.ph/regional-development-plan-2023-2028/.}}$ 

<sup>&</sup>lt;sup>199</sup> S. 20.c.

<sup>&</sup>lt;sup>200</sup> S. 48 of the Local Government Code.

<sup>&</sup>lt;sup>201</sup> S. 468.a.2.vii.

<sup>&</sup>lt;sup>202</sup> S. 458.a.2.vii.

<sup>&</sup>lt;sup>203</sup> S. 447.a.2.vii.

<sup>&</sup>lt;sup>204</sup> S. 20.c.

Comprehensive	The local	The local	Local CDPs embody the vision,
Development	Development	legislative	sectorial goals, objectives,
Plan (CDP).	Council at the	authority. <sup>208</sup>	development strategies and
	provincial, city,		policies within the terms of
	municipal or		the Local Government Unit
	barangay level.205		(LGU) officials and the medium
	A		term. <sup>209</sup>
	At the provincial		
	level, the plan is		
	formulated by		
	the provincial		
	governor with		
	the assistance		
	of the provincial		
	development		
	council. <sup>206</sup>		
	At the municipal		
	level the plan is		
	formulated by		
	the municipal		
	mayor with the		
	assistance of		
	the municipal		
	development		
	council. <sup>207</sup>		

#### Coordination mechanisms and authority

#### National level coordination

The Philippines Development Plan (PDP) is crafted by the National Economic and Development Authority (NEDA) through an inclusive consultative process. This process actively engages a wide range of stakeholders, including government agencies, the private sector, non-governmental organizations and civil society groups, to ensure diverse perspectives and needs are considered. The PDP serves as the nation's comprehensive blueprint for development over a six-year period, currently spanning from 2023 to 2028. The plan outlines a detailed and strategic approach to national development, encompassing the Government's policies, strategies, programmes and legislative priorities, with the goal of promoting sustainable and inclusive growth.

A key aspect of the PDP is its focus on reducing regional disparities by implementing targeted interventions that cater to the specific needs of various regions, thereby contributing to the long-term vision articulated in Ambisyon Natin 2040.

<sup>&</sup>lt;sup>205</sup> S. 106 and S. 109 of the Local Government Code.

<sup>&</sup>lt;sup>206</sup> S. 465.b.1.ii.

<sup>&</sup>lt;sup>207</sup> S. 444.b.1.ii.

<sup>&</sup>lt;sup>208</sup> S. 106, S. 114.2 and S. 48.

<sup>&</sup>lt;sup>209</sup> Department of the Interior and Local Government, National Economic and Development Authority, Department of Budget and Management, Department of Finance, Joint memorandum circular No.1 of 2016, 4.5: <a href="https://blgf.gov.ph/wp-content/uploads/2017/01/JMC-No.-1-DILGDBM-DOF-BLGF-NEDA.pdf">https://blgf.gov.ph/wp-content/uploads/2017/01/JMC-No.-1-DILGDBM-DOF-BLGF-NEDA.pdf</a>.

The plan is approved by the National Economic and Development Authority Board Committee, which rigorously reviews the plan to ensure alignment with the overarching development goals of the country. This high-level committee's approval signifies that the PDP is consistent with national policies and strategic priorities, providing a unified direction for the country's development efforts.<sup>210</sup>

Once approved, the PDP acts as a coordination mechanism that integrates sectoral plans and local development initiatives. This ensures coherence and synergy across different levels of government and various sectors, facilitating a holistic approach to national development. The implementation of the PDP involves close monitoring and regular reviews, allowing for adjustments and updates to be made in response to emerging challenges and changing circumstances. This adaptive approach helps maintain the plan's relevance and effectiveness, ensuring it continues to meet the dynamic needs of the country while staying aligned with the longterm vision of Ambisyon Natin 2040.

#### Regional-department level coordination

The Regional Physical Framework Plan (RPFP) is developed under the guidance of the Regional Land Use Committee (RLUC), which functions within the broader structure of the Regional Development Council (RDC). The RLUC plays a critical role in drafting the RPFP by incorporating input from various regional stakeholders, including local government units, private sector representatives and civil society organizations. This comprehensive approach ensures that the plan reflects the diverse needs and priorities of the region. The RPFP outlines clear objectives, strategies and priority programmes aimed at driving economic and social transformation within the regions, aligning these efforts with national development goals.<sup>211</sup>

The RPFP is closely aligned with national strategies, particularly Ambisyon Natin 2040 and the Philippines Development Plan (PDP). This alignment ensures that regional plans are not only consistent with but also complementary to the overarching national vision for sustainable and inclusive growth. The RDC, which is responsible for approving the RPFP, conducts a thorough review to ensure that the plan's objectives, strategies and priority programmes are in harmony with national goals. This approval process is crucial in maintaining a unified approach to development across the country.

Coordination is a key component of regional planning, with the RLUC ensuring that all regional development initiatives are in line with national strategies. This involves continuous collaboration between regional and national authorities to foster cohesive development strategies that integrate regional and national priorities. The RLUC's role in monitoring and guiding the implementation of the RPFP ensures that regional initiatives not only support but also enhance the broader national vision. This structured coordination promotes balanced development across the country, addressing regional disparities and contributing to the overall national development objectives.

<sup>&</sup>lt;sup>210</sup> Philippine Development Plan 2023–2028, acknowledgments.

<sup>&</sup>lt;sup>211</sup> Regional Land Use Committee and Regional Development Council: Philippine Development Plan 2023–2028.

#### Local level coordination

At the local level, urban and territorial management is directed by two key planning instruments: the Comprehensive Land-Use Plan (CLUP) and the Comprehensive Development Plan (CDP). The CLUP is a strategic tool coordinated and approved by the local government units (LGUs), and involves the legislative authorities such as the Sangguniang Panlalawigan for provinces, Sangguniang Panlungsod for cities, Sangguniang Bayan for municipalities and Sangguniang Barangay for barangays (village/neighbourhood). This plan serves as the primary framework for future land use, addressing critical needs such as food production, human settlements, industrial expansion and environmental conservation. Enacted through zoning ordinances, the CLUP ensures that land use is planned and regulated in a way that supports sustainable development.<sup>212</sup>

The Comprehensive Development Plan (CDP) complements the CLUP by embodying the broader vision, sectoral goals, objectives, development strategies and policies of the LGUs. Formulated by the local Development Council, which includes representatives from various sectors and is often chaired by the provincial governor, the CDP outlines medium-term development initiatives. This plan integrates the socioeconomic and physical development aspects of the locality, ensuring a holistic approach to local governance and development. The CDP guides local development actions, ensuring they align with the LGU's vision and objectives, and is critical for achieving coherent and sustainable local development.

Coordination at the local level involves a comprehensive framework to ensure that the CLUP and CDP are effectively implemented and aligned with national and regional plans. The LGUs, through their legislative bodies and Development Councils, work closely with provincial authorities and other stakeholders to manage land resources and address local development needs efficiently. This includes regular updates and reviews of the plans to adapt to changing local circumstances and priorities, maintaining the relevance and effectiveness of the plans. Through this coordinated effort, local development initiatives are seamlessly integrated into the broader framework of regional and national development, promoting balanced and sustainable growth across all localities.

<sup>&</sup>lt;sup>212</sup> Comprehensive Land-Use Plans, enacted through zoning ordinances: <a href="https://lcp.org.ph/UserFiles/League\_of\_Cities/file/HLURB\_CLUP\_Guidebook\_Vol\_1\_11042015.pdf">https://lcp.org.ph/UserFiles/League\_of\_Cities/file/HLURB\_CLUP\_Guidebook\_Vol\_1\_11042015.pdf</a>.



#### Comparative analysis

In Japan, public participation is well integrated into all the phases and planning. Both at the prefectural and the municipal level, public participation is granted from the first phase of drafting of the city plans. Similarly, according to the legal framework of Malaysia, public participation is an integral part of the drafting of spatial plans both at the State level and at the local level. The Constitution of Panama confers the responsibility of promoting participatory planning on the municipality<sup>213</sup> and grants the public the right to initiate referendums on matters attributed to the Municipal Councils.<sup>214</sup>

In South Africa, public participation is also a constitutional imperative<sup>215</sup> and legislative mandate of all spheres of government. Accordingly, the planning legislative framework establishes that the preparation and amendment of spatial plans, policies, land-use schemes and procedures for development applications must include transparent processes of public participation, according to all parties the opportunity to provide inputs.<sup>216</sup> In the Philippines, public participation is carried out at the local level (by the Barangay).

In Paraguay, public participation is granted both at the regional—departmental level and at the municipal level. Municipalities can convene public hearings to provide information to the public, gather public opinion, evaluate the quality of services, or discuss other matters of public interest. During the sessions, participants have the right to express their opinion, debate and make observations and suggestions; however, opinions and proposals presented at the hearings are not binding.<sup>217</sup>

All levels of government in the Republic of Korea use an array of engagement strategies and means to involve the public in the agenda setting, formulation, implementation and evaluation of policies.<sup>218</sup> Thus, in terms of territorial planning, there are several ways in which stakeholders can express and possibly reflect their opinions, including public hearings, deliberations by committees, public complaints or through public petitions.<sup>219</sup> Such participatory processes usually bring together three main types of actors: residents (including the private sector), the public administration and experts and local activists.

See as well land-use scheme guidelines, p.9: <a href="https://csp.treasury.gov.za/csp/DocumentsToolbox/322">https://csp.treasury.gov.za/csp/DocumentsToolbox/322</a>. SA.DRDLR.Land%20Use%20Scheme%20Guide%202017.pdf.

<sup>&</sup>lt;sup>213</sup> Art. 233 of the Constitution of Panama.

<sup>&</sup>lt;sup>214</sup> Art. 239.

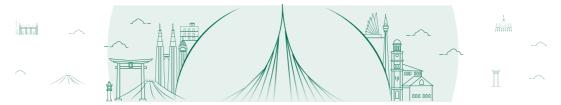
<sup>&</sup>lt;sup>215</sup> Art. 195.1.e of the Constitution of South Africa.

<sup>&</sup>lt;sup>216</sup> S. 28.2 of the Spatial Planning and Land Use Management Act.

<sup>&</sup>lt;sup>217</sup> Art. 69 of the Law No. 3966/2010.

<sup>&</sup>lt;sup>218</sup> OECD (2019). November 4. Chapter 3. Citizen participation in land-use planning and urban regeneration in Korea. In The Governance of Land Use in Korea: Urban Regeneration. <a href="https://doi.org/10.1787/fae634b4-en.">https://doi.org/10.1787/fae634b4-en.</a>. <sup>219</sup> Lim, S. H. (2014). Planning Practice in South Korea.

# Bangladesh



The involvement of the public in spatial planning mainly takes place at the local level. Each municipality is divided into wards and in each ward, there is a ward committee chaired by an elected councillor.<sup>220</sup> Among other things, one of the functions of the ward committee is to involve the residents of the ward in the development and administrative programmes of the municipality through open meetings.<sup>221</sup> Everyone has the right to receive any information relating to the municipality.<sup>222</sup>

Moreover, every municipality should use advanced information technology within specified time limits to ensure effective governance. To this end, municipalities should inform the public through advanced information technology of all the services provided by the Government, including the matters relating to modern services as described in the Citizen Charter.<sup>223</sup>

Each municipality has several standing committees, including one dedicated to urban planning, civic services and development. If an expert person or individuals express their desire to attend the sessions of the committees, the council or its standing committee or any other committee may allow them to attend the relevant meeting, consider their opinion on a specific matter and, if appropriate, take a decision or recommendation in the light of the said opinion.<sup>224</sup>

In each municipality, there should be a committee for the purpose of receiving public opinions on services provided and other functions. The maximum number for the committee members is 50. During the meetings of the committee, members can express their opinions regarding services and developmental activities such as tax collection and expenditure.<sup>225</sup>

<sup>&</sup>lt;sup>220</sup> Art. 14.1 of the Local Government Act.

<sup>&</sup>lt;sup>221</sup> Art. 14.4.

<sup>&</sup>lt;sup>222</sup> Art. 112.

<sup>&</sup>lt;sup>223</sup> Art. 54.

<sup>&</sup>lt;sup>224</sup> Art. 57.

<sup>&</sup>lt;sup>225</sup> Art. 115.

# **Japan**



The legal framework of Japan calls for robust public participation in spatial planning processes (for example, City Planning Act, 1968). As an example, when the Minister of Land, Infrastructure, Transport and Tourism prepares the draft national plan, the minister must take necessary measures to incorporate public opinions into the plan. <sup>226</sup> Indeed, during the preparation of city plans, the prefectures or municipalities are to perform any required measures, such as convening public hearings, to reflect the opinions of residents. <sup>227</sup>

Likewise, proposals of district plans must be compiled upon seeking the opinions of the owners of the land within the areas.<sup>228</sup> Municipalities stipulate, through municipal ordinance, the method by which residents or interested persons can offer proposals concerning city plans, district plans or matters that should be included in proposed city plans.<sup>229</sup>

Firstly, residents are notified that the plans are made available for their revision and the proposed city plan must be made available for public inspection. After two weeks from the day of public notice, concerned residents may submit in writing their opinions on such plans, prior to finalization.

Furthermore, the plans should be presented to the City Planning Council before approval. The City Planning Act also sets forth the procedure for approval of each City Plan which considers proposals of landowners, community planning NPOs, community organizations, developers with a certain degree of experience and expertise, etc. The municipal government must take necessary measures, such as holding public hearings in advance, to allow public participation even when preparing the Municipal Land Use Plan to fully reflect the intentions of the residents.<sup>230</sup>

<sup>&</sup>lt;sup>226</sup> Art. 6.5 of the National Spatial Planning Act.

<sup>&</sup>lt;sup>227</sup> Art. 16.1 of the City Planning Act.

<sup>&</sup>lt;sup>228</sup> Art. 16.3.

<sup>&</sup>lt;sup>229</sup> Art. 16.3.

<sup>&</sup>lt;sup>230</sup> Art. 8.3 of the City Planning Act.

# Malaysia



The Town and Country Planning Act of 2001 establishes public participation as an integral part of the process of formulating spatial plans at the State level and at the local level. At the State level, the draft plan is made publicly available, and all interested parties are made aware that they are entitled to make representations and are given an opportunity to do so.

The State Director must consider every input and submit to the State Planning Committee, together with the draft plan, a statement on the modalities and outcomes of the public consultation process. Public participation is also guaranteed in the drafting process of local plans.

The local planning authority must ensure that the draft local plan, its objectives, purpose and matters that the local planning authority proposes to include in the plan are made public in the interested area, so that the interested parties can make representations to the local planning authority.<sup>231</sup>

Once the draft local plan is finalized, it is made available for public inspection with a mention of the timeframe for objections or representations.<sup>232</sup> The local planning authority can organize a local inquiry or other hearing to consider objections and representations.<sup>233</sup>

To enhance public participation, the digital platform e-Participation is made available on the Malaysian Digital Service Portal.<sup>234</sup>

<sup>&</sup>lt;sup>231</sup> Art. 12A of the Town and Country Planning Act.

<sup>&</sup>lt;sup>232</sup> Art. 13.

<sup>&</sup>lt;sup>233</sup> Art. 14.

<sup>&</sup>lt;sup>234</sup> MyGovernment, Malaysian Digital Service Portal, e-Participation: www.malaysia.gov.my/portal/category/823.

## **Panama**



Urban planning authorities whose actions affect the interests or rights of groups of the public are obliged to allow their participation through suitable representatives, with the purpose of promoting the concentration of social, economic and urban interests, through the modalities of public participation established by the Urban Planning Law,<sup>235</sup> which also lays down rules for transparency in public administration.

Within the matters related to land-use planning for urban development, the Ministry of Housing and Spatial Planning as well as the municipalities are responsible for, among other things, regulating public participation.<sup>236</sup>

The specific modalities include the following: 237



**Public consultation**: The state entity provides the public with basic information on a specific topic seeking opinions, proposals or suggestions both from individuals and social organizations.



**Public hearings**: This is similar to public consultation, but it involves the act of receiving suggestions, opinions or proposals directly by the relevant authority.



**Forum or workshops**: Consist of selected or public meetings of relevant or affected actors together with the competent authority, which allows for in-depth knowledge of an issue or serves as a mechanism for obtaining consensus or resolving conflicts.

Public administration institutions must publish in advance the modality of public participation that they will adopt.

<sup>&</sup>lt;sup>235</sup> Art. 35 of Law No. 6 of 2002.

<sup>&</sup>lt;sup>236</sup> Articles 7.10 and Art 8.5.

<sup>&</sup>lt;sup>237</sup> Art. 25.

# **Paraguay**



Public participation is integrated into the planning process of the regional and local level. As an example, the Departmental Development Plan must be the product of a democratic exercise, in which the different sectors of society participate with opinions and contributions.<sup>238</sup>

Within each Department, a Departmental Development Council, which is a consultative body of the Departmental Government chaired by the governor and composed of individual key stakeholders and representatives of the civil society organizations, is established to ensure public participation in the preparation of the Departmental Development Plan.<sup>239</sup> The recommendations adopted by the Departmental Development Council are mandatory for the Departmental Government.<sup>240</sup> The promotion of public participation in municipal administration is enforced in Art. 66 of Law No. 3966/2010.

Municipalities can convene public hearings to provide information to the public, gather public opinion, evaluate the quality of services, or discuss other matters of public interest. During the hearings, participants have the right to express their opinion, debate, make observations and suggestions; however, opinions and proposals presented at the hearings are not binding.<sup>241</sup>

The public can attend the plenary sessions of the Municipal Board,<sup>242</sup> while civil society organizations can request the Municipal Board to organize a forum to discuss in front of the Advisory Committees of the Municipal Board, topics related to the municipal agenda or of relevant interest to their organization and to the population in general.<sup>243</sup> The authority responsible for guaranteeing public participation at the municipal level is the District Development Council,<sup>244</sup> which is an advisory and consultative body to the governor or the mayor.

