

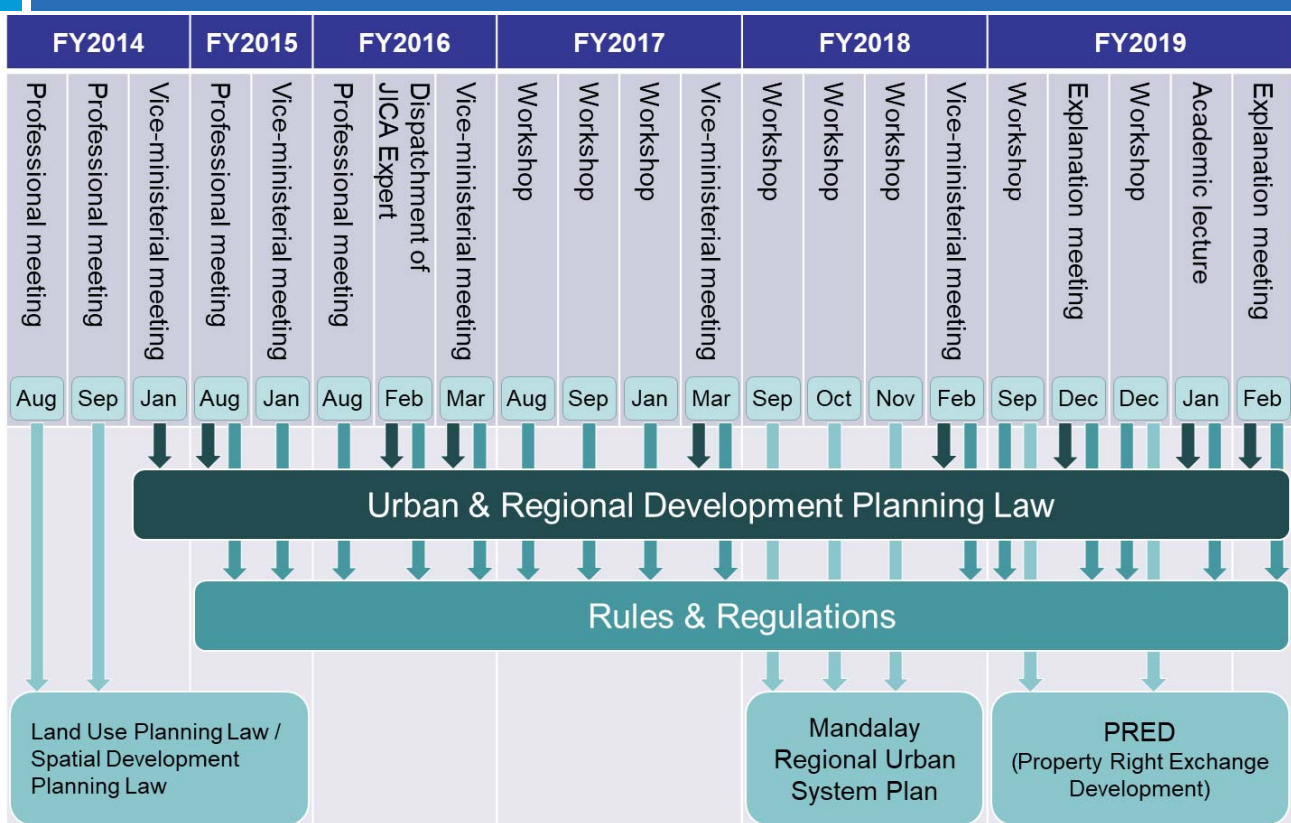
MLIT STUDY FOR ESTABLISHMENT OF URBAN AND REGIONAL DEVELOPMENT PLANNING LAW - FY 2019 -

March 2020

Ministry of Land, Infrastructure,
Transport and Tourism, Japan



Past Studies of MLIT and MOC



Objectives of the Study in FY 2019

The aim of the study is to provide support on urban development planning system construction and operation by providing technical assistance on the URDP law and legal systems on executing urban redevelopment, by achieving the following objectives.

1. **Follow up URDP law establishment** (Law, Rules and Regulation and others)
2. **Start discussion on development project implementation method** (ex, land readjustment and urban development)

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Key Events in the Study

	Follow-up on URDP law establishment	Discussion on PRED method
1 st Workshop (18-19 Sep 2019) @NPT	<ul style="list-style-type: none"> Review the current status of the law and "Rules and Regulations" 	<ul style="list-style-type: none"> Introduction guidance Group discussion on issues
Explanatory meeting No. 1 (11 th Dec 2019) @Yangon	<ul style="list-style-type: none"> Explain the law to Japanese companies operating in Myanmar 	
2 nd Workshop (12 th -13 th Dec 2019) @Yangon	<ul style="list-style-type: none"> Discuss and finalize the "Rules and Regulations" 	<ul style="list-style-type: none"> Guidance and group discussion on actual implementation methods
Urban Planning Lecture by Prof. Nakai (20 th -22 nd Jan 2020)@Yangon/NPT	<ul style="list-style-type: none"> Lecture on Japanese Urban Planning System 	
Explanatory meeting No. 2 (28 th Feb 2020) @Yangon	<ul style="list-style-type: none"> Explain the law to authorities in Yangon 	
Explanatory meeting No. 3 (3 rd March 2020) @Tokyo	<ul style="list-style-type: none"> Explain the law to Japanese companies in Tokyo 	

