



Chapter

5

PLAN IMPLEMENTATION

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5.1 IMPLEMENTATION OF THE PLAN

The Detail Area Plan is intended to provide a framework for the process of development in Chittagong over the next ten years upto 2015. Some of this change will be taken up by CDA, however, much of it will not be initiated by CDA but the Plan will provide the mechanism through which CDA will manage the process of change through the development control system.

The Plan provides a framework of actions to be taken by various relevant agencies. However, by far the greatest share of resources will come from the private sector. The Plan wishes to encourage these investment decisions.

However, currently no organization has a local planning role. Besides, CDA and CCC, other agencies will have to play equally important roles if the objectives of the Plan are to be achieved. The National Housing Authority will complement the actions of CDA to meet essential housing needs. Decisions of the education and health departments will have to be coordinated with the Planning authority.

Currently no single authority has a local planning role. The city authorities (CDA and CCC) have little control on the pace of uncontrollable growth. Strengthening these organizations to undertake local planning functions, making legislative provisions for land development and area redevelopment and renewal, and establishing the role of development coordination is essential for implementing the Plan.

5.2 THE ROLE OF CDA AS A LOCAL PLANNING AUTHORITY

The current role of CDA is limited to undertaking a few road and site development (particularly residential areas) projects, and administrating the building control applications under the Building Rules framed under the East Bengal Building Construction Act 1953. It has no local planning role and has no interaction with the Local government body – the City Corporation.

Legislative Changes: The CMMP 1995, in the report, "Recommended Institutional and Legislative Changes" made recommendations for changes to the

CDA Ordinance such as to undertake both land and building control functions.

Institutional Changes: As reported, the institutional system has to be strengthened to undertake a) strategic planning, b) local planning, c) development control and e) investment planning.

To undertake Strategic and Local Planning and Development Control functions, the planning department of CDA has to be appropriately staffed to perform urban planning, development control and investment planning functions. Some 15 professional staff supported by technical staff has been recommended in the CMMP and this Plan supports this estimate. A Planning and Transportation Committee has been recommended to provide guidance to the development control department to deal with planning applications.

A Multi Sectoral Investment Programme (MSIP) needs to be introduced to undertake investment-planning programme. The two major functions of this programme is to prepare, monitor and review all investment proposals by all organizations (public and large private) and prioritize projects at the local level, through a technical secretariat. In doing so, it will aid the Planning Commission to makes investment decisions at the national level.

Development Coordination: The CMMP had proposed setting up of an independent coordination council to ensure coordination of project and development activities, with its secretariat with CDA. One major aspect should be to establish technical co ordination with the CCC regarding local area development, development promotion and control.

5.3 THE ROLE OF THE CHITTAGONG CITY CORPORATION (CCC)

Currently the CCC has no planning role. In the near future urban local government has to be empowered and strengthened to undertake local planning role while CDA prepares the strategic functions and acts as a referral body for major decisions on development control.

5.4 THE PLANNING AUTHORITY IN PARTNERSHIP WITH OTHER AGENCIES

Legislative provisions have to be in place for CDA and CCC to undertake area development projects with active assistance from other agencies and the private sector.

5.5 PUBLIC PRIVATE PARTNERSHIP - SUBSIDIARY DEVELOPMENT COMPANIES

To achieve orderly and efficient growth particularly in the fringe areas, at a faster pace, private companies may work along with the government agencies such as the CDA, CCC or NHA. Subsidiary development companies may be formed for the purpose. The provision to form one or more Subsidiary Development Companies have been recommended in the CMMP report on Legislative changes in the CDA Ordinance (CMMP 1995) which is as follows:

1. In the current CDA Ordinance section 3 the following new subsections has to be added, namely:
 - a. The Authority may if it considers it expedient so to do for the better performance of its duties under this Ordinance establish one or more subsidiary development companies for the purpose of undertaking any of its functions in connection with the preparation and implementation of specific schemes of development and improvement and may delegate to any such company any of its powers and functions in this respect under section 29 and subsequent sections of Chapter IV.
 - b. In the performance of any of the functions delegated to it by the Authority any such subsidiary development company shall be governed in all respects by the relevant provisions of this ordinance as if the functions were that of the Authority itself.
 - c. A subsidiary development company established under the foregoing subsection (3) may
 - 1) be wholly owned by the Authority
 - 2) be partly owned by the Authority and partly by the public through the issue of shares for sale; or
 - 3) be formed as a joint venture with one or

more private persons or privately incorporated bodies, or with another public authority;

Provided always that except with the approval of the Minister the ownership of the Authority in any such subsidiary company shall be not less than fifty-one percent."

5.6 LEGISLATIVE PROVISION ON LAND DEVELOPMENT TECHNIQUES:

A major urban problem is fragmentation of land into different shapes and sizes and building construction without adequate access or drainage facilities. The only alternative to achieve orderly development retaining the interests of the existing landowners is a system known as 'Land Readjustment' (LR). Other similar techniques consist have, 'Guided Land Development' where minimal change is anticipated or 'Land Sharing' which accommodates improvement to slums and squatters. In the inner city areas such as (Sadarghat, Reazuddin Bazaar, etc) urban redevelopment and renewal efforts have to be undertaken. A series of sites have been identified in the Plan for which a phased program should be carried out by CDA and CCC.

Through land readjustment process, in exchange of larger parcel of raw land, owners get back a smaller serviced plot of higher value. A portion of the land designated for commercial use is sold in the market to recoup costs of roads, urban amenities (parks and play grounds) and costs of overheads. Through land readjustment the following types of urban development projects may be initiated. Sprawl prevention, b) Newtown development, c) Urban rehabilitation, d) urban reconstruction and e) urban center development.

a) Statutory Provision: Participation of landowners is pivotal to the success of any such participatory schemes. Though voluntary participation has been successful; to use it as an effective tool legal enforcement is required. Therefore a provision may be made where consent of a certain percentage of landowners gives the local government or the planning authority to undertake land readjustment or other forms of urban redevelopment projects.

b) LR Bureau: Depending on how it is legally

administered, there may be a need to create an LR bureau at the national level to oversee LR activities, details of which has to be worked out by legal experts. The CDA/CCC will have to form a committee to ensure transparency. This will consist of government representatives, elected representatives, professionals, financial analysts and eminent citizens. Land owners representatives (may or may not) be included in the LR bureau but they will be the development committee for each project.

c) Process: The basic steps are note below:

- Willingness of a large number of landowners is often set as criteria for project selection but as LR process has not been demonstrated in the city development process, the city authority may select a project site. Once value addition is demonstrated to land owners, voluntary selection will become the criteria. Thus a preliminary site has to be identified. Number of *landowners* may vary from 20 to 200 or more.
- Identification of a parcel of land should be based on certain parameters such as easy access to the existing urban road network, scope of infill development, potential of land to increase in value to a lager extent.
- Land owners meeting and subsequent redefinition of project boundary
- Project planning
- Setting up of consultant committee consisting of landowner representatives, planners, representatives from other government utility organizations, Local government representatives including ward commissioners.
- Plotting and re-plotting and setting number of land parcels (this process will be repetitive subject to acceptance by majority of land owners whose opinion will be sought)
- Lease / disposal of financial / commercial plot/s
- Project construction
- Registration and title deed through the estate and legal department of CDA or CCC which ever initiates the project.

Initial financial support may be provided by the national or local government. LR fund may be created by the government CDA/ CCC.

Land Sharing: Land sharing technique may be applied for granting land tenure or to improve the housing conditions in slums. The principle of land sharing requires that part of the land area is cleared for commercial properties and the slum dwellers are re-housed on the remaining land. Infilling may be required where feasible. Existing structures have to be rebuilt to increase density. Active community participation is required to negotiate, allocate, demolish or rebuild structures. The marketing of commercial properties should generate sufficient funds for cost recovery.