<sup>&</sup>lt;sup>238</sup> Technical Secretariat for Economic and Social Development Planning, Guide for the elaboration of a Departmental Development Plan.

<sup>&</sup>lt;sup>239</sup> Art. 28 of Law No. 426 of 1994.

<sup>&</sup>lt;sup>240</sup> Art. 32.

<sup>&</sup>lt;sup>241</sup> Art. 69

<sup>&</sup>lt;sup>242</sup> Art. 70.

<sup>&</sup>lt;sup>243</sup> Art. 72.

<sup>&</sup>lt;sup>244</sup> See Technical Secretariat for Economic and Social Development Planning (STP), Support material for Development Councils: <a href="https://www.stp.gov.py/v1/wp-content/uploads/2018/07/Material-de-Apoyo-para-Consejos-de-Desarrollo.pdf">https://www.stp.gov.py/v1/wp-content/uploads/2018/07/Material-de-Apoyo-para-Consejos-de-Desarrollo.pdf</a>.

The Council participates as well in the elaboration of the Development Plan and monitors its fulfilment. Its pronouncements constitute recommendations that are not legally binding.

# Republic of Korea



The 5th Comprehensive Territorial Plan aims to increase direct public participation in the mid and long-term planning and policymaking stages of the central and local Governments, especially at the formulation and implementation phases by diversifying online and offline participation methods. The plan establishes a system where the public can participate in the monitoring and evaluation process of the territorial plans and their feedback can be reflected in the policies to increase their effectiveness.<sup>245</sup>

Overall, in terms of territorial planning, there are several ways in which stakeholders can express and possibly reflect their opinions. They are public hearings, deliberations by committees, public complaints or petitions and public forums.<sup>246</sup> Such participatory processes usually bring together three main types of actors: residents (including the private sector), the public administration and experts and local activists.

All levels of government in the Republic of Korea use an array of engagement strategies and means in the agenda setting, formulation, implementation and evaluation of policies. The authorities consider that strengthening relations with the public is a sound investment in better policymaking and a core element of effective governance.<sup>247</sup> Thus, there are several ways in which stakeholders can express and possibly reflect their opinions. Opinions from the public are sought by local councils and local urban planning committees through public hearings, and resident opinion data-collection methods such as surveys and informal meetings.

Examples of public participation in the development of territorial planning documents can be found in Busan and Seoul. In Busan, the government seeks feedback from a broad range of individuals on specific policy issues or urban development projects using various consultation tools.<sup>248</sup>

<sup>&</sup>lt;sup>245</sup> The 5th National Territorial Plan 2020-2040: <a href="https://library.krihs.re.kr/dl\_image2/IMG/07/000000031068/">https://library.krihs.re.kr/dl\_image2/IMG/07/000000031068/</a> SERVICE/000000031068\_01.PDF.

<sup>246</sup> Lim, S. H. (2014, May). Planning Practice in South Korea.

<sup>&</sup>lt;sup>247</sup> OECD (2019). November 4. Chapter 3. Citizen participation in land-use planning and urban regeneration in Korea. In The Governance of Land Use in Korea: Urban Regeneration. <a href="https://doi.org/10.1787/fae634b4-en.">https://doi.org/10.1787/fae634b4-en.</a>

<sup>&</sup>lt;sup>248</sup> OECD, Chapter 3. Citizen participation in land-use planning and urban regeneration in Korea. In The

These tools are namely public hearings, panels, workshops, online surveys and focus group discussions.

In Seoul, the public were involved in several phases during the development of the Seoul Master Plan, including public consultations, mid-term reviews and final feedback sessions. This multiphase involvement ensured that the perspectives and the concerns of the public were considered throughout the planning process.

- a. During the preparation phase, an expert advisory group was involved (consisting of 33 people meeting 5 times) to identify the basic direction and implementation structure of the plan.
- b. When deliberating the vision and functions of the Master Plan, 100 participants were involved in the process.

## **South Africa**



Public participation in South Africa is a constitutional imperative and legislative mandate across all spheres of government. This process is guided by a set of principles aimed at guaranteeing effective and informed participation of all concerned parties at every phase of the planning process.

The emphasis on public participation ensures that spatial planning reflects the needs and aspirations of the community, fostering a sense of ownership and accountability among stakeholders. Municipalities are required to consult, engage and ensure the participation of local communities and the public in spatial planning processes.

This involvement is crucial before the preparation of a planning instrument and continues through the monitoring and evaluation of its implementation. The legislation mandates that municipalities facilitate the participation of traditional councils, ensuring that the voices of indigenous and local communities are heard.

Civic participation is primarily conducted through a ward committee system or a sub-council participatory system for larger cities, providing a structured platform for community involvement.<sup>249</sup>

Governance of Land Use in Korea: Urban Regeneration, 2019: https://doi.org/10.1787/fae634b4-en.

<sup>&</sup>lt;sup>249</sup> South African Local Government Association (SALGA) (n.d.). Public Participation Framework for South African Municipalities. Retrieved from: <a href="https://www.salga.org.za/">www.salga.org.za/</a> Documents/Knowledge-products-per-theme/Governance%20 n%20Intergovernmental%20Relations/Effective%20Public%20Participation.pdf.

To enhance community participation, various mechanisms are employed, including public meetings, which are open forums where community members can express their views, ask questions and provide feedback on planning proposals and policies. Public hearings serve as formal sessions where individuals or groups can present their opinions and concerns to municipal officials and planners. Consultative sessions involve interactive discussions aimed at gathering input from stakeholders on specific planning issues or projects. Report-back meetings are sessions where municipal officials provide updates on planning processes and respond to community feedback.

Advisory committees, composed of community representatives and experts, provide guidance and recommendations on planning matters. Focus or interest groups target specific segments of the community to address concerns or interests. Announcements in newspapers serve as public notices and a means of information dissemination through widely circulated print media.

Community radio broadcasts information and updates on spatial planning issues to reach a broader audience. Lastly, e-government uses online platforms and digital tools to facilitate participation, disseminate information and gather feedback.<sup>250</sup>

A notable example of effective stakeholder engagement and participatory governance in spatial planning is the Integrated Development Plan (IDP) of eThekwini Municipality, which encompasses the city of Durban. The IDP is a strategic planning tool used to guide all planning, budgeting, management and decision-making processes in the municipality. Key elements of the IDP process:<sup>251</sup>

# a. Extensive public participation: eThekwini Municipality conducted

numerous public meetings, workshops and consultative sessions across various wards. These engagements allowed residents to voice their needs, priorities and concerns.

- b. Ward committees: Each ward within the municipality had a committee that played a crucial role in facilitating communication between the municipal government and the community. These committees ensured that local issues were adequately represented in the IDP.
- c. Stakeholder forums: The municipality established forums that included representatives from different sectors such as business, civil society and traditional leaders. These forums provided valuable insights and fostered collaborative decision-making.

<sup>&</sup>lt;sup>250</sup> Ibid.

<sup>&</sup>lt;sup>251</sup> eThekwini Municipality (n.d.). Integrated Development Plan (IDP). Retrieved from: <a href="www.durban.gov.za/storage/Documents/Integrated%20Development%20 Plans%20IDP%20-%20eThekwini%20Municipality/Final%20-%20">www.durban.gov.za/storage/Documents/Integrated%20Development%20 Plans%20IDP%20-%20eThekwini%20Municipality/Final%20-%20</a> Integrated%20Development%20Plan%20(IDP)%202019%20-%202020%20(English).pdf.

- d. Feedback mechanisms: The municipality employed various channels, including community radio and digital platforms, to provide feedback on how public input was incorporated into the IDP. This transparency helped build trust and accountability.
- e. Monitoring and evaluation: The IDP process included mechanisms for ongoing monitoring and evaluation, ensuring that the plans remained responsive to changing needs and circumstances.

The participatory approach of the IDP process in eThekwini led to the development of a plan that was not only comprehensive and aligned with national and provincial policies but also deeply reflective of the community's aspirations. This inclusivity helped in prioritizing projects that addressed the most pressing needs, such as housing, infrastructure development and social services. Moreover, the continuous engagement ensured that the plan could adapt to emerging challenges and opportunities, contributing to sustainable and equitable urban development.

## **Thailand**



The Constitution contains principles of transparency, accountability, integrity, stakeholderparticipation, access to information and data, and tools of Good Regulatory Practice. The Constitution also states that the legislative framework should contain provisions relating to public participation and public consultation throughout every sector.<sup>252</sup> The State should promote the correct knowledge and understanding of the public and communities regarding the democratic regime of government, and their participation in various aspects of the

development of the country, in the provision of public services at both national and local levels, in the scrutiny of the exercise of State power, as well as in decisionmaking in politics and in all other matters that may affect the public or communities.<sup>253</sup> Local administrative organizations, local assemblies and local administrators should disclose information and report the result of performance to the public and should also establish mechanisms to enable the participation of people in the locality, in accordance with the rules and procedures prescribed by law.<sup>254</sup>

<sup>&</sup>lt;sup>252</sup> S. 65 of the Constitution.

<sup>&</sup>lt;sup>253</sup> S. 78.

<sup>&</sup>lt;sup>254</sup> S. 253.

The Department of Local Administration promotes public participation the administration and inspection the operations of local government organizations well.<sup>255</sup> At the local level, local administrative organizations should promote public participation in various ways, such as participation in local council's meetings, and in the inspection committee of projects, which will increase transparency and public participation.<sup>256</sup>

The formulation and preparation of area use and land-use plans require public hearings, consultations and participation as per the rules of the Town Planning Commission. These plans must be publicized through various methods, ensuring clear communication of their impacts on people, communities, the environment and biodiversity, while also providing guidance for addressing any grievances.<sup>257</sup>

# The Philippines



The Philippines Constitution grants an overall right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.<sup>258</sup> Public participation in the planning and development process is carried out at the local level. The Planning and Development Coordinator, an appointive local official common to all municipalities, cities and provinces, promotes public participation in development planning within the local government unit concerned.<sup>259</sup>

However, the Barangay government (at the village/neighbourhood level) is the main Local Government Unit responsible for enabling public participation. The Barangay Development Council is the body in charge of mobilizing public participation in local development efforts.<sup>260</sup> The Sangguniang Barangay organizes regular lectures, programmes or forums on community problems such as sanitation, nutrition, literacy and drug abuse, and convenes assemblies to encourage public participation in government.261

<sup>&</sup>lt;sup>255</sup> Department of Local Administration, Authority: <a href="https://www.dla.go.th/division\_dla.jsp">https://www.dla.go.th/division\_dla.jsp</a>.

See also Department of Local Administration, History: https://www.dla.go.th/en/index.jsp.

<sup>&</sup>lt;sup>256</sup> Department of Local Administration, Local administrations: https://www.dla.go.th/en/p1.jsp.

<sup>257</sup> S Q

<sup>&</sup>lt;sup>258</sup> S. 16 of the Constitution.

<sup>&</sup>lt;sup>259</sup> S. 476.b.7 of the Local Government Code.

<sup>&</sup>lt;sup>260</sup> S. 109.b.

<sup>&</sup>lt;sup>261</sup> S. 391.a.17; S. 498.d; S. 501.d and S. 504.d.

Finally, the League of Barangays, the League of Municipalities, of Cities, and Provinces<sup>262</sup> assist in the education of, and encourage barangay residents for, public participation in

local government administration to promote united and concerted action to achieve country-wide development goals.<sup>263</sup>

<sup>&</sup>lt;sup>262</sup> Consisting in organization of respectively, all barangays, municipalities, cities and provinces.

<sup>&</sup>lt;sup>263</sup> S. 495.b of the Local Government Code.



## > Comparative analysis

Spatial planning and land-use management requires that the planning legislation contains well-defined objectives and comprehensive content of the spatial planning instruments. This gives proper directions to spatial planners and stakeholders in the execution of their functions and restricts discretionary decision-making.

Integrated spatial planning allows for sustainable use of urban spaces and involves establishing a framework for land use, protection and enhancement of nature and the environment, location of future residential and industrial areas and location and type of large investment projects. Across the nine case study countries, there are common themes and unique approaches highlighting the diverse and innovative methods employed to achieve coherent and sustainable development.

## Integrated planning

**Bangladesh** and **Panama** are particularly aligned in their emphasis on their alignment to the Sustainable Development Goals. The Perspective Plan for 2041 of Bangladesh and the National Strategic Plan 2030 of Panama both have a strong alignment to the Goals, with both countries incorporating global sustainability goals directly into their national planning frameworks.

They emphasize decentralization and aim to reflect national priorities at the local level through detailed regional and local plans. Furthermore, **Japan** and the **Republic of** 

Korea both exhibit a structured and highly integrated approach to national spatial planning. The National Spatial Strategy of Japan and the Framework Act on the National Land of the Republic of Korea both set out clear, comprehensive guidelines for land use, environmental protection and disaster mitigation.

These frameworks are primarily driven by national interests and are designed to ensure the sustainable use of resources and the resilience of national infrastructure. However, while the plans are comprehensive, they do not make explicit references to the Goals or New Urban Agenda, focusing instead on internal goals such as national security, economic stability and environmental conservation.

In contrast, Malaysia and Thailand are similar in their prioritization of strategic, top-down planning frameworks that guide development at all levels of governance. The Shared Prosperity Vision 2030 of Malaysia and the National Strategy (2017-2036) of Thailand both emphasize economic growth, social equity and environmental sustainability, with clear objectives that are closely tied to national and regional planning. Both countries stress the importance of aligning national strategies with regional and local plans, supported by detailed guidelines for land use and development. These frameworks are designed to be adaptable, allowing for adjustments based on ongoing evaluations and changes in the socioeconomic landscape.

The planning framework in South Africa, characterized by the National Development Plan (NDP) 2030 and the National Spatial Development Framework (NSDF), emphasizes active citizenship and spatial justice, aiming address historical inequalities promote equitable resource distribution through participatory governance. This approach contrasts with the more centralized, technocratic planning model in Japan which, while comprehensive and focused on national priorities such as disaster resilience and environmental conservation, involves less direct public engagement. Both countries align their strategies with the Sustainable Development Goals, but South Africa puts a stronger emphasis on integrating spatial planning with broader socioeconomic transformation efforts, reflecting its unique historical context.

Paraguay and the Philippines on the other hand present a more focused approach to addressing immediate national challenges through their long-term plans. The National Development Plan 2030 of Paraguay and AmBisyon Natin 2040 of the Philippines are both oriented towards improving social equity, economic growth and governance. However, the framework in Paraguay is more internally focused, with less emphasis on global frameworks such as the Goals, while the Philippines actively incorporates the global Goals into its national planning strategy.

Both countries aim to enhance institutional capacities and integrate spatial planning with socioeconomic development goals, though the processes and emphasis differ.

Overall, while all the countries analysed here have established long-term visions guiding their national development, the degree to which these visions integrate global frameworks such as the Goals and the New Urban Agenda varies significantly. Countries such as Bangladesh, Panama, the Philippines and South Africa have explicitly aligned their planning frameworks with these global agendas, reflecting a strong commitment to international sustainability goals. In contrast, Japan, the Republic of Korea and Paraguay focus more on national priorities, with less direct reference to global frameworks, highlighting a more inward-looking approach to national development.

Malaysia and Thailand, meanwhile, balance national interests with global objectives, ensuring that their strategic planning frameworks are both comprehensive and adaptable to changing global and local contexts.

## Objectives and content of plans

## > National planning

At the national level, the primary objective across all nine countries is to establish long-term visions and overarching goals that drive sustainable development, economic growth and environmental sustainability. Japan and the Republic of Korea, for instance, exemplify this approach through their highly structured national plans, such as the National Spatial Strategy of Japan and the Republic of Korea's National Comprehensive Territorial Plan. These plans emphasize balanced regional development and strategic land use, incorporating detailed content such as zoning regulations, landuse policies and infrastructure strategies.

Similarly, Malaysia and Thailand prioritize strategic planning through national frameworks that guide development at all levels. The Five-Year Plan and National Physical Plan of Malaysia, and the National Economic and Social Development Plan and Urban Planning System of Thailand set clear objectives for economic growth, sustainable development and infrastructure improvement. Their plans are supported by content that includes guidelines for economic corridors, urban growth management and environmental protection. These guidelines are significant as they not only direct the spatial distribution of economic activities but also ensure that urban expansion is controlled in a way that prevents sprawl, preserves optimum population density and conserves natural resources.

In contrast, Panama and Paraguay incorporate distinct objectives into their national plans that reflect their unique contexts and challenges. The National Strategic Plan of Panama emphasizes disaster risk management and climate change adaptation, recognizing the country's vulnerability to natural disasters. The content of the plan includes integrating disaster risk reduction measures into urban planning, such as designating high-risk zones, promoting resilient infrastructure and enhancing early warning systems.

Similarly, the National Development Plan 2030 of Paraguay prioritizes poverty reduction and social inclusion. The plan's content outlines strategies for developing social housing, improving rural infrastructure and promoting equitable access to resources, ensuring that both urban and rural areas benefit from national development efforts. These content elements are integral to achieving the strategic objectives set out by both countries, providing clear, actionable frameworks for addressing their specific national challenges.

Bangladesh and the Philippines on the other hand focus on aligning national plans with regional and local development to ensure coherence and inclusivity. The 8th Five Year Plan of Bangladesh and the National Physical Framework Plan of the Philippines both emphasize integrating national priorities into regional and local planning processes, ensuring that development strategies are comprehensive and inclusive.

The content of the 8th Five Year Plan of Bangladesh includes detailed strategies for poverty alleviation, economic diversification, and infrastructure development, with a strong focus on rural and urban integration. The plan outlines specific initiatives for enhancing agricultural productivity, expanding industrial zones, and improving transport and logistics networks to support balanced regional development. Additionally, it emphasizes social protection measures and public health improvements, aiming to uplift disadvantaged communities.