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Key Discussions

1st Workshop

Date/Time	18 th Sep 2019 13:30-16:30 19 th Sep 2019 13:30-16:30
Venue	Office (40) MOC, Nay Pyi Taw
Participants	DUHD, GAD, DALMS, UAGO, ECD, PD, FD (41 participants) MLIT team (8 participants)
Agenda	<p>[DAY 1]</p> <ol style="list-style-type: none"> 1. Sharing the outline of study in FY 2019 2. Reviewing current status of the law and discussion points of the rules and regulations <p>[DAY 2]</p> <ol style="list-style-type: none"> 1. Introducing PRED (property right exchange development) method 2. Wrap-up and way forwards



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Key Discussions

2st Workshop

Date/Time	12 th Dec 2019 10:00-16:30 13 th Dec 2019 10:00-16:30
Venue	Meeting Hall, DUHD Yangon
Participants	DUHD, MOALI, UAGO, YCDC, NCDC, MCEA, YTU (32 participants) MLIT team (11 participants)
Agenda	<p>[DAY 1]</p> <ol style="list-style-type: none"> 1. Reflecting ongoing practice of YCDC 2. Discussion on the roadmap of URDP law implementation 3. Discussion on rules and regulations <p>[DAY 2]</p> <ol style="list-style-type: none"> 1. Discussion on rules and regulations 2. Group discussion on PRED method 3. Wrap-up and way forwards



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Urban and Regional Development Planning Law - URDP Law -

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Expected Impact of URDP Law

- 1. Add Urban Policy Components into Spatial Planning**
- 2. Establish Database**
 - City Profile
 - Land Use
 - Socio-Economic Data and Atlas
 - Urban Infrastructure Services
- 3. Develop Urban Planning for City**
 - Develop GIS Mapping (Yangon, Mandalay, Major Cities, Secondary Cities)
 - Urban and Regional Development Planning Law & Regulations
 - Spatial Planning Platform / Networking
 - Spatial Analysis and Territorial Planning
 - Formation of Urban System Plan
- 4. Secure transparency in spatial planning and development permission**

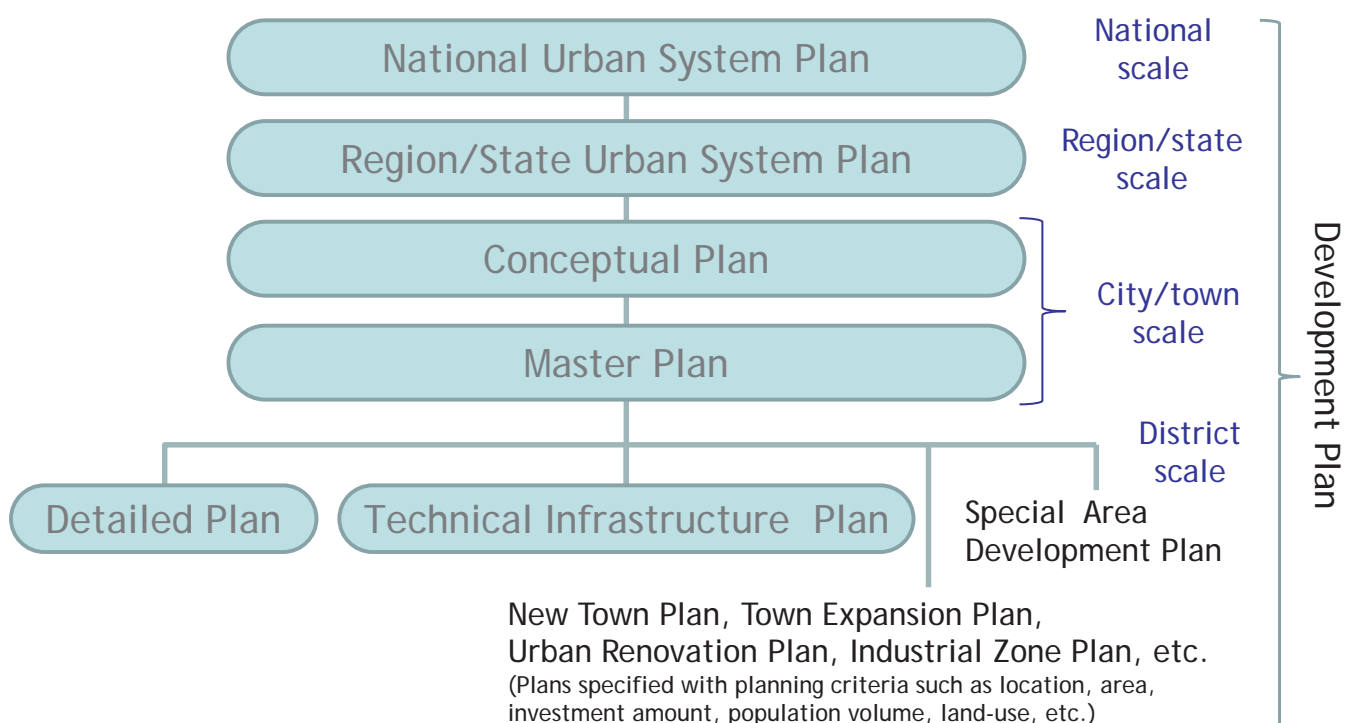
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The Structure of URDP Law

- The law consists of 17 chapters and 61 articles.
- It regulates responsibility of organizations, planning system, contents and approval process of development plans of nation-scale to district-scale, process of development permission etc.

