

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 MAR 14 P3:42

SENATE

S. No. 2003

RECEIVED BY:

Introduced by Senator Loren B. Legarda

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

EXPLANATORY NOTE

According to the 2020 national census, the overall population of the National Capital Region (NCR) is 13.4 million, and 11% live in informal settlements. Not all informal settlers have low incomes, but many of them are susceptible to external shocks that could quickly drive them into poverty.

Several challenges in urban planning were identified in Metro Manila. These include the lack of mobility, congestion, lack of affordable housing, lack of reliable water supply and sanitation, weak healthcare systems, and an unhealthy urban environment, among others.

The Constitution provides that the State shall, by law, and for the common good, undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlements areas.

Pursuant to the constitutional mandate, it is incumbent upon the state to ensure inclusive use of urban space for housing and to develop sustainable urban planning

that takes into account diversity and cultural heritage, creativity and innovation, disaster risk management, climate resilience, ecological balance, solid waste management, urban air quality as well as open and safe spaces in the city. Participatory urban governance, urban safety, increased and improved digital connectivity and accessibility, as well as accessible, affordable, efficient, and sustainable urban mobility should likewise be prioritized in urban policymaking.

This bill seeks to incorporate the abovementioned factors for the development of sustainable cities and communities in the country. Furthermore, the bill mandates the Department of Human Settlements and Urban Development (DHSUD) to harmonize existing national housing and urban development plans with the provisions of this bill and formulate a National Housing and Urban Development Sector Plan (NHUDSP) to operationalize the goals of this proposed measure.

Towards this end, priority should be given to institutionalizing a national framework for creating sustainable cities and communities.

In view of the foregoing, the approval of this measure is earnestly sought.



LOREN LEGARDA

SENATE

S. No. 2003



Introduced by Senator Loren B. Legarda

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

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

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

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

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

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

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

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

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

- 10 (a) Inclusive urban circular economy which creates decent jobs with fair wages;
11 supports entrepreneurship, creativity and innovation; ensures safe and non-
12 discriminatory working environments; and promotes resource-efficient industries
13 and consumption;
- 14 (b) Spatial justice which promotes multiple use of land to prevent forced
15 evictions, displacement, marginalization, and gentrification; and ensures that
16 urban development provides vulnerable and marginalized sectors the access to
17 safe, adequate and affordable housing under different tenurial arrangements,
18 giving priority to on-site resettlement, as well as universal healthcare, accessible
19 education, infrastructures, livelihoods, food security and nutrition; and safe and
20 inclusive public spaces that foster social cohesion;
- 21 (c) Urban renewal which includes slum upgrading to improve housing,
22 infrastructures and services; urban greening, including the promotion of urban
23 agriculture for food security and communal wellness; and the development of
24 inclusive, safe, accessible and enjoyable open spaces and parks;
- 25 (d) Urban mobility and connectivity which provides for inclusive, safe, accessible,
26 affordable, efficient and sustainable public transportation through the
27 development of adequate transportation infrastructures, utilities and intermodal
28 transportation systems, including non-motorized modes of transportation to
29 strengthen global and urban-rural linkages and management;
- 30
- 31 (e) ICT infrastructure for digital connectivity which provides for fast, secure, stable,
32 and affordable internet connectivity that would be able to cater to technological
33 innovations and enhance digitalization to strengthen global and urban-rural
34 linkages and management;

- 1 (f) Urban safety which ensures freedom of all persons, regardless of gender, age,
2 health status, income, nationality, ethnicity, and political, religious or sexual
3 orientation from crimes and all forms of violence and discrimination in the
4 workplace and public spaces;
- 5 (g) Ecological balance which requires the sustainable management of natural
6 resources; protection and conservation of biodiversity, natural ecosystems and
7 landscapes; proper waste management and sanitation; provision of green
8 infrastructures; and the development and use of renewable energy sources in
9 transportation, industry and households to reduce carbon footprint and improve
10 water and air quality;
- 11 (h) Climate resilience which builds the capacity of urban areas to adapt to and
12 manage threats and risks posed by climate change and disasters to constituents
13 especially vulnerable groups, and to facilitate post-disaster rehabilitation and
14 recovery;
- 15 (i) Cultural diversity which respects, protects, and promotes the diverse livelihoods,
16 customs, memory, identities, expressions, and sociocultural forms of its
17 inhabitants; preserves tangible cultural heritage, such as artistic creations,
18 historical sites and monuments; and safeguards intangible cultural heritage, such
19 oral traditions, performing arts, indigenous knowledge and traditional skills, as
20 well as the instruments, objects, artifacts and cultural spaces associated therewith;
- 21 (j) Participatory urban governance which involves political participation in the
22 formulation, implementation, monitoring, and budgeting of urban policies in
23 order to promote transparency, effectiveness, and inclusiveness in the
24 engagement of a diverse set of inhabitants and their organizations, especially of
25 urban poor and marginalized groups, upholding communal spirit and supporting
26 community-building; and
- 27 (k) Alignment of economic, social, and environmental policies between and among
28 national, regional, city, and municipal government units, facilitating the
29 achievement of the goals of each unit.