Similarly, the National Physical Framework Plan of the Philippines provides specific measures for integrating disaster risk reduction and climate-change adaptation into regional and local plans. The plan includes zoning regulations, landuse policies and infrastructure development guidelines that prioritize resilience and sustainability, ensuring that these critical issues are systematically addressed throughout the planning hierarchy. These comprehensive content elements are crucial for translating the high-level objectives into practical, actionable plans that can be effectively implemented at all levels of governance.

The National Spatial Development Framework (NSDF) of South Africa stands out for its focus on spatial justice and transformation, addressing historical spatial inequalities and integrating these goals with broader socioeconomic development strategies. The content of the NSDF includes detailed guidelines for land redistribution, promoting

equitable access to land and prioritizing development in previously marginalized areas. It also emphasizes the creation of inclusive urban spaces through mixeduse developments and affordable housing initiatives, ensuring that spatial planning contributes to reducing social disparities. Additionally, the NSDF outlines strategies for enhancing connectivity between urban and rural areas, with a focus on improving transport infrastructure and service delivery to underdeveloped regions. This approach contrasts with the more centralized and topdown approaches seen in Japan and the Republic of Korea, where national plans are more prescriptive and closely followed by regional and local governments.

## > Regional planning

From the case studies, regional planning focuses on adapting national strategies to specific regional contexts, ensuring that regional needs are met while supporting national objectives. The Metropolitan Urban Plans of the Republic of Korea and the Greater Regional Plans of Japan are prime examples of how regional planning aligns regional development with national goals. These plans are detailed, with specific content focusing on zoning regulations, land-use management and infrastructure development, particularly in transport. Similarly, the State Structure Plans of Malaysia and the Regional Policy Plans of Thailand ensure that regional development aligns with national priorities while addressing specific local conditions. The content of these plans includes comprehensive guidelines for economic corridors, urban growth management and environmental conservation, ensuring that regional plans are aligned with broader national strategies.

However, the degree of regional autonomy varies among the countries. In South Africa, Provincial Spatial Development Frameworks (PSDFs) allow provinces/regions considerable autonomy to address local challenges while still aligning with the broader National Spatial Development Framework (NSDF). The content in the PSDFs includes detailed provisions for land-use, zoning and social equity, reflecting the country's focus on spatial justice. In contrast, the regional plans in Japan and the Republic of Korea are more closely integrated with national directives, offering less regional flexibility but ensuring uniformity in development control and land-use policies.

The 8th Five Year Plan of Bangladesh emphasizes regional planning through its District Level Regional Plans, which are designed to reduce regional disparities and promote balanced development. The content of these plans includes specific strategies for infrastructure development, disaster management and regional economic growth, tailored to the unique needs of each district. Similarly, the Regional Physical Framework Plans of the Philippines are designed to reflect regional priorities while ensuring consistency with the overarching National Physical Framework Plan

These plans incorporate detailed guidelines for disaster risk reduction, climate-change adaptation and sustainable land-use practices. Paraguay and Panama put significant emphasis on stakeholder engagement in regional planning, ensuring that plans reflect the diverse needs and aspirations of local communities. The content of these plans includes provisions for public participation, zoning tailored to local conditions, and the integration of environmental sustainability into regional development strategies. Zoning and land-use in regional plans are carefully tailored to meet regional needs while supporting national objectives, as seen in the Metropolitan Urban Plans of the Republic of Korea and the State Structure Plans of Malaysia.

Development control mechanisms vary, with some countries such as South Africa allowing more flexibility at the regional level, while others, such as Japan and the Republic of Korea, maintain stricter controls. Regional transport infrastructure is a key focus in regional plans, aimed at connecting regions to national networks and supporting regional economic integration, with specific projects and guidelines laid out in the content of these plans to ensure seamless connectivity and economic cohesion across regions.

Concerning monitoring, evaluation and fiscal implementation mechanisms, only two countries have adequate approaches. The Provincial Spatial Development Frameworks (PSDFs) of South Africa are required by law to incorporate comprehensive monitoring and evaluation mechanisms, which involve

regular progress assessments against key performance indicators related to land use, social equity and regional development targets. These assessments ensure that the regional plans are effectively contributing to the overarching goals of spatial justice and balanced development.

Furthermore, the PSDFs include financial implementation approaches that align provincial budgets with these development priorities. This alignment is facilitated through a coordinated budgeting process that integrates regional development needs with national funding allocations, ensuring that resources are directed towards the most critical areas for achieving spatial justice.

Similarly, the Regional Physical Framework Plans (RPFPs) of the Philippines include monitoring and evaluation provisions that are integral to ensuring alignment with national development goals. The monitoring process involves periodic reviews of regional development outcomes against predefined targets, particularly in areas like disaster risk reduction, climate-change adaptation and sustainable land use. The RPFPs also detail financial implementation strategies that outline the required investment levels for infrastructure projects, environmental management and economic development.

These financial plans are designed to ensure that the necessary funds are allocated and managed efficiently to support regional development goals, with particular attention to building resilience against natural disasters and adapting to climate change.

## > Local planning

At the local level, planning primarily focuses on implementing national and regional objectives at the community level while addressing specific local needs. The Comprehensive Land-Use Plans (CLUPs) of the Philippines and the Municipal Spatial Development Frameworks (MSDFs) of South Africa are designed not only to align with regional and national objectives but also to address specific community needs, with detailed content that includes zoning regulations, landuse designations and infrastructure planning. These plans are comprehensive, covering a wide range of issues such as housing, transport and public services, ensuring that local development supports broader goals while meeting the unique demands of each locality.

In decentralized systems such as those of South Africa, local plans have significant flexibility to tailor their content to address local challenges, such as spatial inequality, infrastructure gaps and access to services. These plans often include specific strategies for local economic development, social infrastructure and environmental management, providing a detailed roadmap for local authorities to follow

In contrast, the Municipal Land-Use Plan of Japan and the Municipal Urban Management Plans of the Republic of Korea are narrower, with content that is closely tied to national and regional directives. These plans include strict zoning regulations, precise land-use allocations and development controls to ensure that all local developments are

consistent with higher-level plans, particularly in areas such as urban growth management and environmental conservation. The Urban and Territorial Management Plans of Paraguay put strong emphasis on local development content that integrates national and regional objectives, focusing on areas such as social housing, infrastructure development, and landuse regulations. These plans are designed to reflect local conditions while ensuring that local development efforts are consistent with national strategies, particularly in promoting social equity and sustainable growth.

Similarly, the City and County Master Plans of Thailand are detailed in their approach, covering aspects such as urban density management, infrastructure development and environmental sustainability. The content of these plans includes specific guidelines for zoning, development control and public participation, ensuring that local plans are both responsive to community needs and aligned with broader objectives. The Local and Partial Plans of Panama, reflecting the country's focus on disaster risk management and environmental protection, include content that addresses these issues comprehensively. The plans incorporate specific measures for enhancing local resilience to natural disasters, such as flood zoning and sustainable infrastructure practices, as well as detailed guidelines for protecting critical ecosystems. These local plans ensure that development is not only sustainable and resilient but also aligned with national and regional priorities. The content of these plans ensures that local development

is consistent with national growth strategies, with a particular emphasis on balancing urban expansion with environmental conservation.

Similarly, the local plans under the Greater Regional Plan framework in Japan are crafted, with strict development controls that ensure all aspects of local planning, from land use to environmental protection, are consistent with national and regional objectives. Local transport infrastructure projects are also a key component of these plans, ensuring that local areas are well-connected to regional and national networks, thereby supporting integrated and cohesive development across all levels of planning. Concerning monitoring, evaluation and fiscal implementation mechanisms, only two countries have adequate approaches. The Municipal Master Plan of Bangladesh includes a comprehensive monitoring and evaluation framework that is integrated at multiple levels to systematically track the progress of urban development projects and assess their alignment with national and regional goals. The Master Plan is required by law to establish key performance indicators for various sectors such as infrastructure, housing and transport, with regular data collection and analysis to measure outcomes against these indicators. The plan specifies timelines for mid-term and end-ofterm evaluations, which are critical for making necessary adjustments to keep the projects on track. Additionally, the Municipal Master Plan details financial implementation approaches, including clearly defined budgetary allocations for each phase of development, funding sources such as government grants, loans and public-private partnerships, and a financial disbursement schedule that ensures timely availability of funds. To enhance transparency and accountability, the plan mandates regular financial audits, conducted by both internal and external auditors, and quarterly progress reviews by oversight committees. These measures are designed to ensure that resources are used efficiently and that urban development initiatives are executed within the established timelines, while maintaining financial discipline.

Similarly, the Special Area Plans of Malaysia are equally detailed, incorporating robust monitoring and evaluation mechanisms to ensure that land use, zoning and development

control guidelines align effectively with both the State Structure Plans and the National Physical Plan. These mechanisms include periodic reviews and assessments, where the progress of local developments is measured against the objectives set out in the broader State and national plans.

Specific performance indicators are used to monitor compliance with zoning regulations, land-use allocations and development controls. Additionally, these plans mandate regular reporting to State authorities, allowing for adjustments to be made in real-time to address any deviations or emerging challenges, thereby ensuring that local development remains consistent with national growth strategies and sustainability goals.



## Bangladesh

## National planning

• The 8th Five Year Plan (2020 - 2025)

The 8th Five Year Plan (8FYP)<sup>264</sup> was prepared by the General Economics Division (GED) of Bangladesh's Planning Commission and approved by the National Economic Council (NEC) on 29 December 2020.

The plan focuses on two broad themes:

a. Promoting prosperity emphasizes appropriate policies and frameworks, and devises suitable and sustainable development strategies for promoting prosperity. b. Fostering inclusivity sets a broad-based strategy of inclusiveness with a view to empowering the public to participate fully and benefit from the development process and helping the poor and vulnerable with social protection.

Part 2 of the plan sets out the sectoral strategies for 13 sectors with some specific targets to attain by 2025 and it is strictly linked with the Sustainable Development Goals.

<sup>&</sup>lt;sup>264</sup> For an overview of the plan see: Chief Executive Officer, The Institute of Chartered Accountants of Bangladesh, 8th Five Year Plan (July 2020 – June 2025): <a href="https://www.icab.org.bd/icabadmin/uploads/ckeditor/39648th%20Five%20">www.icab.org.bd/icabadmin/uploads/ckeditor/39648th%20Five%20</a> Year%20Plan%20(July%202020%20%20June%202025)%20(1).pdf.

Chapter 1 is dedicated to strengthening public administration, public institutions and governance, while Chapter 9 contains the Urban Development Strategy (linked to the Goals and the New Urban Agenda). The 8FYP contains a digitalization strategy as well.<sup>265</sup>

The 8FYP Urban Development Strategy includes, among others, Spatial Development Strategies (Chapter 9.8.1) and Institutional Development Strategies (Chapter 9.8.2).

According to the Spatial Development Strategies of the 8FYP, the Government adopts an urbanization strategy guiding investment decisions around the country for balanced urban and regional development. These are explained in detail below.

## > Regional planning

#### District Level Regional Plan

The District Level Regional Plan is a comprehensive framework aimed at addressing the unique development needs of each district. Under the oversight of the Urban Development Directorate (UDD), which operates under the Ministry of Housing and Public Works, these plans are crafted to ensure alignment with national and regional policies. The UDD's role is to coordinate the preparation and implementation of these plans to effectively manage urban development across districts.

The District Level Regional Plan sets out broad themes focusing on promoting prosperity and fostering inclusivity. The plan emphasizes appropriate policies, frameworks, and sustainable development strategies to promote prosperity.

It also aims to set a broad-based strategy of inclusiveness, empowering the public to fully participate and benefit from the development process, with a particular focus on aiding the poor and vulnerable with social protection.

To implement these broad themes, the following plans are prepared:

- a. Urban development plans: These plans cover all urban areas and centres, ensuring that development is consistent and cohesive across the district.
- b. Structure plans: These provide a framework for the overall spatial organization of the district, guiding the location of various activities and land uses.
- c. Detailed area plans: These offer specific guidance for areas within the district, ensuring detailed planning and implementation of development projects.
- Action plans: These are focused plans aimed at addressing immediate and short-term development needs and objectives.
- e. District level regional plans and upazila level subregional plans:

  These plans link the national level of planning, including Five-Year Plans

<sup>&</sup>lt;sup>265</sup> See Chapter 12 of the 8th Five Year Plan.

and Perspective Plans, with regional, subregional and local levels of planning.

f. Infrastructure plans: These cover essential infrastructure development, including roads, drains and natural watercourses, ensuring the necessary support for urbanization and quality of life improvements.

## > Local planning

### Municipal Master Plan

The Municipal Master Plan establishes the development framework within the boundaries of the municipality. This comprehensive plan is crucial for guiding the sustainable growth and development of urban areas, ensuring that all aspects of municipal governance are well-coordinated and strategically aligned. The key components of the Municipal Master Plan include the following:

#### Land-use policies and strategies:

- a. Zoning regulations: Establishing specific zones for residential, commercial, industrial and mixeduse developments to optimize land use and prevent conflicts between different land uses
- b. Development control: Setting guidelines and regulations for building heights, densities, plot sizes and land subdivisions to ensure orderly development and efficient use of land.

#### c. Green spaces and parks:

Designating areas for public parks, recreational facilities and green belts to enhance the quality of urban life and promote environmental sustainability.

### Transport and mobility management

a. Road network planning: Designing and upgrading road networks to improve connectivity, reduce traffic congestion and ensure safe and efficient transport within the municipality.

### b. Public transport systems:

Developing and enhancing public transit systems, including buses, trams and metro services, to provide accessible and affordable transport options for residents.

#### c. Non-motorized transport:

Promoting the use of bicycles and pedestrian pathways to encourage active transport and reduce reliance on motor vehicles.

#### Housing and infrastructure development:

#### a. Affordable housing projects:

Planning and developing affordable housing units to address the housing needs of all income groups and prevent informal settlements.

 Infrastructure upgrades: Investing in the development and maintenance of essential infrastructure such as

- roads, bridges, water supply systems and electricity grids to support urban growth and improve living standards.
- c. Smart city initiatives: Integrating technology and innovation in urban planning to develop smart infrastructure, enhance service delivery and improve the quality of life for residents.

## Monitoring and evaluation:

#### Performance indicators:

Establishing key performance indicators (KPIs) to monitor the progress and effectiveness of the Municipal Master Plan.

 Regular reviews: Conducting regular reviews and updates of the plan to adapt to changing needs, address emerging challenges and incorporate new opportunities and technologies.

#### Feedback mechanisms:

Implementing mechanisms for receiving and addressing feedback from residents and stakeholders to continuously improve the planning and development process.

#### Upaliza Master Plan

Transformation of the villages requires careful justification and planned land-use. Considering the challenges in urban areas, the following strategies and targets are undertaken for Upaliza Master Plans (UPZs Master Plans) under 8FYP period:

- Relevant ministries/agencies will develop a National Physical Plan by 2022.
- The UPZ Master Plan will target the long-term strategic plan, mid-term sectoral plan and short-term detailed area plan by 2025 for 250 UPZs (by 2030 for all). Prioritize the list based on existing growth, environmental sensitivity and development potentials.
- UPZs will be adequately staffed with the posts of senior planner and associates to enforce the Master Plan.

#### Infrastructure Plan

The Infrastructure Plan for road, drains, natural water courses helps prioritize investment in drainage planning and sewerage infrastructure throughout the country.

# Unions/Municipal Urban Development Plan

The Municipal Urban Development Plans are prepared for all urban centres and areas, and they consist of the following plans:

- Structure Plan
- Detailed Area Plan
- Action Plan

## > Integrated planning approaches

The spatial planning framework of Bangladesh is designed to ensure coherence and alignment across national, regional and local levels through a comprehensive approach that integrates various planning instruments.

At the national level, the 8th Five-Year Plan (8FYP) plays a pivotal role in setting broad development themes focused on promoting prosperity and fostering inclusivity. This plan integrates spatial development strategies that guide investment decisions, aiming for balanced urban and regional development across the country. Its emphasis on urbanization strategies and institutional development is significant for aligning national policies with regional and local planning efforts, ensuring that spatial development contributes to the overall national goals of prosperity and inclusivity.

At the regional level, the District Level Regional Plans provide a comprehensive framework that addresses the unique development needs of each district, ensuring alignment with national and regional policies. These plans are crafted to promote prosperity and inclusivity by focusing on appropriate policies and sustainable development strategies.

The integration between national objectives and regional realities is achieved through various subplans, such as Urban Development Plans, Structure Plans, and Infrastructure Plans, which ensure that the regional strategies are coherent with the broader national development goals.

At the local level, the Municipal Master Plans serve as the cornerstone of urban development, guiding the sustainable growth and development of urban areas within municipalities. These plans include detailed land-use policies, zoning regulations and development control measures that align with regional and national objectives.

The integration at the local level is further supported by Upazila Master Plans (UPZs), which focus on long-term strategic planning for rural areas, ensuring that local development initiatives contribute to the national vision.

Additionally, infrastructure plans and unions/ municipal urban development plans further ensure that local infrastructure development, such as road networks and drainage systems, is consistent with national and regional planning efforts.

Overall, the approach of Bangladesh is that integrated planning ensures that spatial planning instruments at all levels—national, regional and local—are interconnected and mutually reinforcing. This integration promotes a balanced and cohesive development strategy that aligns with the country's long-term goals, addressing both urban and rural development needs while ensuring sustainable and inclusive growth.



# **Japan**

## National planning

## National (Spatial Strategic) Plan

The National Plan should provide for the following:<sup>266</sup>

- a. Basic policy concerning the national spatial planning.
- b. Objectives for the national spatial planning.
- Matters concerning basic measures that are necessary from a nationwide perspective to achieve the objectives referred to in the preceding item.

#### National Land-Use Plan

The National Land-Use Plan is regulated mainly by the National Land Use Planning Act No. 92 of 1974. The National Land Use Plans include the following planning instruments:<sup>267</sup>

- National Land-Use Plan for the use of national land to designate the regions of Japan.
- A Prefectural Land-Use Plan for the use of national land to designate the areas of prefectures.
- Municipal Land-Use Plan for the use of national land to designate the areas of municipalities.