1. Title and Definition
2. Objectives
3. Frameworks of Development Plan
4. Formation of Central Committee, its Functions and Duties
5. Formation of Regional Committee, its Functions and Duties
6. Functions and Duties of the Ministry
7. Classifying the Cities or Towns and Types of Development Plan
8. Formulating, Analyzing and Approving Development Plans
9. Review and Modification the Development Plans
10. Zoning and Changing Land use
11. Budget Resources
12. Receiving Development Permit and Implementation
13. Taking Action by management method
14. Appealing
15. Prohibitions
16. Offences and Penalties
17. Miscellaneous

The Planning System under URDP Law



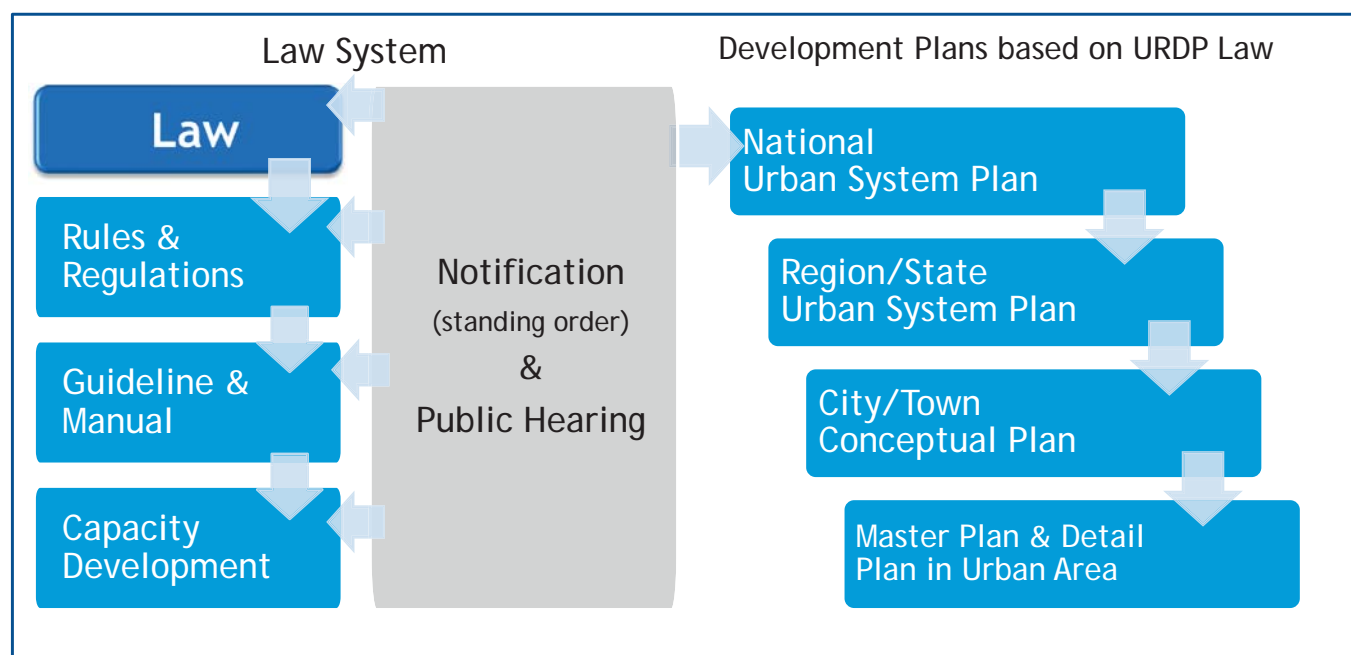
The Formulation / Analysis / Approval Process of Development Plans

Development Plan		Formulator	Analyzer (Committee)	Approver
National Urban System Plan		DUHD, MOC	Central	Union Government
Region/State Urban System Plan		DUHD, MOC	Central	Union Government
Conceptual Plan		CDC or DC	Region/State, Central	Union Government
Master Plan	Class a, b, c*	CDC or DC	Region/State, Central	Union Government
	Class d, e*	CDC or DC	Region/State	Region/State Hluttaw
Detailed Plan		CDC or DC	Region/State	Region/State Hluttaw
Technical Infrastructure Plan		CDC or DC	Region/State	Region/State Hluttaw