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

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

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

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

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

- 15 (a) Urban population living in slums - measured in terms of proportion of urban
16 population living in slums, informal settlements or inadequate housing;
- 17 (b) Public transport access - measured in terms of proportion of population that has
18 convenient access to public transport, by sex, age, income group, and persons
19 with disability;
- 20 (c) Sustainable urbanization rates - measured in terms of ratio of land consumption
21 rate to population growth rate;
- 22 (d) Urban planning and management - measured in terms of proportion of cities with
23 a direct participation structure of civil society in urban planning and management
24 that operate regularly and democratically;
- 25 (e) Protecting cultural heritage - measured in terms of total public and private
26 expenditure per capita spent on the preservation, protection and conservation of
27 all cultural and natural heritage;
- 28 (f) Deaths and injuries from disasters - measured in terms of number of deaths,
29 missing persons and directly affected persons attributed to disasters per 100,000
30 population;
- 31 (g) Economic losses from disasters - measured in terms of direct economic loss in
32 relation to global GDP, damage to critical infrastructure and number of
33 disruptions to basic services, attributed to disasters;

- 1 (h) Solid waste management - measured in terms of proportion of urban solid waste
2 regularly collected and with adequate final discharge out of total urban solid
3 waste generated;
- 4 (i) Urban air quality - measured in terms of the annual mean levels of fine particulate
5 matter;
- 6 (j) Open spaces in cities - measured in terms of average share of the built-up area of
7 cities that is open space for public use for all, by sex, age and persons with
8 disability;
- 9 (k) Safe spaces in cities - measured in terms of proportion of persons who are victims
10 of physical or sexual harassment, by sex, age, persons with disability, and place
11 of occurrence, in the previous 12 months;
- 12 (l) Urban and regional planning - measured in terms of proportion of population
13 living in cities that implement urban and regional development plans integrating
14 population projections and resource needs, by size of city;
- 15 (m) Integrated disaster risk management - measured in terms of adoption and
16 implementation of national disaster risk reduction strategies;
- 17 (n) Local disaster risk management - measured in terms of adoption and
18 implementation of local disaster risk reduction strategies in line with national
19 disaster risk reduction strategies;
- 20 (o) Urban economy - measured in terms of percentage of the labor force in the
21 education and Research and Development sectors, and unemployment rate and
22 number of businesses;
- 23 (p) Innovation-gearred education - measured in terms of the number of Science,
24 Technology, Engineering, and Mathematics higher education degrees;
- 25 (q) Use of renewable energy - measured in terms of percentage of consumed energy
26 from renewable sources;
- 27 (r) Universal healthcare - measured in terms of number of in-patient hospital beds
28 and physicians;
- 29 (s) Food security - measured in terms of percentage of city budget spent on initiatives
30 on urban agriculture;
- 31 (t) Water and wastewater management - measured in terms of water consumption
32 per capita, percentage of households with access to basic water supply,
33 percentage of treated wastewater that is reused;

1 (u) Access to ICT services - measured in terms of proportion of population that has
2 access to fast, secure, stable, and affordable internet services to cater and
3 accommodate online or digital transactions or services necessary for the conduct
4 of daily activities in the modern society; and

5 (v) Such other targets and indicators as determined by DHSUD, NEDA, DILG, and
6 PSA consistent with the principles that guide sustainable cities and communities
7 as provided in Section 4 of this Act: Provided, That at any time, but not more than
8 once every five years, such targets and indicators may be reviewed or revised as
9 the need arises to conform to changes and new developments brought about by
10 the latest trends in institutionalizing sustainable cities and communities.

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

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

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

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

33 The National Government and local government units shall accordingly pursue
34 alternative resource mobilization strategies, including, but not limited to, public-private

1 partnerships with guidance of the Public-Private Partnership Center, official development
2 assistance, and land value capture, to leverage public resources and maximize their value to
3 finance the operational requirements of this Act.

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

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

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

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

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

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

1 Sec. 12. *Separability Clause.* – If any provision of this Act or a portion thereof is declared
2 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain
3 in force and effect.

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

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

Approved,