The National Land-Use Plan is prepared by the minister who must conduct a survey on the status of national land use and future prospects.<sup>268</sup>

Other planning instruments prepared at a national level must conform to the National Land-Use Plan regarding the use of public land

## > Regional planning

### Greater Regional Plan

The Greater Regional Plan is prepared by the minister for the following areas:<sup>269</sup>

- a. Tokyo metropolitan area
- b. Kinki region
- c. Chubu region
- d. Other areas encompassing two or more prefectures that are closely related in terms of environment, economy, society, culture, etc. to a considerable degree, and are designated by Cabinet Order.

The Greater Regional Plan must be based on the National Plan, and it covers the following matters:<sup>270</sup>

 Guidelines for the national spatial planning in the areas included in the relevant greater regional plan.

<sup>&</sup>lt;sup>266</sup> Art. 6.2 of the National Spatial Planning Act.

<sup>&</sup>lt;sup>267</sup> Art. 4 of the National Land Use Planning Act.

<sup>268</sup> Art. 5.5

<sup>&</sup>lt;sup>269</sup> Art. 9 of the National Spatial Planning Act.

<sup>&</sup>lt;sup>270</sup> Art. 9.2.

- b. Objectives for the national spatial planning in the areas included in the relevant greater regional plan.
- c. Matters concerning primary measures that are deemed necessary beyond the borders of a prefectural area to achieve the above objectives in the areas included in the greater regional plan.

Municipal governments (except those which are the members of the Regional Council) within the areas included the greater regional plan can, alone or jointly, make proposals to the minister via the relevant prefectural government, to formulate or make changes to the greater regional plan. Municipal governments must attach a draft of the Greater Regional Plan as well.<sup>271</sup>

## Prefectural (Basic) Land-Use Plan

The Prefectural Land-Use Plans are developed at the prefecture level for the matters necessary for the use of public land. As the National Land-Use Plan, it is a strategic plan that focuses on general policy objectives for spatial development. Prefectural Plans are to be formulated based on the National Plan.<sup>272</sup>

## Master Plans for City Planning Areas

The Master Plan in Japan represents the future vision and direction of urban planning. There are two levels of master plans in the City Planning Law: a) the Master Plan for City Planning Area, at the provincial level, and b) the Municipal Master Plan.

The Master Plans for City Planning Areas, prepared by the prefectural government, concern only urban areas within prefectures and outline the objectives for land-use planning, as well as improvement, development and conservation policies for a City Planning Area. On the other hand, the Municipal Master Plans, produced by a municipal government, are strategic plans that contain general objectives for the municipality and guidelines for zoning and adjustments to land uses.<sup>273</sup>

#### Land Use Master Plans

Prefectural governments should establish a Land-Use Master Plan for the areas in their respective prefectures.<sup>274</sup>

The Land-Use Master Plan covers the following areas:

- a. Urban areas
- b. Agricultural areas
- c. Forest areas
- d. Natural park areas
- e. Natural conservation areas

<sup>&</sup>lt;sup>271</sup> Art. 11.1

<sup>&</sup>lt;sup>272</sup> Art. 7.2

<sup>&</sup>lt;sup>273</sup> OCED, The Governance of Land Use, Country fact sheet Japan, 2017: https://www.oecd.org/regional/regional-policy/land-use-Japan.pdf

<sup>&</sup>lt;sup>274</sup> Art. 9 of the National Land Use Planning Act

Land-Use Master Plans are based on the National Plan and the Prefectural Plan (if available). The heads of relevant administrative organs and the relevant local governments must take measures, including for controlling land use, to give due consideration to pollution prevention, the conservation of the natural environment, farmlands and forests, the preservation of historical sites, and soil and water conservation. The same plants are based on the National Plants and the prefectural Plants administrative organs and the relevant local governments and the preservation of the natural environment, farmlands and forests, the preservation of historical sites, and soil and water conservation.

#### City Plans of Prefectures

City Plans regulate land use, improvement of urban facilities, and urban development projects to promote the sound development and orderly improvement of cities.<sup>277</sup>

They also set the policy for improvement, development and preservation of the city planning areas that must include the following:<sup>278</sup>

- a. Objectives of the City Plan
- Classification of an area and the related decision-making policy for the relevant area classification.
- Policy for major city planning decisions concerning land use, urban facility improvement and urban development projects.

Overall, City Plans of Prefectures cover the entire urban area of a prefecture. Among other aspects, they delineate areas where urbanization is promoted or controlled, which has substantial consequences for the types of permitted developments and for the planning approval process.

Furthermore, they establish districts, zones and blocks, urban facilities such as road, water treatments, hospitals, green areas and other open spaces for public use, as well as urban development projects, contain special zoning regulations for specific developments and show major transport infrastructure.

Prefectural City Plans include the following planning instruments as well:<sup>279</sup>

- District plans<sup>280</sup>
- Disaster prevention block improvement zone plans
- Historic scenery maintenance and improvement district plans
- Roadside district plans
- Rural district plans

<sup>&</sup>lt;sup>275</sup> Art. 9.9

<sup>&</sup>lt;sup>276</sup> Art. 10.

<sup>&</sup>lt;sup>277</sup> Art. 4 of the City Planning Act.

<sup>&</sup>lt;sup>278</sup> Art. 6.

<sup>&</sup>lt;sup>279</sup> Art. 12.4.1.

<sup>&</sup>lt;sup>280</sup> District plans aim to improve, develop and conserve favourable environments that suit the qualities of each block through uniformity in building design and public facilities layout (City Planning Act Art. 12.5.1).

## > Local planning

Local City Plans must pursue healthy, cultural urban lifestyles and functional urban activities while maintaining a healthy balance with the agriculture, forestry and fishery industries.<sup>281</sup>

#### Municipal Land-Use Plan

Municipal governments can establish a Municipal Land-Use Plan for the matters necessary for the use of national land within the areas of the municipalities. The Municipal Plan must be based on the Prefectural Plan if available. When establishing a Municipal Plan, municipal governments must take necessary measures, such as holding public hearings in advance, to fully reflect the intentions of the residents.

#### Municipal Master Plans

Municipal Master Plans are strategic plans that contain general objectives and policies for the municipality and guidelines for zoning and adjustments to land uses. Thus, a Master Plan is a prerequisite for City Planning. It is essential for the plan to fully reflect the opinions of residents and other stakeholders in its formulation process.

#### City Plans of Municipalities

City Plans are the main local land-use plans. They contain detailed zoning maps and restrictions on building sizes and shapes, designate major urban redevelopment areas and show public infrastructure.

In addition to the plans described above, several sectoral plans exist at all levels of government. These plans concern only specific land uses and provide legally binding, sometimes detailed zoning regulations.

For urban areas, three distinct plans exist.

- a. Plans for Urban Renaissance Areas outline urban redevelopment projects and policies to strengthen the competitiveness of cities.
- Landscape Plans target urban design aspects, for example by restricting outdoor advertisements.
- Location Optimization Plans
   prescribe settlement patterns in
   urban areas with the objective of
   promoting compact development
   and high population densities.

City Plans stipulated by municipalities must be based on the municipal basic plans for construction, approved by the municipal assemblies, and must comply with city plans stipulated by the prefectures.<sup>285</sup>

<sup>&</sup>lt;sup>281</sup> Art. 2.

<sup>&</sup>lt;sup>282</sup> Art. 8.1 of the National Land Use Planning Act.

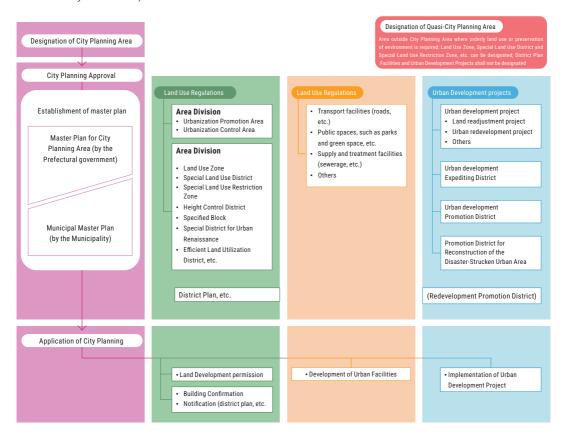
<sup>&</sup>lt;sup>283</sup> Art. 8.2.

<sup>&</sup>lt;sup>284</sup> Art. 8.3.

<sup>&</sup>lt;sup>285</sup> Art. 15.1.3 of the City Planning Act

Figure 4. Structure of the city planning system Japan

**Source:** Ministry of Land, Infrastructures and Transport, Introduction of Urban Land Use Planning System in Japan<sup>286</sup>



#### District Plan

According to local circumstances at the district level, municipalities can prepare a District Plan. The plan shows the future vision (policy directions) of the district and provides the regulations (District Improvement Plan) relating to detailed matters, such as:

- a. Location of public facilities, including local roads, small parks, open spaces, footpaths, etc.
- Building control and regulations regarding land use, floor-area ratio, building coverage ratio, scale of building lot, set back of building from the boundaries, design, hedge, green space ratio, etc.
- c. Preservation of green areas.

The plan also shows individual features that reflect the views of the local community.

<sup>&</sup>lt;sup>286</sup> Ministry of Land, Infrastructure, Transport and Tourism (MLIT). (2016). Urban Land Use Planning System in Japan. https://www.mlit.go.jp/common/001050453. pdf.

#### Figure 5. Example of a district plan in Japan

**Source:** Ministry of Land, Infrastructures and Transport, Introduction of Urban Land-Use Planning System in Japan.

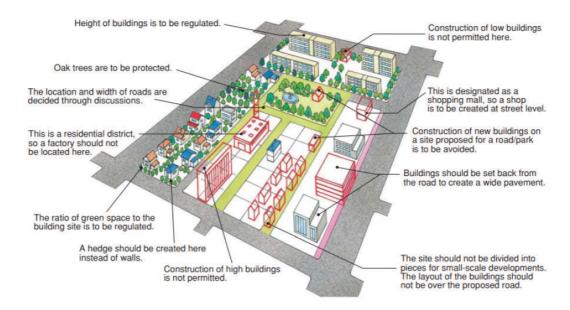
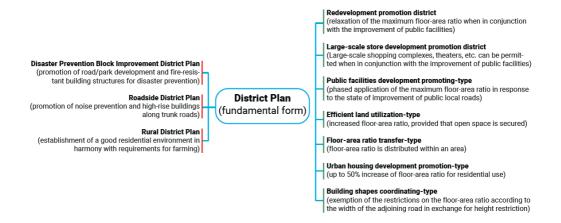


Figure 6. Variation of District Plan in Japan

**Source:** Ministry of Land, Infrastructures and Transport, Introduction of Urban Land Use Planning System in Japan.



## > Integrated planning approaches

The spatial planning system in Japan is intricately designed to ensure that planning at the national, regional and local levels is closely interconnected, creating a unified approach to land use and development. The National (Spatial Strategic) Plan plays a role by setting the overarching goals and policies for national spatial planning, which must align with the National Land-Use Plan. This alignment ensures that all national spatial strategies are directly tied to broader land-use policies, particularly regarding environmental preservation, land development and infrastructure management across the entire country. The Greater Regional Plan, developed for specific metropolitan areas such as Tokyo, Kinki and Chubu, must be based on the National Plan. This requirement reinforces the integration between national objectives and regional planning, ensuring that regional plans do not deviate from national strategies but rather complement and support them. For example, the Greater Regional Plan includes guidelines for spatial planning within its designated areas, aligning regional development projects with the broader national agenda. This integrated approach helps maintain consistency in how land use and development are managed across different regions, particularly in areas that span multiple prefectures. At the prefectural level, the Prefectural Land-Use Plans are developed in accordance with the National Land-Use Plan, ensuring that regional planning efforts reflect national priorities.

These plans cover urban, agricultural and natural conservation areas, with specific guidelines to manage land use in a way that supports both regional and national goals.

The Land-Use Master Plans, which also operate at the prefectural level, further detail how land is to be used, integrating environmental considerations with development needs. These Master Plans are essential for managing the diverse land-use requirements within each prefecture while ensuring they remain in line with national policies. Local planning instruments, such as the Municipal Land-Use Plans and Municipal Master Plans, continue this trend of integration. These plans are required to align with the corresponding Prefectural Plans and ultimately with the National Land-Use Plan

By adhering to the policies and guidelines established at the higher levels, local plans ensure that development is not only sustainable but also consistent with the broader goals of regional and national development. These plans address zoning regulations, infrastructure development and environmental conservation, ensuring that local planning contributes to the overall national strategy.

Additionally, District Plans at the municipal level focus on integrating community needs with the strategic objectives of the broader municipal and prefectural plans, providing a localized but aligned approach to land use and urban development.



## National planning

At the national level, strategic development planning is guided by the Five-Year Malaysia Plan, the National Physical Plan and sectoral policies approved by the Cabinet. The strategic policies and overall national planning framework determine the direction of development planning at regional or State and local levels.

### Five-Year Malaysia Plan

The Five-Year Plan is a medium-term plan to implement the development programme by the government, set macroeconomic growth targets and provide allocations for public sector development over a five-year period of plan. The current one is the Twelfth Malaysia Plan (12MP) for 2021–2025.<sup>287</sup> The Five-Year Plan is complemented by the National Physical Plan, and it is strongly linked with the Vision for Shared Prosperity 2030.

The Twelfth Plan is anchored on resetting the economy, strengthening security, wellbeing, and inclusivity, and advancing sustainability. The achievement of these themes is supported by the following four catalytic policy enablers: developing future talent, accelerating technology adoption and innovation, enhancing connectivity and transport infrastructures, and strengthening the public service.

The national development priorities set by the 12MP are aligned with the Sustainable Development Goals of the 2030 Agenda.

The 12MP focuses on the following, among other things:<sup>288</sup>

- a. Inclusive development to address
   poverty issues as well as bridge the
   gap between income group, race and
   region, including by enhancing safety,
   health and housing.
- b. Green development to ensure that the country's development planning considers environmental sustainability, making Malaysia a low-carbon country.
- Strengthening systems that support economic growth and attract quality investment.
- d. Ensuring efficient and effective delivery of public services by enhancing digitalization in the public sector as well as integrity and transparency.

#### National Physical Plan

The National Physical Plan (NPP) contains strategic spatial planning policies of the country and implementation actions to provide direction for land use, development

<sup>&</sup>lt;sup>287</sup> Executive summary, Twelfth Malaysia Plan 2021-2025: <a href="https://publication.intan.my/AgendaNasional/">https://publication.intan.my/AgendaNasional/</a> Executive\_Summary\_RMK12/index-h5.html#page=1.

<sup>&</sup>lt;sup>288</sup> Ministry of Economy, About Twelfth Plan: https://rmke12.ekonomi.gov.my/en/information/about-twelfth-plan.

and conservation. The NPP is the long-term development vision for Malaysia (15–20 years), and it is reviewed every five years in conjunction with the approval of the new Five-Year Plan;<sup>289</sup> the current NPP is the fourth one and covers the implementation period from 2021 to 2025.

#### Overall, the NPP:290

- Acts as a spatial framework for physical planning at the national, regional State and local levels.
- b. Drives the implementation of balanced development planning between regions and between urban and rural areas.
- c. Sets the economic development framework according with the requirements of the Five-Year Malaysia Plan.
- d. Translates the country's key
   commitments at the global
   level, such as the Sustainable
   Development Goals and New Urban
   Agenda.
- e. Provides the basis for coordination between the Federal and State Governments in strengthening sectoral policies and the direction for State development.

# The NPP is regulated by Part IIB of the **Town** and **Country Planning Act, 1976**.

According to Article 6B.2, the NPP formulates strategic policies determining the general direction and trends of the physical development of the country and it is accompanied by those indicative plans needed to clarify strategic policies. The NPP must consider the current national urbanization policy and other similar policies.

The current 4NPP includes the following priority areas to complement the Twelfth Malaysia Plan:<sup>291</sup>

- a. National security planning
- b. Towards being a carbon neutral nation
- c. Improvement of physical infrastructure
- d. National food security guarantees
- e. Liveable environment and inclusive community
- f. Smart growth development

The 4NPP comprehends three developments drives: balanced and dynamic growth, spatial sustainability and climate change, a liveable environment and inclusive community; and a total of 11 strategic directions, 39 strategies

<sup>&</sup>lt;sup>289</sup> Article 6B.4 of the Town and Country Planning Act.

 <sup>&</sup>lt;sup>290</sup> Director General of Town and Country Planning, 4th National Physical Plan: The Planning Agenda for Prosperous, Resilient and Liveable Malaysia, 2022: <a href="https://rmke12.ekonomi.gov.my/ksp/storage/event/962\_22\_dr\_alias\_rameli\_4th\_national\_physical\_plan\_for\_a\_prosperous\_resilient\_and\_liveable\_malaysia.pdf">https://rmke12.ekonomi.gov.my/ksp/storage/event/962\_22\_dr\_alias\_rameli\_4th\_national\_physical\_plan: The Planning Agenda for Prosperous, Resilient and Liveable</a>
 Malaysia: <a href="https://rmke12.ekonomi.gov.my/ksp/storage/event/962\_22\_dr\_alias\_rameli\_4th\_national\_physical\_plan\_for\_a\_prosperous\_resilient\_and\_liveable\_malaysia.pdf">https://rmke12.ekonomi.gov.my/ksp/storage/event/962\_22\_dr\_alias\_rameli\_4th\_national\_physical\_plan\_for\_a\_prosperous\_resilient\_and\_liveable\_malaysia.pdf</a>

and 120 actions.<sup>292</sup> Additionally, the Cabinet can approve Sectorial Policies or Plans.