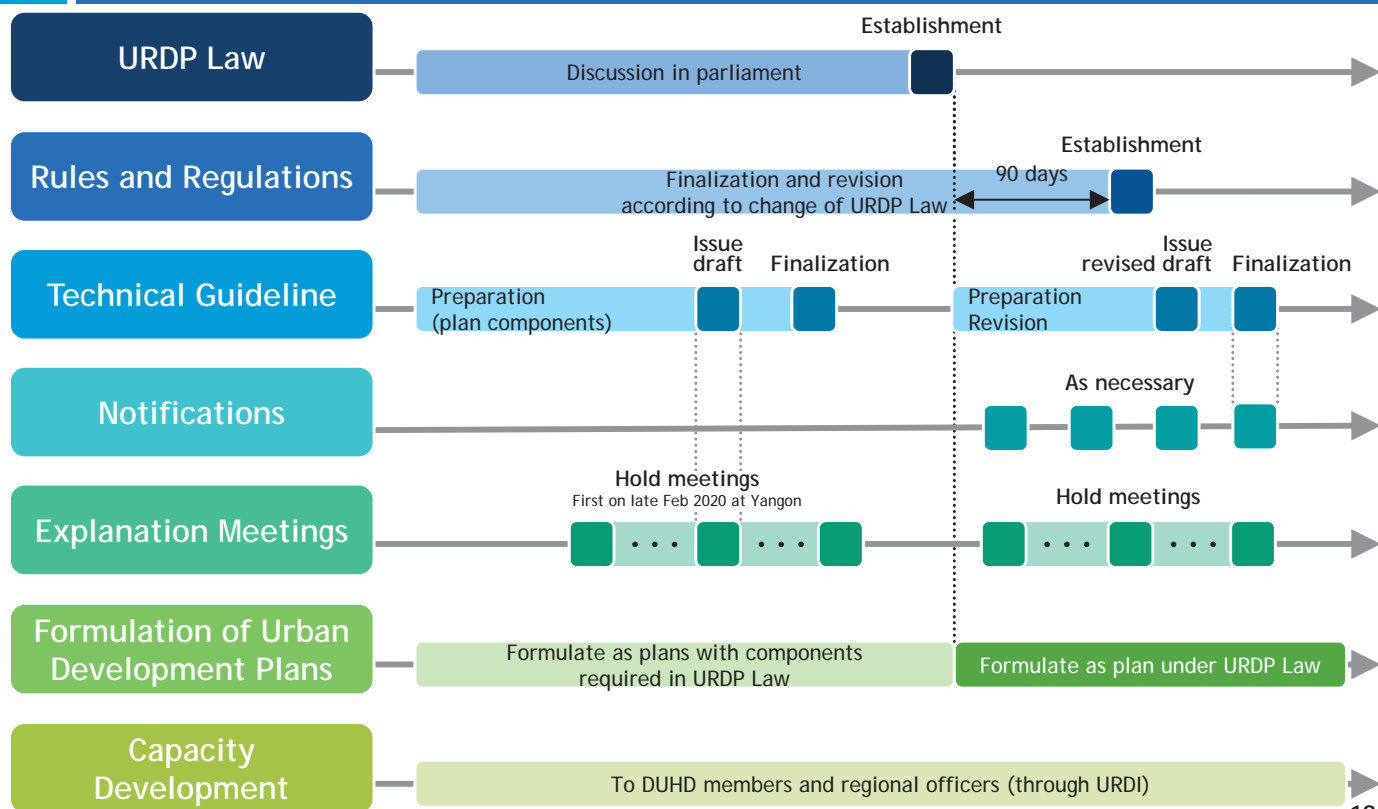
Cities and towns will be classified into a ~ e according to the index below

- (1) Location, urban activities, role, organization and socio-economic development status
- (2) Population
- (3) Population density
- (4) Employment status in non-agricultural activities
- (5) Natural resources availability and basic infrastructure development
- (6) Unique Characteristics

Overall Structure



Roadmap for Implementing URDP Law



Roadmap for Implementing the URDP Law Technical Guideline

- Several technical guidelines for regional officers need to be issued for the smooth implementation of the URDP Law.
- The technical guidelines shall describe detailed instruction and its meanings of the procedures that the URDP Law requires.

No.	Content	Remarks	Reference in URDP Law
1	Contents and Process of Formulating Development Plans	<ul style="list-style-type: none"> • Main part of URDP Law • May issue before establishment of URDP Law 	Article 15-21
2	Analysis & Approval Process of Development Plans		Article 22-32
3	Implementation of Zoning Regulations	<ul style="list-style-type: none"> • Need coordination with YCDC activities 	Article 37-39
4	Implementation of Development Permission	<ul style="list-style-type: none"> • Need coordination with YCDC activities 	Article 42-45

Roadmap for Implementing the URDP Law

Notifications

- Several notifications shall be notified by responsible authorities for the implementation of the URDP Law

No.	Content	Responsible Authority	Reference in URDP Law
1	Organization of the Central Committee	Union government	Article 5
2	Organization of the Urban and Regional Committee of Region or State	Central Committee	Article 7
3	Organization of the Urban and Regional Committee of Self-Administrated Division or Self-Administrated Zone	Central Committee	Article 8
4	Classification of towns	MOC	Article 11
5	Planning criteria of development plans under 13 (f)	MOC	Rules & Regulations Article 13

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Roadmap for Implementing the URDP Law

Explanation Meetings to Relevant Organizations

Explanation meetings shall be held to explain the key contents of the URDP Law to stakeholders

Where?

- In each region or state in Myanmar

To whom?

- Public officers (MOC, region/state government, CDC, DC)
- Private companies (related to urban planning, development, construction etc.)
- Academic/research institutes

What?

- Planning system of the URDP Law
- Required contents of eachh plans
- Required planning process of each plans
- Required zoning regulation implementation
- Required development permission process

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Result of Work and Discussion on URDP Law in FY2019

Reached output and understanding on;

1. Finalization of the rules and regulation of URDP law as of March 2019 version through discussions in the twice workshops and the explanation meeting for Yangon region.
2. Necessity of further understandings and detail discussion of URDP law and its rules and regulation among DUHD and relevant institutions, especially region/state governments.
3. Mutual understanding on a roadmap of URDP law, including provision of technical guidelines, issue of necessary notifications, hold of explanation meetings, capacity building (URDI improvement), etc.