The share of commercial property to rehabilitated slum area will in principal be 50% but other variations are possible depending on resettlement demands and value of commercial property.

The steps taken for community participation are as follows: a) identification of benefice community members b) selection of community leaders and allocation of responsibilities c) negotiation with actual land owners d) agreement on layout and house design e) allocation of plots among households, f) agreement on contracts for loans, land tenure g) organization of construction work h) clearing of site and erection of temporary shelters i) house building through own initiative j) settlement of disputes (if any) k) initiation of community development activities.

For cost recovery six conditions must be met: a) a good price must be negotiated for land b) The peoples willingness to pay must be maximized c) cost of construction must be controlled d) commercial properties must be effectively marketed e) subsidies must be minimized and cross subsidies must be maximized.

The National Housing Authority and the CDA and CCC should support slum reconstruction. Large development companies may be motivated to actively take part in slum renewal projects on a non profit basis as part of corporate social responsibility (CSR). In awarding large public sector projects, favorable consideration may be given on the basis of undertaking certain amount of renewal work in slums and squatters.

Land Banking: The simplest and direct measure of financial feasibility is to buy lands in advance of development particularly by CDA /CCC / NHA. It

would purchase, hold manage, trade and sell land for the purpose of providing low cost housing in Chittagong and other essential urban projects. Joint ventures with the private sector may be undertaken to encourage private sector low income housing development. Land held in the bank should be put to productive use in the interim period. Unique revenue sources may be created to reduce dependence on government funds. Legal experts have framed the requisite legal provisions.

5.7 FURTHER LEGAL SUPPORTING DOCUMENTS AND LEGISLATIVE PROVISIONS

The following sections provide some legislative provisions that have to be made to affect planned growth and implement plans at the local level.

Control on Land Development and Land Subdivision: Currently there is no control on actions on land particularly urban area. Urban or urbanizing land can be subdivided into plots and roads laid out at will. This practice compromises the ability for planned growth through provision of adequate infrastructure and urban amenities. Any operations on, under and over land, including subdivision of land should be construed as 'development' and as such appropriate control process has to be established. A planning or development control mechanism will be established which is separate from the current building construction control. The proposed changes to the CDA ordinance and the Urban Development Plan refer to these issues.

Coordination on lease of land: The District Commissioners Office gives Lease of Government Khas land. This is done without any reference to the Master Plan or development control guidance or coordination with the planning authority (currently CDA). Housing companies have been given lease of land in the hills in contravention to the Use control. Brickfields are given site with little or no consideration or environmental protective guidance. This has led to massive abuse of the hilly ecosystem. Coordination with the planning authority has to be made prior to lease of land for any particular use to ensure compatibility.

Building Rules: The current Building Rules are inadequate to protect the urban environment. Mandatory provision of open space, permissible floor

area as defined by FAR (floor area ratio) conservation of heritage buildings are some of the important aspects that need to be incorporated.

Culture and Heritage: Statutory provision of conserving and preserving cultural and heritage building and sites has to be made and rules have to be formulated for cultural and heritage conservation. In the interim period a heritage committee may be formed consisting distinguished personalities from society with interest in arts, crafts and culture, eminent historians, urban planners and designers and architects, academicians with interest in city development along with elected representatives and the government. The Authority will assign an architect and urban planner with this responsibility.

Leisure Recreation and Open Space: Further to the policies, individual and local area provision this sector listed is measures to generate funds for implementing this category of use at a wider scale.