## Regional planning

At the regional/State level, planning is based on surveys, instituted by each State Director, examining the matters that may affect the planning and development of the State, among which<sup>293</sup>:

- a. The principal physical, economic, environmental and social characteristics of the State, including the main land uses.
- The National Physical Plan and other principal economic, social, physical and environmental management and conservation policies of the country.
- c. Size, composition and distribution of the population.
- d. The communications and transport system, including traffic, of the State and of the neighbouring areas.

#### State Structure Plan

Overall, the Structure Plan provides spatial development guidelines and incorporates the policies from the National Physical Plan and regional spatial plans as well as proposals for urban and rural development.

The Structure Plan must:294

- a. Set policies and proposals for land use and development in a State, including measures to improve the physical living environment, communication network, traffic management, socioeconomic wellbeing and economic growth, and to facilitate sustainable development.
- Indicate the relationship between the above-mentioned proposals with those for land use and development contained in the Structure Plans of neighbouring areas.

Policies, proposals and measures included in the plan must reflect the result of the State survey and must have regard to other policies concerning social and economic planning and development, environmental protection, as well as economic resources.

#### Regional Plan

The Regional Plan outlines spatial development strategies to achieve balanced territorial growth and equal distribution of public goods and services. Regional plans cover areas that are in the territory of two or more States.

<sup>&</sup>lt;sup>292</sup> Ibid.

<sup>&</sup>lt;sup>293</sup> Art. 7 of the Town and Country Planning Act.

<sup>&</sup>lt;sup>294</sup> Article 8 of the Town and Country Planning Act.

## > Local planning

#### Local Plan

The Local Plan is regulated by articles 12-16A of the Town and Country Planning Act, 1976 and is a detailed planning instrument that must contain, among other things, proposals for the following:<sup>295</sup>

- a. Development of the interested area
- b. Land use
- c. Protection and improvement of the physical environment
- d. Preservation of the natural topography
- e. Improvement of the landscape
- f. Preservation and planting of trees
- g. Design of public spaces
- h. Preservation and enhancement of buildings
- i. Improvement of communications
- i. Management of traffic

The proposal must conform to the structure plan of the State and it is prepared through a participative process.

The Local Planning Authority, residents and landowners must approve the land use set in the Local Plan.

#### Special Area Plan

The Special Area Plan provides details of the development, redevelopment, improvement and conservation or management practice

for the whole or part of a special area.<sup>296</sup> This plan is prepared in the same manner as a local plan and has the effect of a local plan, but it incorporates detailed guidance for its implementation and management.<sup>297</sup>

## Integrated planning approaches

The spatial planning framework of Malaysia demonstrates a comprehensive approach to integrated planning, ensuring coherence and alignment across national, regional and local levels. The Five-Year Malaysia Plan serves as a medium-term strategic development plan that aligns with the National Physical Plan (NPP), which acts as the long-term spatial planning framework. This alignment ensures that the socioeconomic objectives outlined in the Five-Year Plans are spatially realized through the NPP, which is updated every five years in tandem with the new Five-Year Plan. The NPP translates national development priorities into spatial terms, addressing key issues such as balanced regional development, environmental sustainability, and economic growth.

At the regional level, the State Structure Plans and Regional Plans further embody the principle of integrated planning by incorporating policies from the NPP and tailoring them to the specific needs and characteristics of each State and region. These plans ensure that national objectives are harmonized with regional realities, promoting balanced growth across different territories.

<sup>&</sup>lt;sup>295</sup> Art. 12.3.

<sup>&</sup>lt;sup>296</sup> Art. 16B of the Town and Country Planning Act.

<sup>&</sup>lt;sup>297</sup> Ibid.

The State Structure Plans provide detailed guidelines on land use, infrastructure development and environmental management, while Regional Plans address cross-State issues, ensuring cohesive development strategies in regions that span multiple States. Local planning instruments, such as the Local Plans and Special Area Plans, continue this trend of integration by translating the broader strategic goals of the NPP and State Structure Plans into detailed local actions. These plans include specific proposals for land use, environmental protection and urban

development, ensuring that local initiatives are consistent with regional and national policies. The Special Area Plans focus on areas requiring targeted intervention, such as urban redevelopment or environmental conservation, providing a detailed roadmap for their development or management. Overall, the country's spatial planning system exemplifies a well-coordinated, hierarchical approach where planning instruments at all levels are interconnected, ensuring that the country's development is sustainable, balanced and aligned with long-term national goals.



## **Panama**

The main legislation regulating spatial planning is Law No. 6 of 2006, while Resolution No. 732 of 2015, establishes the requirements and procedures for the preparation and processing of land-use plans and schemes for urban and rural development, at local and neighbourhood level, adding criteria for integrated disaster risk management and adaptation to climate change. The planning instruments of Panama include formal (national, regional, local and partial urban development plans) or operational (action programs and urban projects) instruments.

These, together with other instruments such as promotion and development, financing, redistribution of costs and benefits of urbanization and public participation, support the spatial planning process for urban development.<sup>298</sup>

Spatial planning is carried out through an integrated and hierarchical system of plans, of which the following are detailed:<sup>299</sup>

- The National Plan determines the broad guidelines for territorial planning in coordination with economic and social planning.
- The Regional Plan governs the physical, environmental, social and economic development of an area defined as a region.
- The Local Plan aims to achieve
   a balanced development of the
   municipal territory, in accordance
   with national and regional plans;
   while the Spatial Planning Scheme
   sets the basic conditions of
   development in terms of defining the
   territory in urban and rural land as

<sup>&</sup>lt;sup>298</sup> Art. 5 of the Law No. 6/2006.

<sup>&</sup>lt;sup>299</sup> Art. 11.

- well as viability, public services and urban planning standards for land subdivision works, urbanization and building.
- The Partial Plan is a detailed planning instrument whose main objective is the management, creation, defence or improvement of a particular sector of the city, especially areas of historical, monumental, architectural or environmental conservation, informal settlements, areas of progressive urbanization, etc.

Overall, the territorial plans for urban development (planes de ordenamiento territorial para el desarrollo urbano), to be drawn up by the urban planning authorities, must include a planning horizon determined by the Ministry of Housing. These plans must contain programmes, projects and actions to be implemented in the short and medium term. <sup>300</sup> The core objectives of territorial plans for urban development are: <sup>301</sup>

Defining the territorial strategies
for land use, occupation and
management, in accordance with
the economic, social, urban and
environmental objectives of the
nation.

 Designing and adopting instruments and procedures for management and implementation allowing the execution of integral urban actions and the articulation of sectoral actions affecting the structure of the territory.

## > National and regional plans

The minimum content of national and regional plans must include:<sup>302</sup>

- Existing and projected statistical information on the population, as well as the economic base of the populated areas of the national territory.<sup>303</sup>
- The description of land uses, their intensities and the delimitation of the zones into which the area of the plan is divided by reason of those uses.
- c. The classification of land as urban, rural or of urban expansion.
- d. The determination of open spaces, green zones, conservation and environmental protection areas, as well as areas of risk.
- e. The layout and hierarchy of the existing and future development of the national and regional road and transport network.

<sup>&</sup>lt;sup>300</sup> Art. 16.

<sup>&</sup>lt;sup>301</sup> Art. 12.

<sup>&</sup>lt;sup>302</sup> Art. 13.

<sup>&</sup>lt;sup>303</sup> The mentioned information is collected by the Office of the General Comptroller of the Republic (Contraloría General de la República) and other institutions of the State or of the private sector.

- f. The identification of the primary supply systems for drinking water, sanitary sewerage, telecommunications, electricity, rainwater drainage and the use and disposal of solid waste.
- g. The basic equipment areas
  for the provision of communal
  services, such as educational,
  cultural, recreational, religious and
  institutional services, as well as
  facilities considered to be highly
  dangerous, delimiting their respective
  safety measures.
- h. The investment programme for the execution of the plan as well as the definition of the timeframe of the actions to be carried out by public and private entities within the scope of national or regional plans.
- The indication of historic monuments, monumental ensembles, archaeological sites and landscapes of cultural interest.
- The technical or administrative aspects that the Ministry of Housing considers relevant.

## > Local plan and partial plans

The minimum content of a local plan, that also applies to partial plans, is the following:<sup>304</sup>

- Existing and projected statistical information on the population and economic base of the populated areas in the municipality.
- The delimitation of areas of possible expansion of cities or populated centres, of deferred or priority developments, as well as the identification of informal settlement areas to incorporate them into the urban structure.
- c. The definition of land uses as residential, commercial, institutional, industrial, recreational and of conservation, and their densities and intensities to determine the applicable urban planning regulations.
- d. The delimitation of open spaces for public use, intended for recreational and conservation areas.
- e. The location of protection areas, environmental conservation areas and areas vulnerable to natural disasters.
- f. The location of conservation areas of historical, architectural and cultural heritage.

<sup>304</sup> Art. 14 and 15 of Law 6/2006

- g. The layout and hierarchy of the existing and future development road network and urban transport at local level.
- h. Identification of public infrastructure networks and their projections.
- The identification and definition of sites for the use, disposal and treatment of solid, toxic and hazardous waste
- j. The existing and future location of buildings and areas for the provision of services of public and social interest, such as educational, cultural, sporting, religious and institutional centres.
- k. The investment programme for the execution of the plan, as well as the definition of the timeframe of the actions to be carried out by public and private entities within the scope of local plans.
- The technical or administrative aspects that the Ministry of Housing or the municipality consider relevant.
- m. The regulations applicable to facilities for persons with disabilities.

While municipalities with a population of more than 25,000 inhabitants formulate a local landuse plan, in cities or population centres with an expected growth of no more than 25,000 inhabitants, municipalities may replace the land-use plans for urban development with a land-use planning scheme.<sup>305</sup>

## > Integrated planning approaches

The spatial planning framework of Panama, regulated primarily by Law No. 6 of 2006 and further refined by Resolution No. 732 of 2015, emphasizes a hierarchical and integrated approach to urban development. This legal framework ensures that planning instruments at the national, regional and local levels are aligned with the broader socioeconomic and environmental objectives of the country. At the national level, the National Plan serves as the foundational instrument, providing broad guidelines for territorial planning. It is closely coordinated with economic and social planning, ensuring that land use, environmental protection and infrastructure development are harmonized across different regions and municipalities.

The integration is evident as the National Plan dictates the primary objectives for land use and development, which are then reflected in regional and local plans. The Regional Plan further exemplifies integrated planning by governing the physical, environmental, social and economic development of specific areas defined as regions. These plans are designed to reflect national strategies while addressing regional characteristics. ensurina development is both consistent with national priorities and responsive to local conditions. The content of these plans includes comprehensive data on land use, infrastructure and environmental conservation, reinforcing the integration of planning efforts across different levels.

<sup>&</sup>lt;sup>305</sup> Art. 19

At the local level, the Local Plans and Partial Plans are critical in implementing national and regional objectives while tailoring the development strategies to the specific needs of municipalities. These plans are particularly detailed, covering land-use designations, zoning regulations and infrastructure planning, all while ensuring that local development aligns with broader national and regional goals. For example, the plans include specific guidelines for managing urban growth, protecting natural and cultural heritages and enhancing

public infrastructure, thereby fostering sustainable and coherent urban development. The emphasis on integrated disaster risk management and climate-change adaptation within these plans, as mandated by **Resolution**No. 732 of 2015, highlights the country's commitment to addressing contemporary challenges through coordinated planning efforts. This approach ensures that all levels of government work together to create resilient and sustainable urban environments.



## **Paraguay**

## National planning

The national level planning is oriented by the National Development Plan 2030, which functions as the central strategic framework guiding the country's development. Although there is no specific territorial planning instrument, the NDP 2030 incorporates several key objectives along with detailed content that supports these goals:<sup>306</sup>

a. Economic development:307 The aim is to stimulate sustainable economic growth by diversifying the economy, increasing productivity and enhancing competitiveness. The plan includes specific measures such as incentives for private sector investment, the development of agricultural and industrial hubs and

initiatives to improve trade logistics and market access.

b. Social inclusion: 308 The aim is to reduce poverty and inequality by improving access to essential services and opportunities. This section outlines programmes for expanding social protection networks, improving access to quality healthcare and education, and targeted interventions to support marginalized communities, including infrastructure projects aimed at reducing regional disparities.

<sup>&</sup>lt;sup>306</sup> Government of Paraguay (2014). National Development Plan 2030. Retrieved from https://observatorioplanificacion.cepal.org/es/planes/plan-nacional-de-desarrollo- 2030. <sup>307</sup> S.3.3.

<sup>308</sup> S.4.1.

c. Environmental sustainability: 309 The aim is to integrate environmental considerations into development planning, ensuring the sustainable use of natural resources and mitigation of climate change impacts. The NDP 2030 includes detailed strategies for environmental conservation, such as the protection of biodiversity, reforestation projects, sustainable land management practices and the promotion of renewable energy sources.

## d. Infrastructure development:310

The intention is to modernize and expand the country's infrastructure to support economic growth and improve living standards. The plan details specific infrastructure projects, including the expansion of transport networks (roads, railways, ports), the development of energy infrastructure and the improvement of digital connectivity, aiming to enhance both urban and rural areas.

e. Governance and institutional strengthening:<sup>311</sup> The aim is to enhance governance by improving the efficiency, transparency and accountability of public institutions. The NDP 2030 outlines reforms in public administration, the

implementation of anti-corruption measures, and initiatives to promote public participation in decision-making processes. It also includes capacity-building programmes for public servants and the modernization of government systems through digital transformation

### f. Human capital development:312

The aim is to build a skilled and adaptable workforce capable of meeting the demands of a modern economy. This includes investments in education systems, vocational training programmes, and initiatives to foster innovation and technological adoption. The plan also focuses on improving educational infrastructure and expanding access to higher education and research opportunities.

## > Regional planning

## Department Development Plan (Plan de Desarrollo Departamental – PDD)

The PDD must be elaborated in coordination with the National Development Plan.<sup>313</sup>

In compliance with Point F of the National Development Plan, the Technical Secretariat for Economic and Social Development Planning (SDP) published a Guide for the

<sup>309</sup> S.3.4.

<sup>310</sup> S.4.2.

<sup>311</sup> S.4.3

<sup>312</sup> S.4.4.

<sup>313</sup> Art. 16 and 17 of Law No. 426/1994.

elaboration of the Departmental Development Plan. The guide defines the main elements that must be included in the DDP, which are the following:

### a. Strategic axes and strategies:

These are the main fields of action of the Government to be developed in coordination with the municipality within the department to ensure harmonious development. In each strategic axis, the strategies represent how and through which tools policy action will be addressed. Each strategy brings together several related objectives.

- b. Objectives: They represent concrete and measurable results to be achieved to solve the situations/ problems affecting the community.
- c. Programmes and projects: They consist of planned interventions aimed at ensuring the achievement of objectives. A programme comprises several projects that converge with the objectives of the programme.

Additionally, each PDD must contain:

 a. The general data of the department, including: i) its delimitation and territorial structure; ii) the physical characteristic of its territory, and iii) the general demographic data of the department. b. Specific data on the situations/ problems directly related to the strategic lines on which the departmental government will be working. The main method used to assess the situation of the department is the SWOT matrix, which considers the following four elements: strengths, weaknesses, opportunities and threats. Once the challenges affecting the department are identified through a diagnostic analysis, the objectives and the related programmes and projects are defined to address the identified critical situations.

According to the guide, the DDP should be elaborated following the same structure of the Municipal Development Plans and should be based on the same inputs provided by the development plans of the municipalities of each department for better coordination among plans at all levels.

#### Local planning

 Sustainable Development Plan of the Municipality (Plan de Desarrollo Sustentable del Municipio)

The Sustainable Development Plan of the Municipality is a technical and municipal management instrument that defines the objectives, strategic lines, programmes and projects in the social, economic, environmental, institutional and infrastructure areas.<sup>314</sup>

<sup>314</sup> Art. 225 of Law No. 3966/2010

Accordingly, the SDPM includes a social plan, an economic plan and an environmental plan for the municipality.<sup>315</sup>

The operational and investment plans of the municipality must reflect the Sustainable Development Plan and the central Government agencies, decentralized entities and governorates must coordinate and harmonize their plans and strategies with the municipality's Sustainable Development Plan. 316

The SDPM must align with the National Development Plan. According to the Guide for the Elaboration of the Municipal Development Plan, elaborated by the Technical Secretariat for Economic and Social Development Planning (SDP) under Point F of the National Development Plan, the structure, and the key elements of the PDSM reflect those of the PDD. Table 19 below provides the matrix of the sustainable development plan of a municipality.

Table 19. Matrix of the Sustainable Development Plan of the Municipality

Source: Adapted from the Guide for the Elaboration of the Municipal Development Plan<sup>317</sup>

Strategic axes	Strategies		
1. Social axis Linked to Axis 1 of the National Development Plan (Plan Nacional de Desarrollo – PND): poverty reduction and social development	Equitable social Development	Quality social services	Participatory local development
2. Economic axis Linked to Axis 2 of the PDN: Inclusive economic growth	Employment and social protection	Competitiveness and innovation	Regionalization and productive diversification
3. Environmental axis Linked to transversal line D of the PDN: Environmental sustainability	Adequate and sustainable habitat	Environmental capital	Global habitat sustainability

<sup>315</sup> Art. 225.2 and 225.3.

<sup>316</sup> Art. 225.4 and 225.5.

<sup>&</sup>lt;sup>317</sup> Technical Secretariat for Economic and Social Development Planning, Guide for the elaboration of the Municipal Development Plan: <a href="https://www.stp.gov.py/v1/wp-content/uploads/2018/07/Gu%C3%ADa-Plan-de-Desarrollo-Municipal.pdf">https://www.stp.gov.py/v1/wp-content/uploads/2018/07/Gu%C3%ADa-Plan-de-Desarrollo-Municipal.pdf</a>.