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Property Right Exchange Development
- PRED -

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Activities on PRED (FY 2019)

1. MLIT's preliminary study on;

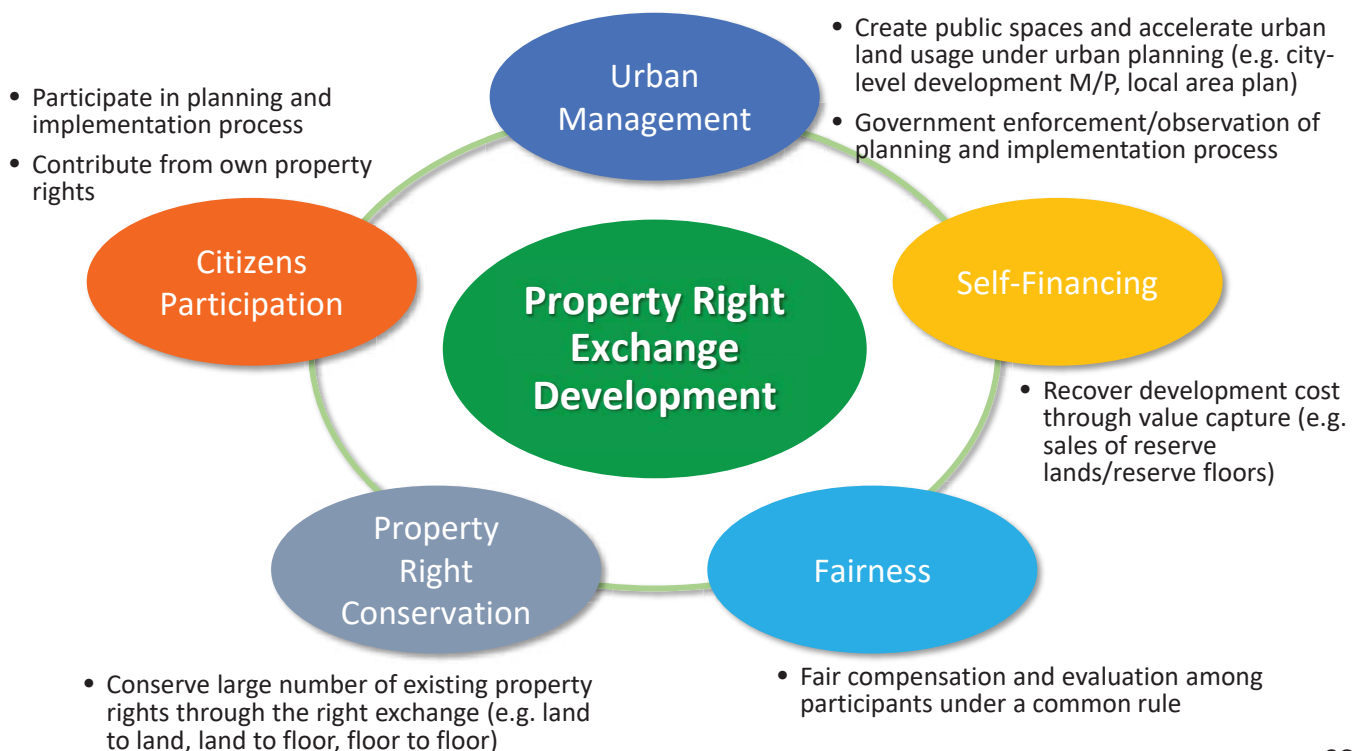
- Issue on current urban development method
- International practices of PRED
- Necessity and applicability on PRED in Myanmar
- Proposal of PRED system in Myanmar
 - Type of PRED, PRED concept, project framework, organization, process
- Proposal of legal framework of PRED in Myanmar
 - Urban Renovation Plan, R&R of URDP Law, DC/CDC R&R (bylaw) of PRED

2. Discussion series based on MLIT's study

- 1st Workshop in Nay Pyi Taw on 19th Sep. 2019
- 2nd Workshop in Yangon on 13rd Dec. 2019
- Technical meeting on legal system of PRED in Nay Pyi Taw and Yangon (YCDC on 17th Feb., DHUD on 18th Feb. 2020)

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Basic Concept of PRED



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Applicability of PRED in Myanmar

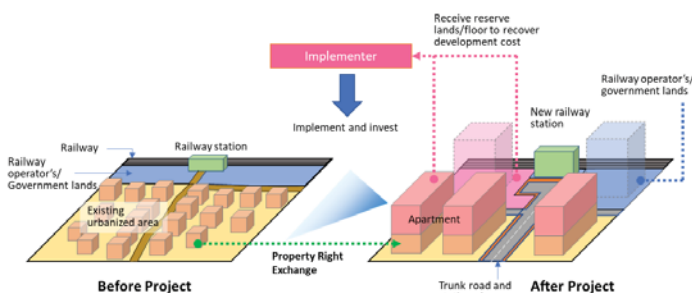
Key Viewpoints of Applicability

Development Fields	Property Situation	Possibility of self-financing	Applicability of PRED
CBD area redevelopment	A • Complicated property rights (incl. common use building)	B • High market price of real estate. However, high-rise development is not allowed in historical area. • Higher burden to secure building capacity for existing common use building	Fair
Sub-center development/ TOD	A • Complicated property rights • Need land reorganization for infra. development	A • High-rise development is allowed. • High land value increase is expected.	High
Government land redevelopment	A • Need land reorganization with surroundings (depending on the land situation)	A • High land value increase • Gov. lands can be used for development seed land.	High
New town development	C • Less difficulty of land acquisition	A • High and value increase	Low
Slum area/residential area improvement	A • Complicated property rights (However, there are inhabitants w/o property rights)	B • Depending on the location • Need to extra budget to provide public housing	Fair
Apartment Reconstruction	A • Complicated property rights	B • Depending location, but better in infrastructure accessibility • Higher burden to secure building capacity for existing common use building	Fair