5.8 IMPLEMENTATION OF PLAN PROPOSALS:

It is important that a single authority should hold the responsibility of all planning functions. In this respect CDA is the appropriate authority to handle all planning functions because of its past experience, rich database experience of the relevant professionals. According to government rule all land acquisitions within CDA jurisdiction have to be passed through CDA. This is important for maintaining compatibility of proposed developments with the DAP provision. The Building Construction Rules of 1996 (Section 18, EBBC Act 1952) make it mandatory for taking approval from CDA for construction of any private or public buildings within the jurisdiction of CDA. But the rules are not fully adhered by all organizations. It is suggested that each and every agency should seek CDA approval for construction of any of their establishments. It is expected that government agencies, the general public will have little respect for them. In that case the plan will gradually lose its validity as a statutory document.

The actual execution of the DAP proposals will be the responsibilities of many different agencies belonging to different ministries. Many projects will be executed by CDA itself and many others will rest on private agencies or individuals. However, the speed and extent of execution of proposals by public sector agencies including CDA will depend on the amount

of fund made available for development schemes and approval of using their own resources for project implementation. It would be extremely difficult to procure this fund. Therefore, CDA should try to emphasize on participatory approach. The government must recognize that planning is an integral part of government administration. It should

not be expected that planned development would highly remunerative in the immediate future, but it is sure that execution of development proposals, in the long run, handsome dividends in the form of improved health and happiness of the citizens and increased efficiency in living and working.

Table 5.1: *Project wise implementation responsibility and possible sources of fund*

Type of Project	Implementation Agencies	Sources of Fund
<u>Residential</u>		
<ul style="list-style-type: none"> • Site and services projects • Public Housing • Participatory housing area development • Private Housing • Co-operative Housing 	<ul style="list-style-type: none"> • Public Sector- CDA, NHA • Public Sector- PWD, NHA • Public- Community Joint • Real Estate Company • Co-operative Body 	<ul style="list-style-type: none"> • Self Finance • Government Finance • Community, Public (Infrastructure development), • Real Estate Company, • Co-operative Body
<u>Commerce</u>		
<ul style="list-style-type: none"> • Private Business Enterprise • Town Centre • Shopping Centre 	<ul style="list-style-type: none"> • Company/Proprietor • CDA/CCC • CDA/CCC 	<ul style="list-style-type: none"> • Company/Proprietor • CDA/CCC • CDA/CCC
<u>Industry</u>		
<ul style="list-style-type: none"> • Industrial Area • Export Processing Zone 	<ul style="list-style-type: none"> • CDA/ • BEPZA/Ministry of Industry 	<ul style="list-style-type: none"> • CDA/ • Ministry of Industry
<u>Education</u>		
<ul style="list-style-type: none"> • School, College • IT Village 	<ul style="list-style-type: none"> • Ministry of Education • Ministry of Science & Technology • Ministry of Industry 	<ul style="list-style-type: none"> • Government, Community • Government-Community • Joint Government
<u>Community Facility</u>		
<ul style="list-style-type: none"> • Park, Stadium, Playground • Graveyard and religious • Culture and Heritage 	<ul style="list-style-type: none"> • CDA/CCC/Paurashava/District and National, Divisional Sports Council 	<ul style="list-style-type: none"> • Government/CDA/CCC
<u>Utility Services</u>		
<ul style="list-style-type: none"> • Water supply and Drainage • Gas Supply • Electricity Supply • Solid Waste Disposal • Telecommunication • Post Office • Fire Station 	<ul style="list-style-type: none"> • CWASA/CCC • Bakhrabad Gas system Ltd. • Power Development Board (PDB) • CCC • BTTB • Postal Department • Chittagong Fire services and Civil Defiance Authority 	<ul style="list-style-type: none"> • Government/CDA/CCC

The most important aspect of such development decision is that the plans are very much time bound. If the proposals are not executed in time they will lose their viability in future. Over the time the proposals will turn obsolete or execution. Besides it would be very difficult to find vacant land for physical development in future, which would mean continuation of unplanned and haphazard development deterioration urban physical and social environment. More liberal policies should be adopted by the government to allow agencies like CDA to use its own resources for execution development schemes.

The *Table-5.1* contains recommendations on development project wise implementation responsibility and possible sources of funding.