**Table 20.** Example matrix of objectives, programmes and projects for Axis 1, Strategy A of the Sustainable Development Plan of the Municipality

**Source:** Adapted from the Guide for the elaboration of the Municipal Development

Axis	1. Social	
	Linked to Axis 1 of the PDN – poverty reduction and social development	
Strategy	Equitable social development	
Objective	Eradicate extreme poverty for men and women	
Programme / project	Project: fish farming in ponds, for self-consumption and sale	

## Urban and Territorial Management Plan (Plan de Ordenamiento Urbano y Territorial)

The Urban and Territorial Management Plan is a technical and municipal management instrument defining the territorial objectives and strategies in accordance with the Sustainable Development Plan and with the purpose of guiding the use and occupation of the territory in the urban and rural areas of the municipality.<sup>318</sup>

The Urban and Territorial Management Plan must contain at least the following:<sup>319</sup>

- a. The delimitation of urban and rural areas.
- b. The zoning of the territory, including the establishment of zones with specific allocations and limitations of uses based on criteria of compatibility of activities, optimization of their functional interactions and compatibility with the suitability and ecological significance of the natural regime.

- c. The regime of subdivision and plotting of real estate for each zone.
- d. The construction regime
- e. The road system.
- f. The system of infrastructure and basic services

The Urban and Territorial Management Plan (POUT) must consider the planning and public policy norms, mechanisms and procedures defined by the Technical Secretariat for Planning and Secretariat for the Environment. The POUT is built on the vision, strategies and objectives set by the Sustainable Development Plan (SDP) that must be validated.<sup>320</sup>

To this end, the technical team responsible for the POUT verifies whether the objectives of the SDP are consistent with the findings of the territorial diagnosis conducted to prepare the POUT. In case a revision of the SDP is needed to adapt it to the PUOT, a participatory process must be carried out with the local stakeholders, including the mayor and his or

<sup>318</sup> Art. 226 of Law No. 3966/2010.

<sup>319</sup> Art. 226.2.

<sup>320</sup> Ibid.

her technical team, the municipal board, the local development council, and other civil society actors.<sup>321</sup>

Once the POUT is drafted, the municipality must elaborate, according to the existing legal framework, a set of regulations that will allow the implementation of the POUT and the zoning plan: the municipal ordinances. As a first step, the technical and administrative regulations (draft ordinances) are drafted by the technical team, after which the Municipal Board has 45 days to evaluate the regulations, and finally the mayor (Municipal Intendant) has 15 days to adopt the regulations.<sup>322</sup>

Once the process of elaborating the POUT has been completed, the organization and procedures required to implement the programming of this local planning policy must be developed. The programming is divided into three phases:

- Implementation of the POUT: Once the ordinances and zoning plan are approved by the Municipal Board, the POUT can be applied as a normative reference. The urban planning and development of the municipality will be driven by the following three components of the POUT:
  - a. The urban and territorial project
  - b. The zoning plan
  - c. The municipal ordinance

- 2. Management and implementation of the related projects: The design and implementation of any project must be supported by an executive team. This executive body must have an annual schedule to ensure the implementation of the regulations and projects set out in the POUT, organizing the design, management and construction of each project to be carried out in the district.
- Monitoring and evaluation: The executive team must monitor, control and carry out the design, management and construction of each project.

## Integrated planning approaches

The spatial planning framework of Paraguay is centred around the National Development Plan 2030 (NDP 2030), which provides the strategic foundation for the country's socioeconomic development. The NDP 2030, while not a territorial planning instrument, incorporates key objectives that guide the formulation of other spatial planning instruments at regional and local levels, ensuring coherence and alignment with national goals.

At the regional level, the Department Development Plan (PDD) is directly aligned with the NDP 2030, ensuring that regional development strategies reflect national priorities.

<sup>&</sup>lt;sup>321</sup> Technical Secretariat for Economic and Social Development Planning, Guide for the elaboration of Urban and Territorial Management Plans: <a href="https://www.stp.gov.py/v1/wp-content/uploads/2018/07/Guia-POUT.pdf">https://www.stp.gov.py/v1/wp-content/uploads/2018/07/Guia-POUT.pdf</a>.

<sup>322</sup> Ibid.

The PDD incorporates strategic axes, objectives and projects that are designed to address specific regional challenges while contributing to the broader national development goals outlined in the NDP 2030. This alignment ensures that regional plans are not only responsive to local needs but also contribute to the country's overall development strategy.

At the local level, the Sustainable Development Plan of the Municipality (PDSM) continues this integrated approach by linking its strategic axes and objectives with those of the NDP 2030. The PDSM includes detailed plans for social, economic and environmental development, ensuring that municipal initiatives are consistent with both regional and national priorities.



# Republic of Korea

## National planning

National land plans include any plan for setting the directions for public land to cope with the future economic and social changes in using, developing and conserving the national land. National land plans include the National Comprehensive Territorial Plan and the National Comprehensive Land Plan. Other plans include: Do comprehensive plan (province), the Si/Gun comprehensive plan (city/county), the regional plan, or the sectoral plan.<sup>323</sup>

The Urban and Territorial Management Plan (POUT) further refines this alignment by providing a detailed framework for land use, zoning and infrastructure development within municipalities. The POUT is developed in coordination with the PDSM, ensuring that territorial management at the local level is fully integrated with the broader development objectives of the municipality and the country. Overall, the approach of Paraguay for integrated planning ensures that spatial planning instruments at all levels are interconnected, promoting a cohesive and aligned strategy for national development. The emphasis on aligning regional and local plans with the NDP 2030 ensures that all levels of government work together to achieve the country's longterm development goals, fostering sustainable and balanced growth.

## National Comprehensive Territorial Plan (2020–2040)

The National Comprehensive Territorial Plan is the highest-level spatial plan.<sup>324</sup>The current plan has been formulated to present new visions and strategies for territorial space in response to emerging megatrends, such as population changes and the Fourth Industrial Revolution, which significantly impact national land policies. The plan sets the direction for national land development and management over the next 20 years.

<sup>&</sup>lt;sup>323</sup> Art. 6 of the Framework Act of the National Land.

<sup>&</sup>lt;sup>324</sup> Art. 10 of the National Land Planning and Utilization Act.

It is legally binding.<sup>325</sup> The main features of the 5th Comprehensive National Territorial Plan<sup>326</sup> are summarized in table 21:

Table 21. 5th Comprehensive National Territorial Plan

Source: Annual Report on Land Planning and Utilization for the Year 2023<sup>327</sup>

Category	5th Comprehensive National Territorial Plan (2020-2040)	
Vision	Land for all, a shared living space	
Goals	Balanced territory where everyone can live well  Safe and sustainable 'smart territory'  Healthy and vibrant 'innovative territory'	
Spatial strategy	Establishing a flexible smart territory through solidarity and cooperation	
Development strategy	Promoting distinctive regional development and solidarity/ cooperation  Innovative regional industries and revitalizing culture and tourism  Creating safe living spaces encompassing all generations and classes  Creating dignified and environmentally friendly spaces  Efficient operation of infrastructure and intelligent land management  Creating a peaceful land connecting the continent and the ocean	
Regional Development Direction	Enhancing competitiveness through compact development via spatial reorganization and diverse (hardware + software) connections and cooperation between regions.  Continuously fostering balanced development hubs such as innovative cities and promoting coexistence between the metropolitan area and local regions	
Execution	Linking plan monitoring and evaluation  Integrated management and evaluation of national land and environmental planning	

 $<sup>^{325}</sup>$  The 5th National Territorial Plan 2020-2040  $\underline{\text{Mttps://library.krihs.re.kr/dl\_image2/IMG/07/000000031068/}}\\ \underline{\text{SERVICE/000000031068\_01.pdf}}$ 

<sup>&</sup>lt;sup>326</sup> Ministry of Land, Infrastructure and Transport. Annual Report on Land Planning and Utilization for the Year 2023: <a href="https://www.unitar.org/sites/default/files/media/file/2023\_Annual%20Report.pdf">https://www.unitar.org/sites/default/files/media/file/2023\_Annual%20Report.pdf</a>.

<sup>&</sup>lt;sup>327</sup> Annual Report on Land Planning and Utilization for the Year 2023.

#### Comprehensive National Land Plan

A comprehensive National Land Plan should be formulated to cover a 20-year period.<sup>328</sup> It should contain basic and long-term policy directions focusing on the following matters:<sup>329</sup>

- Status of the national land and the outlook of any demographic changes.
- Basic ideas for national land development and the establishment of desirable future uses of the national land.
- Improvement of the spatial structure of the national land and provide clear structure on the functions of the different institutions in the various regions.
- d. Policies for the balanced development of the national land.
- e. Enhancement of national competitiveness and expansion of the national infrastructure.
- f. Efficient use and management of national land resources, such as land, water, forest and marine resources.

- g. Creation of living conditions, such as housing, water supply and sewerage systems, and the improvement of the quality of life.
- h. Prevention of flood damage, wind damage and other natural disasters.
- Rational use and management of underground spaces.
- Conservation and improvement of national land environments for the sustainable development of the national land.

## → Regional planning<sup>330</sup>

Regional plans aim to achieve balanced territorial development. The Metropolitan Urban Plans (prepared jointly by cities in the metropolitan area) and the Do Comprehensive Plans (provincial) constitute the main planning frameworks.<sup>331</sup>

They contain the spatial vision and land-use demand forecast, as well as sectoral plans such as transport, housing, infrastructure provision and environmental protection measures. The Metropolitan Urban Plan should provide guidelines for the Urban Master Plan and the Urban Management Plan. 333

<sup>&</sup>lt;sup>328</sup> Art 9 of the Framework Act on National Land 2002.

<sup>&</sup>lt;sup>329</sup> Art 10 of the Framework Act on National Land 2002.

<sup>&</sup>lt;sup>330</sup> Seoul Metropolitan Area Readjustment Act 2010: <a href="https://elaw.klri.re.kr/eng\_mobile/viewer.do?hseq=55428&type=part&key=33">https://elaw.klri.re.kr/eng\_mobile/viewer.do?hseq=55428&type=part&key=33</a>

<sup>&</sup>lt;sup>331</sup> OECD (2019), "Assessment and Recommendations", in The Governance of Land Use in Korea: Urban Regeneration, OECD Publishing, Paris: <a href="https://www.oecd.org/en/publications/the-governance-of-land-use-in-korea\_fae634b4-en.html">https://www.oecd.org/en/publications/the-governance-of-land-use-in-korea\_fae634b4-en.html</a>

<sup>332</sup> Ibid

<sup>333</sup> Ibid

#### Metropolitan Urban Plan

The Metropolitan Urban Plan includes policy direction for matters necessary to achieve the objectives of designating the relevant metropolitan planning zone. It covers the following:<sup>334</sup>

- a. Spatial structure and division of functions of a metropolitan planning zone.
- b. Management system of green areas and conservation of the environment in a metropolitan planning zone.
- c. Arrangement, size and installation of metropolitan facilities.
- d. Scenery plan. 335
- e. Other matters prescribed by
  Presidential Decree concerning
  the linkage of functions in or
  between Special Metropolitan
  Cities, Metropolitan Cities, Special
  Self-Governing Cities, Special SelfGoverning Provinces or sis/ guns
  falling within a metropolitan planning
  zone

#### Urban Master Plan

An Urban or Gun Master Plan contains policy direction for the following matters:<sup>336</sup>

- a. Local features and objectives of the plan.
- Spatial structure, establishment of living zones and distribution of population.
- c. Use and development of land.
- d. Supply and demand of land by each use.
- e. Conservation and management of the environment.
- f. Infrastructure development.
- g. Parks and green areas.
- h. Natural sceneries. 337
- i. Response to climate change and energy conservation.
- j. Prevention of disasters and safety.
- k. Any other matter prescribed by Presidential Decree

#### Urban Management Plan

The Urban Management Plan is established according to the National Land Planning and Utilization Act for development, reorganization and preservation of cities. It focuses on land use, transport, environment, landscape, safety, industry, information and communication, health, welfare, security and culture.<sup>338</sup>

<sup>&</sup>lt;sup>334</sup> Art. 12 of the National Land Planning and Utilization Act.

<sup>&</sup>lt;sup>335</sup>The Natural Environment Conservation Act provides for the conservation of the scenery. Art 14 of the Act provides for information on what constitutes a basic plan for scenery conservation. <a href="https://elaw.klri.re.kr/eng\_mobile/viewer.do?hseq=37572&type=part&key=39">https://elaw.klri.re.kr/eng\_mobile/viewer.do?hseq=37572&type=part&key=39</a>.

<sup>336</sup> Art. 19.

<sup>&</sup>lt;sup>337</sup> Art 2 of the Natural Environment Conservation Act defines it as an area, topography and elements of nature affiliated with them that have visual or aesthetic value in terms of the natural environment, or scenery of nature where things are harmonious in a complex way.

<sup>&</sup>lt;sup>338</sup> Art 25.3.

#### The plan contains:339

- Parameters for the designation or changes to the limited development zones, urban nature park zones, controlled urbanization zones and fishery resource protection zones.
- Plans for the installation, reorganization or improvement of infrastructure.
- c. Plans for urban development.
- d. Plans for designation or changes to the district unit planning areas and the plan in the district unit.

The Urban Management Plan should be consistent with the Metropolitan Urban Plan and the Urban Master Plan.<sup>340</sup> It must be established in consideration of the population, characteristics of land use and surrounding environment. The urban management plan is established to realize the long-term urban development directions presented in the Urban Master Plan in the specific area.

# Seoul Metropolitan Area Readjustment Plan<sup>341</sup>

This plan establishes comprehensive plans for the readjustment of the Capital Region, guiding the appropriate distribution of the excessively concentrated population and industries in the area. The plan sets out three principal regulatory zones: Overcrowding Control Zones, Growth Management Zones, and Nature Conservation Zones. The Readjustment Plan puts restrictions on mainly two spatial planning activities: total quantity of amenities and large-scale development projects. The Readjustment Plan takes precedence over si/gun (city/county) plans within the Seoul Metropolitan Area under the National Land Planning and Utilization Act.

## Do (province) Comprehensive Plan

The Provincial Comprehensive Plans set the long-term direction for development of the jurisdictional area of a special self-governing province, covering the entire area of the relevant region.<sup>343</sup>

<sup>339</sup> K Sun-Wung, Urban Planning System of Seoul, Urban Management Plan, Seoul Metropolitan Government. https://seoulsolution.kr/sites/default/files/policy/ 1%EA%B6%8C\_Urban%20Planning\_Urban%20Planning%20System%20of%20Seoul.pdf. Accessed on 15 August 2024.

<sup>340</sup> Art 25.1.

<sup>&</sup>lt;sup>341</sup> Seoul Metropolitan Area Readjustment Planning Act 2010: <a href="https://elaw.klri.re.kr/eng\_mobile/viewer.do?hseq=55428&type=part&key=33">https://elaw.klri.re.kr/eng\_mobile/viewer.do?hseq=55428&type=part&key=33</a>.

<sup>&</sup>lt;sup>342</sup> Art. 4 of Seoul Metropolitan Area Readjustment Planning Act.

<sup>&</sup>lt;sup>343</sup> Art. 6 of the Framework Act on the National Land.

The Do (Province) Governor formulates a Do Comprehensive Plan that should include the following matters:<sup>344</sup>

- Analysis of status and peculiarity
   of the region and consideration of
   futuristic changes in internal and
   external conditions.
- b. Objectives and strategies for regional development.
- Improvement of the region's spatial structure and directions on sharing institutional functions within the region.
- d. Construction of the infrastructure, such as transport, logistics, information and communications networks.
- e. Development, conservation management of resources and environments within the region.
- f. Use of land by purpose and its planned management.
- g. Any other matters prescribed by Presidential Decree, required for the sustainable development of the Do.

# Si (cities) / Gun (counties) Comprehensive Plan

These plans form the basic spatial structure and long-term direction for development of the jurisdictional area of a special metropolitan city, a metropolitan city, a city or county. The plan is formulated for land use, traffic, environment, safety, industry, information and communications, health, welfare, culture, etc. as a part of an urban plan structure as highlighted in Article 19 of the National Land Planning and Utilization Act.<sup>345</sup>

## Local planning

## Local Era Comprehensive Plan

The first Local Comprehensive Plan for 2023–2027 aims to reflect the city and provincial local plans, sectoral plans of central administrative agencies, and supermetropolitan area development plans of local governments. This plan aims to achieve local decentralization and ensure balanced development within their respective areas. It is prepared by the Local Era Committee after consultations with local governments and the central Government.

<sup>&</sup>lt;sup>344</sup> Provided that in the case of any do for which a separate plan has been formulated under any other Act and which is prescribed by Presidential Decree, the relevant

Do Governor is not required to formulate such plan.

<sup>345</sup> Supra, 356.

<sup>346</sup> Smart City Korea, Ministry of Land, Infrastructure and Transport. https://smartcity.go.kr/en/2023/11/02/%EC%9C%A4%EC%84%9D%EC%97 %B4-%EC%A0%95%EB%B6%80-%E3%80%8C%EC%A7%80%EB%B0%A9%EC%8B%9C%EB%8C%80-%EC%A2%85%ED%95%A9%EA%B3%84%ED%9A%8D20-23-2027%E3%80%8D-%EB%B0%9C%ED%91%9C/#:~:text=The%20five%20major%20strategies%20for,for%20the%20next%20five%20 years.%20.

<sup>&</sup>lt;sup>347</sup> Ibid.

The current plan includes a super-metropolitan area development plan prepared by seven super-metropolitan areas autonomously organized by each region based on the characteristics and potential of each area. The super-metropolitan area development plan enhances the vitality of local industries by fostering growth and emergence of industries, and by creating jobs based on cooperation between regions. 349

It includes many cooperative projects that residents can take part in. These projects are planned to be realized through consultations with ministries and implemented through the various implementation plans developed.<sup>350</sup>

#### City/county Master Plan

City/county Master Plans present the basic spatial structure and the sustainable long-term development direction (20 years). These plans incorporate spatial structure, land use, infrastructure, park, green space, landscape, etc. and should conform to higher-tier plans.<sup>351</sup>

### City/county Management Plan

City/county management plans are a longterm (10 years), detailed planning instrument for local zoning that presents the specific ways to translate the direction presented by the City/county Master Plan in the urban space. It incorporates urban development, location of land use, designation of zones and districts, etc. and should conform to higher-tier plans. 352

#### District Unit Plan

District unit plans are applicable only in Seoul Special City and in six metropolitan cities. They contain specific arrangements and management of the part of the land to be used in the target city/county.