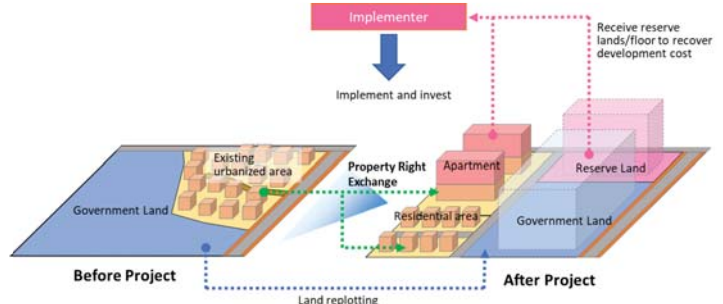
Index: A: Higher, B: Fair, C: Lower

Cases of PRED scheme in Myanmar

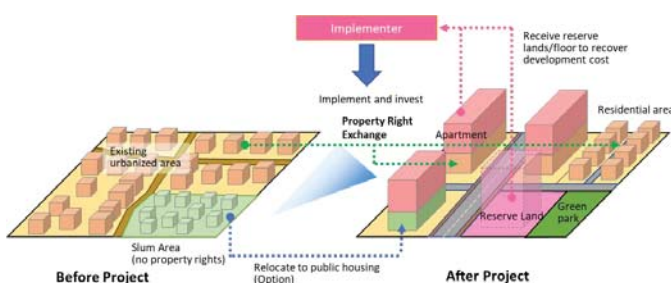
● Sub-center/TOD



● Government land redevelopment



● Residential area improvement



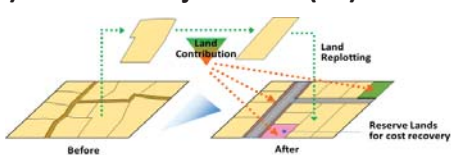
● Old Apartment Reconstruction



Types of PRED in Myanmar

General Category

1) Land Readjustment (LR)



2) Vertical Land Readjustment (VLR)



3) Integration with LR and VLR

4) Old Apartment Reconstruction



5) Land Sharing

Definition of PRED in Myanmar

General Definition: urban development project using property right exchange under urban renovation plan

1) Urban Renewal

- Exchange from land to land/ building unit/compensation
- Flexibly apply exchange method in the project based on project objective and participant demand

2) Old Apartment Reconstruction (OAR)

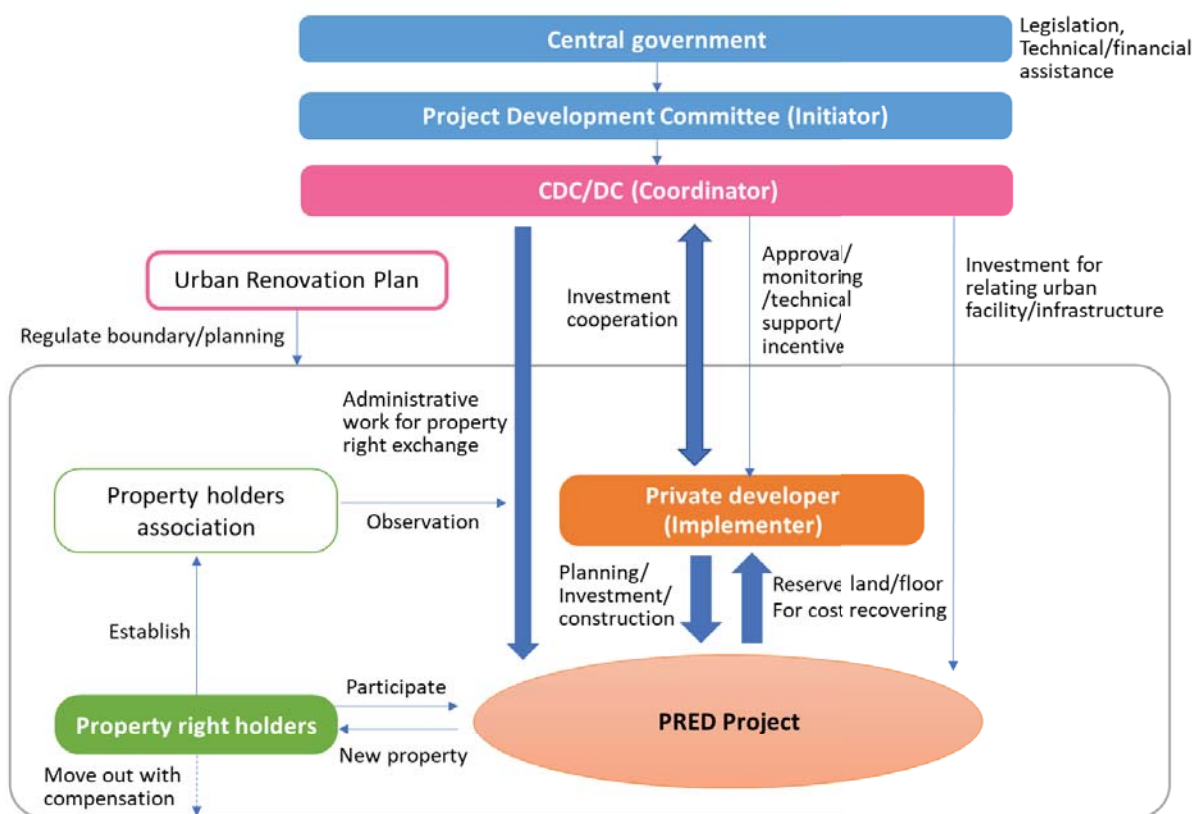
- Exchange from apt. unit to apt. unit/compensation