District-unit planning zones and a district-unit plan should be determined by an urban or gun management plan.<sup>353</sup> Details of district unit plansinclude matters relating to:

- a. Subdivision or alteration of a specialpurpose area or special-purpose district within the scope prescribed by Presidential Decree.
- Size of a group of areas surrounded by roads, or of a group of land partitioned off for a planned development and consolidation.
- Restrictions on the use of buildings and the maximum or minimum limit on the building-to-land ratio, floor area ratio, or height of buildings.
- d. Plans for the arrangement, type, colour or building line of buildings.
- e. Environmental control and scenery plans.
- f. Plans to manage traffic.354

<sup>&</sup>lt;sup>348</sup> Ibid.

<sup>&</sup>lt;sup>349</sup> Ibid.

<sup>350</sup> Ibid.

<sup>&</sup>lt;sup>351</sup> Art. 29 and Art. 30 of the National Land Planning and Utilization Act.

<sup>352</sup> Ibid.

<sup>353</sup> Art. 50.

<sup>354</sup> Art. 52.

## > Integrated planning approaches

The spatial planning system of the Republic of Korea is structured to ensure a comprehensive and integrated approach across various levels of government, from national to local.

The National Comprehensive Territorial Plan (2020–2040), which is the highest level spatial plan, sets the strategic direction for national land development and management over a 20-year period. This plan is integrative by nature, as it not only outlines the spatial vision for the entire nation but also establishes a framework that guides and harmonizes regional and local plans. The plan emphasizes the creation of a balanced, safe and sustainable "smart territory" through strategies that promote regional cooperation, innovative industries and environmental sustainability.

At the regional level, the Metropolitan Urban Plans and Do (provincial) Comprehensive Plans serve as key instruments that translate national strategies into region-specific policies and actions. These plans are designed to ensure that regional development aligns with the national vision by focusing on spatial reorganization, balanced development and the efficient use of resources. The regional plans are integrative in that they incorporate various sectoral considerations— such as transport, housing, and environmental management—into a cohesive framework that addresses the unique needs of each region while supporting national objectives.

Local planning instruments, such as the Urban Master Plan and Urban Management Plan, further refine these strategies at the municipal level. These plans provide detailed guidelines on land use, infrastructure development and environmental conservation, ensuring that local development initiatives are consistent with both regional and national plans.

The Urban Management Plan is particularly integrative as it consolidates various aspects of urban development—such as land use, transport and environmental protection—into a single, coherent plan that guides the sustainable growth of urban areas. Additionally, the Seoul Metropolitan Area Readjustment Plan exemplifies integrated planning by addressing the unique challenges of the country's capital region. This plan coordinates efforts to manage population density, regulate development and protect green spaces across multiple jurisdictions, ensuring that local actions are aligned with broader metropolitan and national strategies.

Overall, the spatial planning system of the Republic of Korea is characterized by a well-defined hierarchy of plans that are closely interlinked, ensuring that development at all levels is coherent, sustainable and aligned with the country's longterm goals. This integrated approach facilitates balanced growth, efficient resource use, and the effective management of urban and regional development.



#### National planning

# National Spatial Development Framework

The National Spatial Development Framework (NSDF) is a long-term spatial planning instrument that must be aligned with the National Development Plan for 2030 (NDP). The NSDF is prepared by the Minister of Rural Development and Land Reform (MRDLR) and approved by the Cabinet. Overall, the NSDF provides an overarching spatial development framework for all the spheres and sectors of government, and it includes a set of principle-driven spatial investment and development directives and a set of strategic spatial areas of national importance from an ecological, social, economic or infrastructure perspective.

# > Regional planning

# Provincial Spatial Development Framework

The Provincial Spatial Development Framework (PSDF) defines and expresses provincial development policy and integrates and implements policies and plans emanating from the national sphere of government to the geographic scale of the province. Overall, as per the spatial development frameworks prepared by the other spheres of government for their competences, the provincial spatial development framework does the following:<sup>355</sup>

- Represents the long-term spatial development vision of the province.
- b. Guides planning and development decisions.
- c. Contributes to a coherent, planned approach to spatial development in its sphere of competence.
- d. Guides the subsequent level, which in the case of the provincial spatial development framework is the municipality, in taking any decision or exercising any discretion relating to spatial planning and land-use management.
- e. Provides clear and accessible information to the public and private sectors, including for investment purposes.
- f. Includes disadvantaged areas, rural areas, informal settlements etc. to address their inclusion and integration into the spatial, economic, social and environmental objectives of its relevant sphere.
- g. Identifies the long-term risks of spatial patterns of growth and the policies and strategies necessary to mitigate those risks.

<sup>355</sup> S. 12.1 and 12.4 SPLUMA.

- Provides direction for strategic developments, infrastructure investment and indicates priority areas for investment in land development.
- Takes cognizance of any environmental management instrument adopted by the relevant environmental management authority.
- Gives effect to national legislation and policies on mineral resources and sustainable use and protection of agricultural resources.
- k. Considers and, where necessary, incorporates the outcomes of substantial public engagement, including direct participation in the process through public meetings, public exhibitions, public debates and discourses in the media and any other forum or mechanisms that promote such direct involvement.

Consequently, the provincial spatial development framework must:<sup>356</sup>

- a. Provide a spatial representation of the land development policies, strategies and objectives of the province, which must include the province's growth and development strategy where applicable.
- Indicate the desired and intended pattern of land-use development in the province, including the

- delineation of areas in which development in general or development of a particular type would not be appropriate.
- c. Coordinate and integrate the spatial expression of the sectoral plans of provincial departments.
- d. Provide a framework for coordinating municipal spatial development frameworks with each other where they are contiguous.
- e. Coordinate municipal spatial development frameworks with the provincial spatial development framework and any regional spatial development frameworks as they apply in the relevant province.
- f. Incorporate any spatial aspects of relevant national development strategies and programmes as they apply in the relevant province.

The provincial spatial development framework must be consistent with the national spatial development framework, and it must coordinate, integrate and align the following:<sup>357</sup>

- Provincial plans and development strategies with policies of the national Government.
- The plans, policies and development strategies of provincial departments.
- The plans, policies and development strategies of municipalities.

<sup>356</sup> S. 14 SPLUMA.

<sup>&</sup>lt;sup>357</sup> S. 15 SPLUMA.

#### > Local planning

#### Integrated Development Plan

The Integrated Development Plan (IDP) is a strategic and flexible policy instrument that guides and informs all decisions of the municipality relating to the use, development and planning of land, and it further determines the purpose, desired impact and structure of the land-use scheme.

The Integrated Development Plan aims to achieve sustainable, long-term development for the entire municipality and the public by providing an overall framework for spatial development that coordinates the work of local and other spheres of government in a coherent plan.

The IDP includes a Municipal Spatial Development Framework (MSDF) and a land-use scheme.

# Municipal Spatial Development Framework

The Municipal Spatial Development Framework (MSDF) is a strategic and flexible policy instrument that guides and informs all decisions of the municipality relating to the use, development and planning of land. The framework has four components:

- a. Policy for land use and development.
- b. Guidelines for land-use management.
- A capital expenditure framework, showing where the municipality intends to spend its capital budget.

d. A strategic environmental assessment.

Each component must guide and inform the following:

- a. Directions of growth.
- b. Major movement routes.
- c. Special development areas for targeted management.
- d. Conservation of both the built and natural environment.
- e. Areas in which types of land use should be encouraged or discouraged and the intensity of land development could be increased or reduced.
- f. Prioritizing public sector development and investment.
- g. Identification of spatial priorities and places where public-private partnerships are possible.

The MSDF determines the purpose, desired impact and structure of the land-use scheme as well

#### Land-Use Scheme

The Land-Use Scheme is a binding legal instrument, implemented through by-laws, that allows or restricts certain types of land use, and it records the rights and restrictions applicable to land plot maps and sets regulations according to the vision, strategies and policies of the Integrated Development Plan and Spatial Development Framework.

A Land-Use Scheme can be either a very complex and detailed document accommodating a wide range of different land uses for metropolitan areas, or a much simpler document suited to the needs and capacity of smaller local or district municipalities in primarily rural areas.

# Framework for integrated development planning

Each district municipality, after following a consultative process with the local municipalities within its area, must prepare a framework for integrated development planning in the area. The framework, approved by the Municipal Council, binds both the district municipality and the local municipality in the district.

### Integrated planning approaches

The spatial planning framework in South Africa is structured to ensure integration across different levels of government, from national to local. The National Spatial Development Framework (NSDF) is the overarching spatial planning instrument that aligns with the National Development Plan (NDP) for 2030.

The NSDF sets strategic spatial objectives that guide and harmonize planning efforts across all levels of government. It emphasizes the creation of spatial development strategies that address key national priorities such as economic growth, social inclusion and environmental sustainability. At the regional/provincial level, the Provincial Spatial Development Frameworks (PSDFs) interpret the national objectives into region-

specific policies. These frameworks ensure that provincial development aligns with the national vision while addressing the unique needs of each province. PSDFs are integrative in that they coordinate various sectoral plans—such as those for housing, transport and environmental management—into a cohesive strategy that guides development within the province. The frameworks also provide direction for local municipalities, ensuring that their spatial plans are consistent with both provincial and national objectives.

At the local level, the Integrated Development Plans (IDPs) and Municipal Spatial Development Frameworks (MSDFs) further refine these strategies, focusing on the implementation of spatial policies at the municipal level.

The IDPs are comprehensive tools that guide the municipality's planning and decision-making processes, integrating various sectoral plans and aligning them with broader provincial and national frameworks. The MSDFs, as components of the IDPs, include detailed guidelines for land use, development control and infrastructure investment, ensuring that local development initiatives support the overall strategic vision.

The country's integrated approach is also evident in the inclusion of monitoring and evaluation mechanisms within these planning instruments. The MSDFs, for instance, include capital expenditure frameworks that outline how the municipality intends to allocate resources to achieve its spatial development goals.

These frameworks are subject to regular reviews to assess progress and ensure alignment with both provincial and national strategies. Furthermore, the Land-Use Schemes are legally binding instruments that operationalize the MSDFs' strategies, providing clear regulations on land use that are consistent across all levels of planning. In conclusion, the spatial planning system in

South Africa exemplifies a well-coordinated and integrated approach where planning instruments at the national, provincial and local levels are closely interlinked. This ensures that development is coherent, sustainable and aligned with the country's long-term goals, facilitating balanced growth, efficient resource use and effective management of urban and regional development.

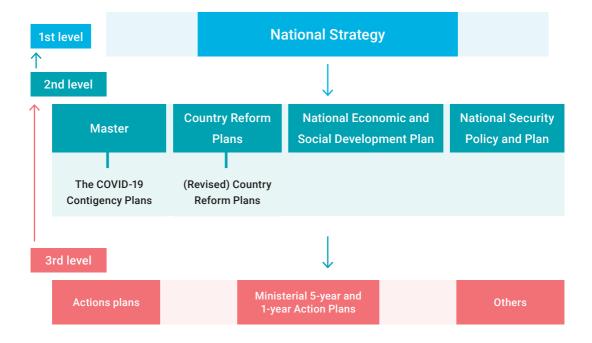


## **Thailand**

The Thirteenth National Economic and Social Development Plan (2023–2027) is a five-year national development plan highlighting three different levels of plans. These are summarized in Figure 7:

Figure 7. Alignment of three levels of the plans

**Source:** 13th National Economic and Social Development Plan



The second level plans serve as key mechanisms for translating the National Strategy into actions and comprise the following:

- Master Plans under the National
   Strategy which define integrated and interconnected development goals and strategic issues for relevant national strategies at different levels to ensure consistency.
- b. The National Reform Plan, which aims to solve urgent structural, mechanical or regulatory barriers and lay a firm foundation for development to be compatible with the focused national development context.
- c. The National Security Policy and Plan.
- d. The National Economic and Social
  Development Plan, which identifies
  important development direction and
  goals under the National Strategy,
  considering development dynamics
  and conditions the country is facing
  so that relevant sectors can adapt
  their operations to those conditions.

The four second level plans serve as key mechanisms for transforming national development directions under the National Strategy into action in the third-level plans.

Additionally, the Urban Planning System focused on land use can be classified into two categories and a total of five levels:<sup>358</sup>

- Land use policy plans, consisting of framework policies and strategies for national development with respect to the use of areas for operation by State agencies. These plans comprise the National Policy Plan, the Regional Policy Plan, and the Provincial Policy Plan.
- Land-use plans, consisting of framework directions and action plans for the use of land in any area for urban development including infrastructures and services.

#### > Integrated planning approaches

The spatial planning framework in Thailand is intricately connected to its broader national development strategy, particularly through the Thirteenth National Economic and Social Development Plan (2023–2027).

This plan operates within a hierarchical structure that ensures alignment across various levels of planning and governance, promoting a coherent approach to national development.

At the national level, the Master Plans under the National Strategy are pivotal in fostering integration.

<sup>&</sup>lt;sup>358</sup> Department of Public Works and Town & Country Planning Ministry of Interior, Overview Mega-Trend: National Spatial Plan Thailand: <a href="https://apps.ipcc.ch/outreach/documents/695/1682664818.pdf">https://apps.ipcc.ch/outreach/documents/695/1682664818.pdf</a>.

These plans outline the interconnected development goals and strategic issues that guide spatial planning at all levels. By ensuring that these goals are consistent across various sectors and regions, the Master Plans facilitate a unified approach to spatial development that is closely tied to the national vision. The National Reform Plan and the National Economic and Social Development Plan further strengthen this integration by addressing structural barriers and setting specific development directions that reflect the dynamic conditions of the country. These plans ensure that spatial planning instruments are not only aligned with national priorities but are also flexible enough to adapt to changing circumstances, thus promoting a resilient and sustainable development framework.

The country's Urban Planning System exemplifies the integrated nature of spatial planning through its two categories of plans: Land-Use Policy Plans and Land-Use Plans. The Land-Use Policy Plans, which include the National Policy Plan, Regional Policy Plan and Provincial Policy Plan, provide a strategic

framework for how land should be used across the country, ensuring that regional and local plans are in harmony with national objectives. These plans set the stage for integrated spatial planning by coordinating the efforts of State agencies at different levels of governance.

Complementing these are the Land-Use Plans, which translate the strategic framework into actionable plans for urban development, infrastructure and services. The plans ensure that land use at the local level is consistent with the broader national and regional strategies, facilitating cohesive urban growth that supports the country's long-term development goals. Overall, the spatial planning instruments of Thailand are designed to work together in an integrated manner, ensuring that national, regional and local plans are not only aligned but also reinforce each other. This integrated planning approach helps to create a coherent and sustainable framework for managing the country's spatial development, ensuring that all levels of government work towards common objectives in a coordinated and efficient way.



# The Philippines

### > National planning

#### National Physical Framework Plan

At the national level, the planning system entails a spatial plan called the National Framework for Physical Planning (currently the National Framework for Physical Planning, 2001–2030, or NFPP).

The NFPP lays out policies and initiatives related to the distribution, use, management and development of land and material resources. The NPFP has primacy over all other types of plans being made for the country, including the Philippine Medium-Term Development Plan.<sup>359</sup>

<sup>359</sup> Housing and Land Use Regulatory Board, CLUP Guidebook, 2013: https://dhsud.gov.ph/wp-content/uploads/

#### > Regional planning

#### Regional Physical Framework Plan

The regional offices of the National Economic Development Authority prepare the Regional Physical Framework Plans (RPFP) that are then approved by the concerned Regional Development Council. Overall, the RPFP is a region-wide land-use, settlements and infrastructure long-term plan following the same timeframe (2001–2030) as the NPFP.<sup>360</sup>

As a land-use plan, the RPFP provides guidance on all decisions on resource and land uses so that these are put to the most beneficial use for the present and future generations of the population. As a settlements plan, it indicates the direction and intensity of growth of the region, its provinces and sub-provincial areas so that these areas can be efficiently served by public services. As an infrastructure plan, it also guides public and private investment for infrastructure improvements to ensure their optimum use.<sup>361</sup>

The physical framework plans are intended not only to support the development plans and serve the socioeconomic objectives, but also to provide the framework for, define the scope of and set the limit for development planning. Also, the plan advises local government units on the larger framework for the growth and development of the region, putting local planning initiatives and the local land-use plans in a larger context.<sup>362</sup>

All other regional plans should conform with the RPFP; additionally, all actors including local governments as well as private sector programmes and projects are expected to support and implement the RPFP.<sup>363</sup>

### Local planning

#### Comprehensive Land-Use Plan

Comprehensive Land-Use Plans (CLUPs) are highly dependent on the cooperation of different agencies and have supremacy over other sectoral, development and investment plans of governmental agencies at the municipal level.<sup>364</sup>

In 2013, the Housing and Land-Use Regulatory Board (HLURB) approved the CLUP guidebook, a guide to Comprehensive Land Use Plan Preparation, for local governments at the city/municipal level.<sup>365</sup> The guidebook is meant to serve as a practical and simplified technical reference for local government units, community members and the public in the formulation and development of their

Publication/Guidebooks/HLURB\_CLUP\_Vol\_1.pdf.

<sup>&</sup>lt;sup>360</sup> As an example see NEDA, Regional Physical Framework Plan, Region 7 RPFP 2003 to 2030: <a href="https://nro7.neda.gov.ph/wp-content/uploads/2022/04/2003-2030\_PFP\_Region-7.pdf">https://nro7.neda.gov.ph/wp-content/uploads/2022/04/2003-2030\_PFP\_Region-7.pdf</a>.