3) Land Sharing

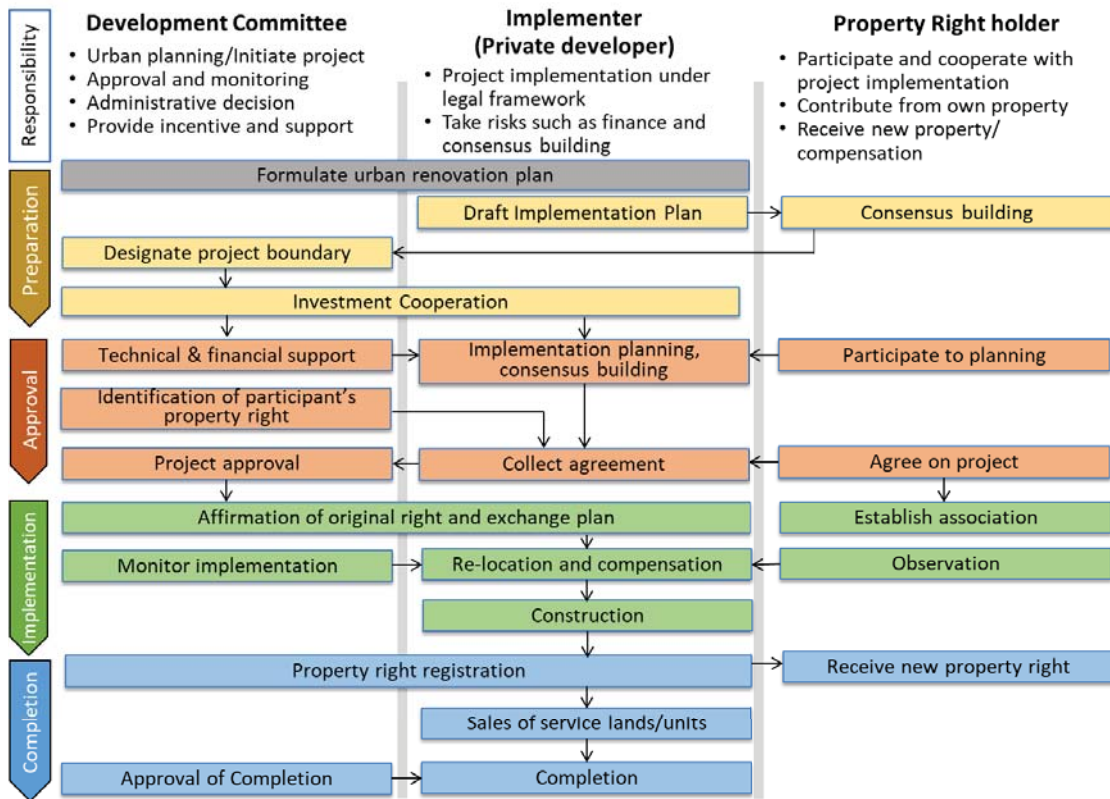
4) Integration with above method

Integrate

Role of Stakeholders in PRED Projects

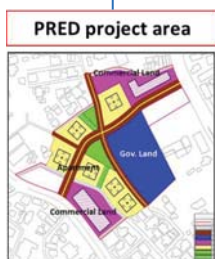


Implementation Process of PRED

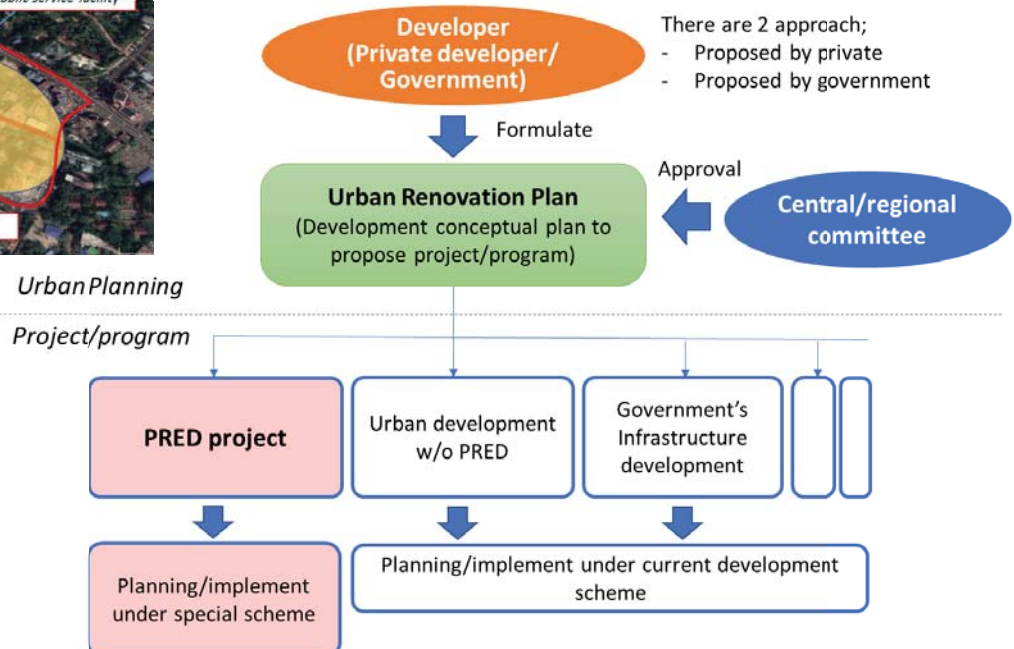


Overall Legal Framework of PRED in Myanmar

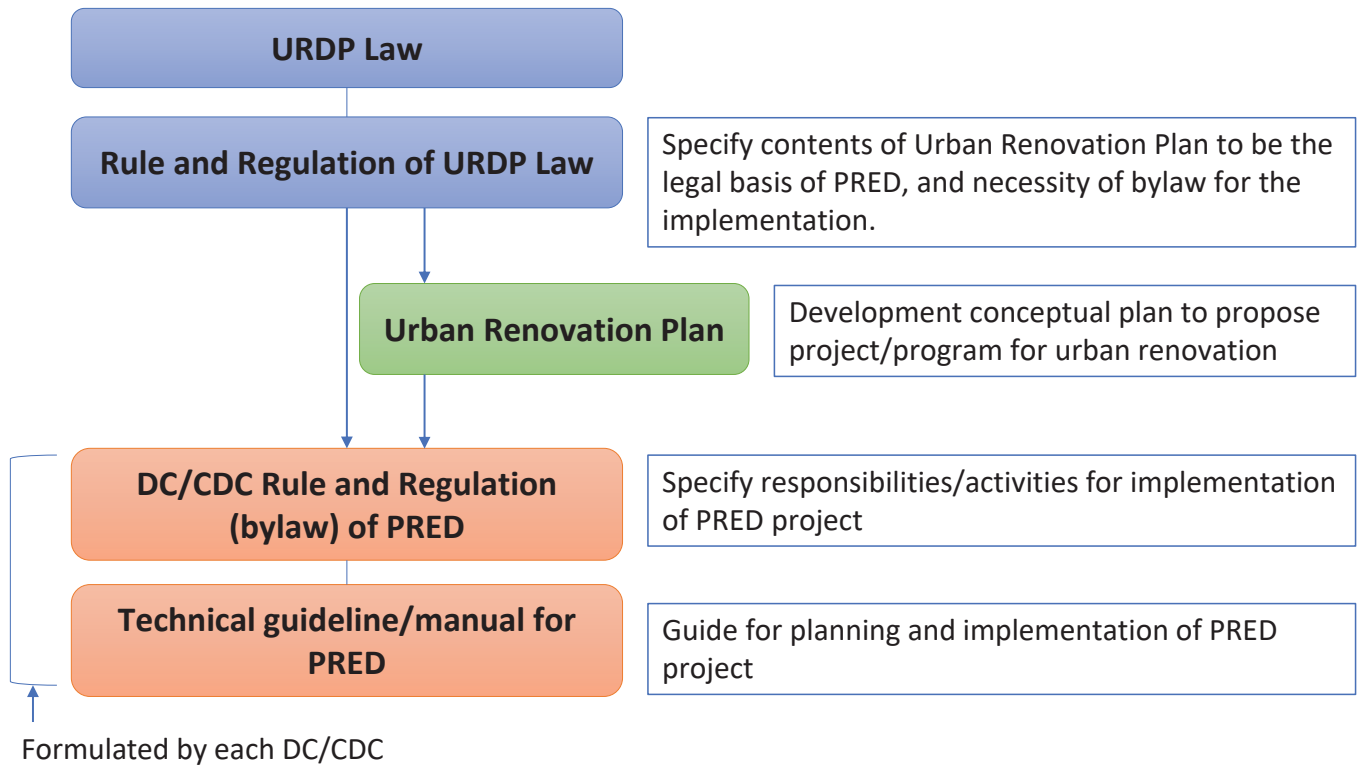
Urban Renovation Plan



Relation with Urban Renovation Plan and PRED project



Role and Function of Urban Renovation Plan



Result of Discussion on PRED in FY2019

Reached a common understanding on;

1. Necessity of PRED for various development purposes in Myanmar
2. Necessity of multiple types of PRED (e.g. land readjustment, vertical LR, apartment reconstruction, land sharing and the integration)
3. Necessity of legal framework to implement PRED in Myanmar
4. Role and function of Urban Renovation Plan as official basic urban plan for PRED
5. Draft R&R of URDP Law for Urban Renovation Plan and legal basis of PRED
6. Draft concept of CD/CDC's rule & regulation (bylaw) of PRED

Necessary Activities to Establish PRED

1. **Detail analysis of past practices of PRED in Yangon**
 - Analyze bottlenecks in procedure, role sharing, financing, right conversion planning, consensus building, etc.
2. **Selection of candidate sites to be applied with PRED**
 - Extract candidate sites by GIS database analysis with several layers such as government lands, poor urbanized area, high-potential area, public facility
3. **Model study of PRED in candidate sites**
 - Detail study for right conversion mechanism and the evaluation method by using topographical data, property right data, etc.
4. **Study on PRED implementation mechanism**
 - Detail study for implementer organization, stakeholder responsibility, implementation procedure, etc.
5. **Formulation of YCDC's rule and regulation (bylaw) of PRED**
6. **Formulation of government policy to promote PRED**
 - Basic policy of MOC and YCDC to apply and accelerate PRED for urban renovation
7. **Dissemination of PRED to public**
 - Promote PRED to stakeholder, citizens, private developer through public seminar/media (brochure, promotion video)