<sup>&</sup>lt;sup>361</sup> Ibid.

<sup>&</sup>lt;sup>362</sup> Ibid.

<sup>&</sup>lt;sup>363</sup> NEDA, Regional Development Council 02, Cagayan Valley Regional Physical Framework Plan 2001–2030: <a href="http://neda.rdc2.gov.ph/wp-content/uploads/2015/12/Regional\_Physical\_Framework\_Plan\_2001\_2030.pdf">http://neda.rdc2.gov.ph/wp-content/uploads/2015/12/Regional\_Physical\_Framework\_Plan\_2001\_2030.pdf</a>
<sup>364</sup> Deval, current issues of the Philippine land-use planning and management system, Ibid.

<sup>&</sup>lt;sup>365</sup> Housing and Land Use Regulatory Board, Resolution No. 908 of 2013: <a href="https://dhsud.gov.ph/wp-content/uploads/Publication/Guidebooks/HLURB\_CLUP\_Vol\_1.pdf">https://dhsud.gov.ph/wp-content/uploads/Publication/Guidebooks/HLURB\_CLUP\_Vol\_1.pdf</a>

local land-use plans.<sup>366</sup> The guide's contents recognize, as well, the need to mainstream climate-change adaptation and disaster risk reduction and the growing demand for the integration of planning for critical resources such as upland, coastal, ancestral domain, biodiversity areas, heritage and urban greening, which were not yet appropriately addressed by existing local enabling policies and planning processes.<sup>367</sup>

Overall, all Local Government Units (LGUs) should prepare their respective Comprehensive Land-Use Plans enacted through zoning ordinances, which are the primary and dominant bases for the future use of the land resources.<sup>368</sup>

The formulation, adoption, or modification of CLUPs for the municipality/city must be in coordination with the approved Provincial Comprehensive Land-Use Plan,<sup>369</sup> and in conformity with the land-use planning standards and guidelines prescribed by the HLURB and to national policies.<sup>370</sup>

CLUPs represent the systematic and organized strategic vision, objectives and directions of LGUs, which are then translated into a physical and spatial dimension.<sup>371</sup>

The CLUP covers a planning period of nine years at the minimum. It may be reviewed every three years, coinciding with the term of the locally elected officials.<sup>372</sup> Local implementation and development plans such as the three-year Comprehensive Development Plan (CDP) can be reviewed and updated accordingly to reflect priorities and targets and achieve the objectives of the CLUP by the mayor and other locally elected officials. Such review provides an opportunity for the incumbent or incoming local officials to harmonize the new administration's development agenda with the approved CLUP and use the CLUP as basis for budget preparation and fund sourcing initiatives.<sup>373</sup> The implementation of the CLUP's strategic vision, objectives and directions is detailed in various local development plans, such as CDPs and sectoral/thematic plans applying within the LGU's jurisdiction or in areas shared with other LGUs.374

<sup>366</sup> Ibid.

<sup>367</sup> Ihid

<sup>&</sup>lt;sup>368</sup> S. 20.c of the Local Government Code.

<sup>369</sup> S. 447.2.vii and S. 458.2.vii.

<sup>&</sup>lt;sup>370</sup> S. 1.a of Executive Order No. 72.

<sup>371</sup> CLUP Guidebook, Ibid.

<sup>&</sup>lt;sup>372</sup> Ibid.

<sup>&</sup>lt;sup>373</sup> Ibid.

<sup>374</sup> Ihid

Figure 8. CPLU approving process

Source: Adapted from CLUP guidebook



#### Comprehensive Development Plan

All LGUs are mandated to formulate a Comprehensive (multi-sectoral) Development Plan (CDP) to promote the improved general welfare of inhabitants.<sup>375</sup> The Department of the Interior and Local Government (DILG) is tasked with providing the necessary technical assistance in the preparation of CDP.

To this end, in 2009, the DILG issued the CDP Illustrative Guide. The guide enumerated the steps to be undertaken by the planning team, as well as strategies for facilitating the preparation and updating of the plan.<sup>376</sup>

While CLUP is geared towards the long-term management of the local territory, the CDP covers a relatively short timeframe and represents the action plan used by every local administration to develop and implement priority sectoral and cross-sectoral programmes and projects in the proper locations.<sup>377</sup>

Thus, the CDP can be regarded as an action plan and an implementing instrument of the  ${\rm CLUP}.^{378}$ 

<sup>&</sup>lt;sup>375</sup> S. 106 of the Local Government Code.

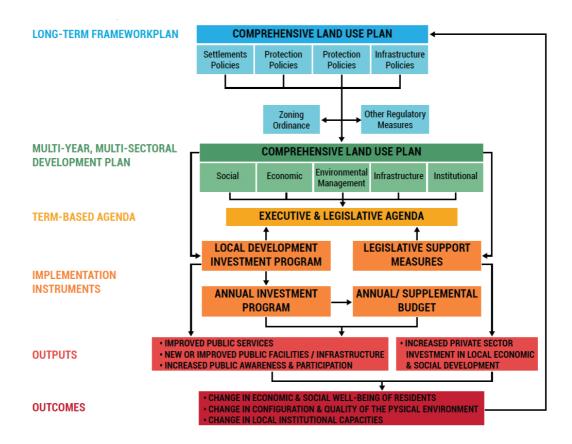
<sup>&</sup>lt;sup>376</sup> Department of the Interior and Local Government, CDP Illustrative Guide, 2009.

<sup>&</sup>lt;sup>377</sup> Department of the Interior and Local Government, CDP Illustrative Guide, 2009.

<sup>378</sup> Ibid

Figure 9. Local planning and development model<sup>379</sup>

Source: Ernesto M. Serote, CDP Illustrative Guide.



It is highly desirable that the CLUP be completed ahead of the CDP. This model aims to prevent the long-term planning instrument from being altered by every change in the administration as once the CLUP is enacted through a zoning ordinance, it becomes a law.<sup>380</sup>

The preparation of the CLUP and CDP can be divided into the four following modules:381



a. Module 1 – Generation of the planning database consisting of statistics and maps and analytical tools and indicators of development or underdevelopment as well as opportunities and challenges for development.

<sup>&</sup>lt;sup>379</sup> According to the CDP Illustrative Guide, the Executive and Legislative Agenda is a planning document, covering a three-year period corresponding to the term of local elective officials; it is mutually developed and agreed on by both the Executive and Legislative Departments of an LGU.

<sup>&</sup>lt;sup>380</sup> S. 20.c of the Local Government Code.

<sup>381</sup> CDP Illustrative Guide. Ibid.



**b. Module 2** – Formulation of new goals or revalidating and/or revising the existing vision statement.<sup>382</sup>



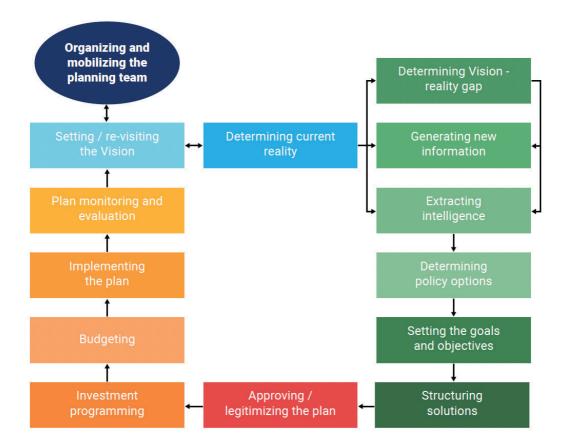
c. Module 3 – Formulation of the Provincial Comprehensive Land-Use Plan (PCLUP) in the case of the province and the CLUP in the case of cities and municipalities.



d. Module 4 - Preparation of the multi-year provincial/city/municipal CDP.

Figure 10. Simplified comprehensive development planning cycle

Source: Adapted from the CDP Illustrative Guide



Modules 1 and 2 may be undertaken simultaneously or interchangeably.

The rationalization of the planning system allows the reduction in the number of plans that LGUs prepare. Another dimension of the rationalized local planning system is the integration of cross-sectoral concerns in the planning process.<sup>383</sup>

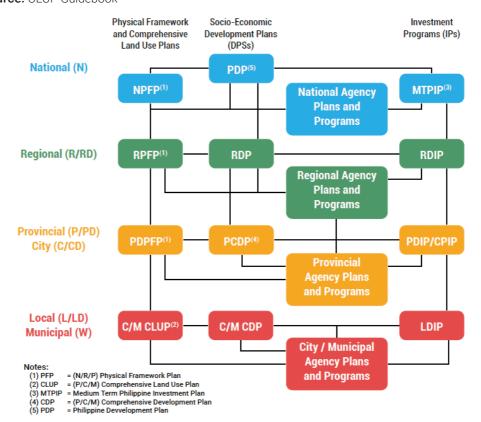
National Government agencies (NGAs) can require LGUs, through their Local Development Council (LDCs), to prepare certain sectoral, area, thematic or systems plans, such as a Disaster Management Plan, Local Poverty Reduction Plan, or a Sustainable Development Plan.<sup>384</sup>

The CDP includes all the five development sectors and their sub-sectors:<sup>385</sup>

- a. Social
- b Economic
- c. Infrastructure
- d. Environment and natural resources
- e. Institutional

Figure 11. Hierarchy and linkage of plans in the Philippines

Source: CLUP Guidebook



<sup>383</sup> CDP Illustrative Guide, Ibid.

<sup>384</sup> Ibid

<sup>385</sup> Ibid

#### > Integrated planning approaches

The spatial planning framework in the Philippines exemplifies a well-coordinated and integrated approach, ensuring that national, regional and local planning instruments are aligned and mutually reinforcing. At the heart of this framework is the National Physical Framework Plan (NPFP), which serves as the primary spatial plan at the national level. The NPFP lays out comprehensive policies and initiatives related to land distribution, use, management and development, ensuring that all other planning efforts, including the Philippine Medium-Term Development Plan, are aligned with

these overarching spatial strategies. This national plan functions as a guiding document for all subsequent planning instruments, thereby ensuring consistency and coherence across different levels of planning. At the regional level, the Regional Physical Framework Plans (RPFPs) are developed by the regional offices of the National Economic Development Authority and approved by the Regional Development Council.

The RPFPs serve as region-specific adaptations of the NPFP, focusing on land use, settlements and infrastructure within the context of the region's unique characteristics. These plans are significant in guiding resource allocation, settlement patterns and infrastructure development, ensuring that regional strategies support national objectives while addressing local needs. The RPFPs not only serve as a framework for regional development but also influence local planning

efforts by providing the context within which local land-use plans should be formulated.

At the local level, Comprehensive Land-Use Plans (CLUPs) are the primary planning instrument used by Local Government Units to manage land use within their jurisdictions. The CLUPs are developed in alignment with the broader regional and national plans, particularly the RPFPs and NPFP.

This ensures that local land-use policies and zoning regulations are consistent with the national development agenda. The CLUPs are designed to cover a planning period of at least nine years, with regular reviews and updates to reflect changing priorities and circumstances. These plans include detailed provisions for land use, zoning, environmental management and infrastructure development, making them essential tools for implementing national and regional objectives at the local level.

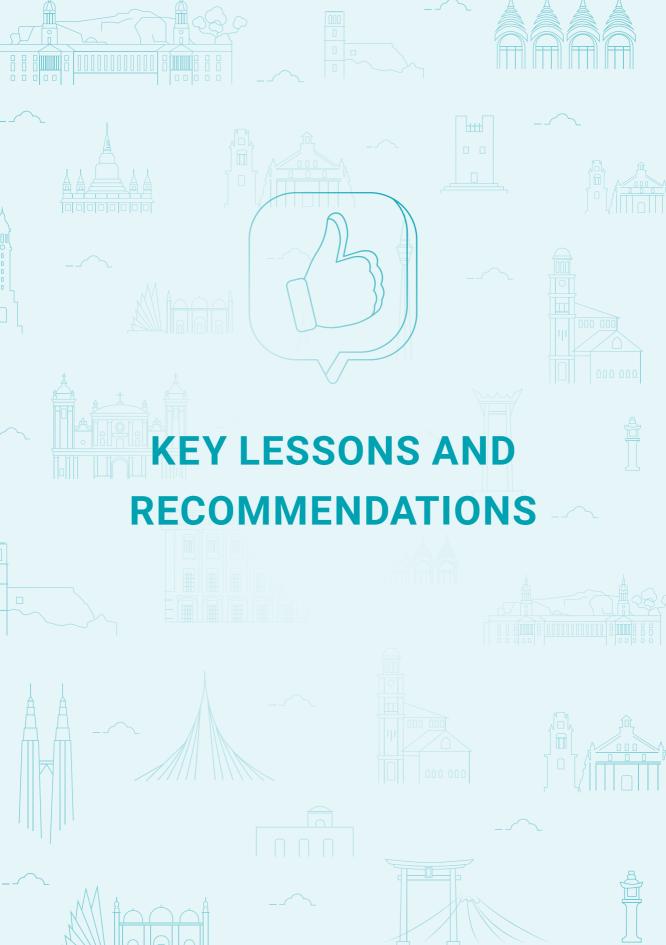
Additionally, the Comprehensive Development Plan (CDP) serves as the action plan for local administrations, translating the long-term vision and objectives of the CLUP into actionable programmes and projects.

The CDP covers a shorter timeframe and is closely linked to the CLUP, ensuring that local development initiatives are consistent with the broader spatial and sectoral strategies. This link between the CLUP and CDP is crucial for maintaining continuity and coherence in local planning efforts, particularly across changes in local administration.

Overall, the integrated planning approach in the Philippines ensures that spatial planning instruments at all levels are interconnected, creating a cohesive framework that supports sustainable and balanced development across the country. By aligning national, regional, and local plans, the spatial planning system of the Philippines promotes efficient resource use, coordinated infrastructure development, and consistent land management practices, all of which are critical for achieving long-term national development goals.



Comparative Legal Research on Spatial Planning Hierarchies at Various Administrative Levels | 159



This report contains a benchmarking analysis of spatial planning frameworks from nine countries: Bangladesh, Japan, Malaysia, Panama, Paraguay, the Philippines, South Africa, the Republic of Korea, and Thailand. This has allowed UNHabitat to provide recommendations and experiences that are applicable to the cultural, institutional and socioeconomic context of Viet Nam. These countries have offered important lessons for urban legal reform in Viet Nam. Since the Executive summary contains detailed thematic recommendations, this section outlines the high-level recommendations for a sustainable urban legal framework:

- 1. A national-level definition of spatial principles, norms, standards and frameworks is essential to guide the objectives and content of urban development. This approach will allow Viet Nam to achieve a coherent and consistent spatial planning system across all levels of government, while allowing flexibility at the local level. The planning law should establish a clear hierarchical structure for institutions responsible for preparing, approving and implementing urban development plans, with a competent authority overseeing the implementation at both national and subnational levels.
- 2. The planning law should incorporate comprehensive coordination mechanisms to ensure that land-use planning and development efforts are harmonized across all levels of government and stakeholders. These mechanisms should be designed to address the diverse needs of different regions/territories, ensuring that planning processes are consistently aligned and effectively implemented. Additionally, decentralization of planning functions to municipalities will lead to a more efficient urban development system.
- 3. The planning law should encourage high levels of participation from both the public and non-governmental agencies in all phases of spatial planning, which is essential for generating buy-in and ensuring compliance with spatial development frameworks. The planning law should comprehensively outline the content of various spatial planning instruments at all levels to give proper directions to spatial planners and stakeholders in the execution of their functions to restrict discretionary decision-making. Apart from zoning, infrastructure, demographic and housing requirements, the law should require relevant institutional actors to prepare reports on the fiscal and human capacities to implement the plan as well as monitoring and evaluation aspects. These aspects could focus on a) establishing key performance indicators (KPIs) to monitor the progress and effectiveness of the plan; b) conducting regular reviews and updates of the plan to adapt to changing needs, address emerging challenges, and incorporate new opportunities and technologies; c) establishing mechanisms for receiving and addressing feedback from residents and stakeholders to continuously improve the planning and development process.

4. The planning law should advocate for integrated planning approaches that ensure coordination and coherence across national, regional and local levels. Integrated planning helps align development objectives, land use and infrastructure projects with broader social, economic and environmental goals. By promoting integrated planning, the law will facilitate collaboration among different government sectors and levels, ensuring that all planning activities are harmonized and mutually supportive. This approach will also help in managing the interdependencies between urban and rural areas, balancing development and preserving essential natural resources. Furthermore, integrated planning should encompass a multi-sectoral perspective, incorporating considerations such as climate-change adaptation, disaster risk management, and sustainable resource management to build resilient communities. The law should also mandate the use of advanced planning tools, data systems and participatory methods to enhance transparency, inclusivity and adaptability in the planning process.

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UN-Habitat conducted a comparative legal study of spatial planning laws and governance frameworks in nine countries-Bangladesh, Japan, Malaysia, Panama, Paraguay, the Republic of Korea, South Africa, Thailand, and the Philippines—as part of its technical support to the Institutional Strengthening and Capacity Building project in Viet Nam. The study examined how planning mandates and hierarchies are defined and implemented across national, regional/ provincial, and local levels, and how these frameworks foster integrated, participatory, and effective urban development.

The case studies reveal that well-defined institutional mandates, adequate human and financial resources, and mechanisms for vertical and horizontal coordination are critical to ensure cohesive and inclusive territorial planning. In particular, the experiences of countries such as Japan and South Africa illustrate how multilevel governance and structured stakeholder engagement can significantly enhance planning outcomes. Furthermore, examples from the Philippines, Panama, and Malaysia emphasize the importance of aligning planning instruments through a clearly defined hierarchy supported by legal frameworks, ensuring both coherence and adaptability to local contexts.

The study aimed to support the Government of Viet Nam in developing a modern, rights-based and SDG and NUA aligned planning law that strengthens institutional capacities, enables inclusive governance, and ensures the integrated and sustainable management of urban growth and land use.



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