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REGULATORY AND GOVERNANCE ISSUES IN CONTROLLING URBAN DEVELOPMENT IN THE BANGKOK METROPOLITAN RE

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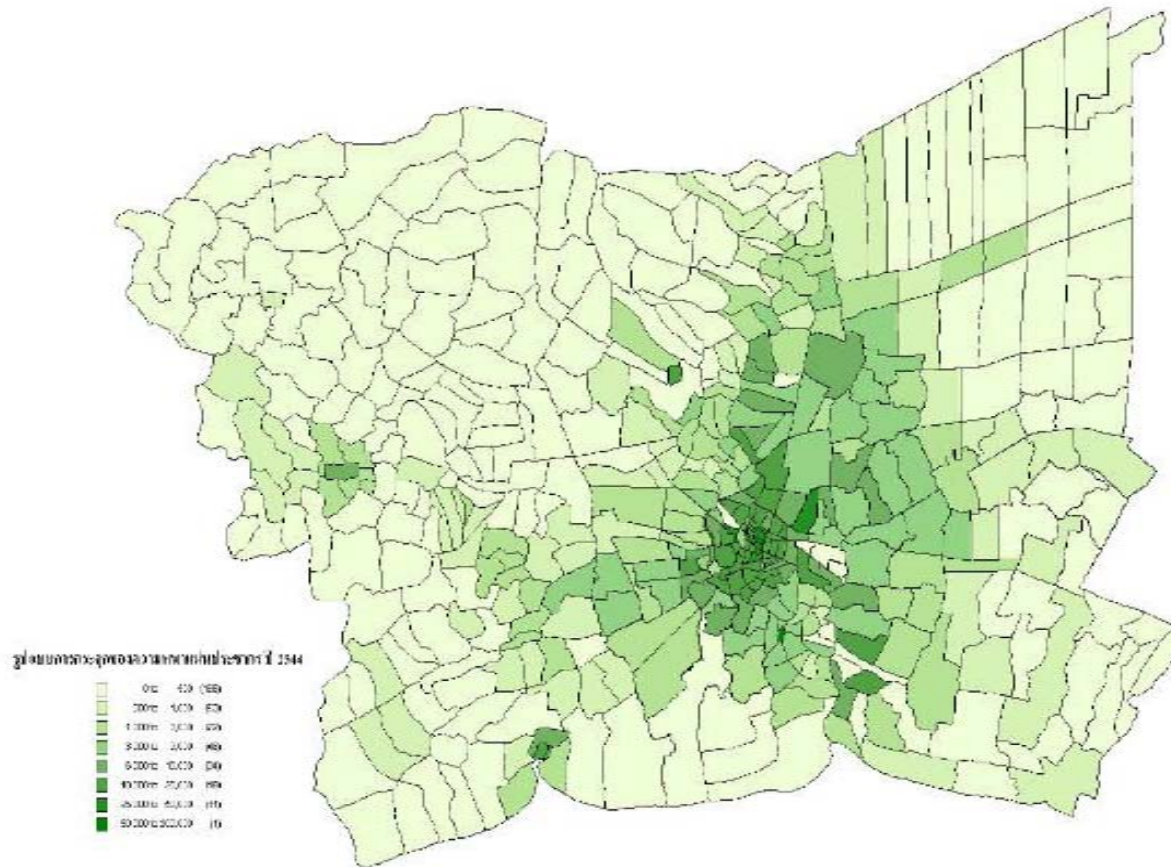
Main points

- regulatory and governance inadequacies render ineffective the existing development control, which in turn affects sustainability
- decentralization and government downsizing make it even more difficult to plan and control at the regional level

Bangkok Metropolitan Region (BMR)

- BMR includes the Bangkok Metropolitan Administration (BMA) and 6 other provinces
- Facing the usual sustainability problems
 - loss of agricultural land
 - degradation of the natural environment and biodiversity
 - decreasing social cohesion in old communities
 - environmental and infrastructure justice

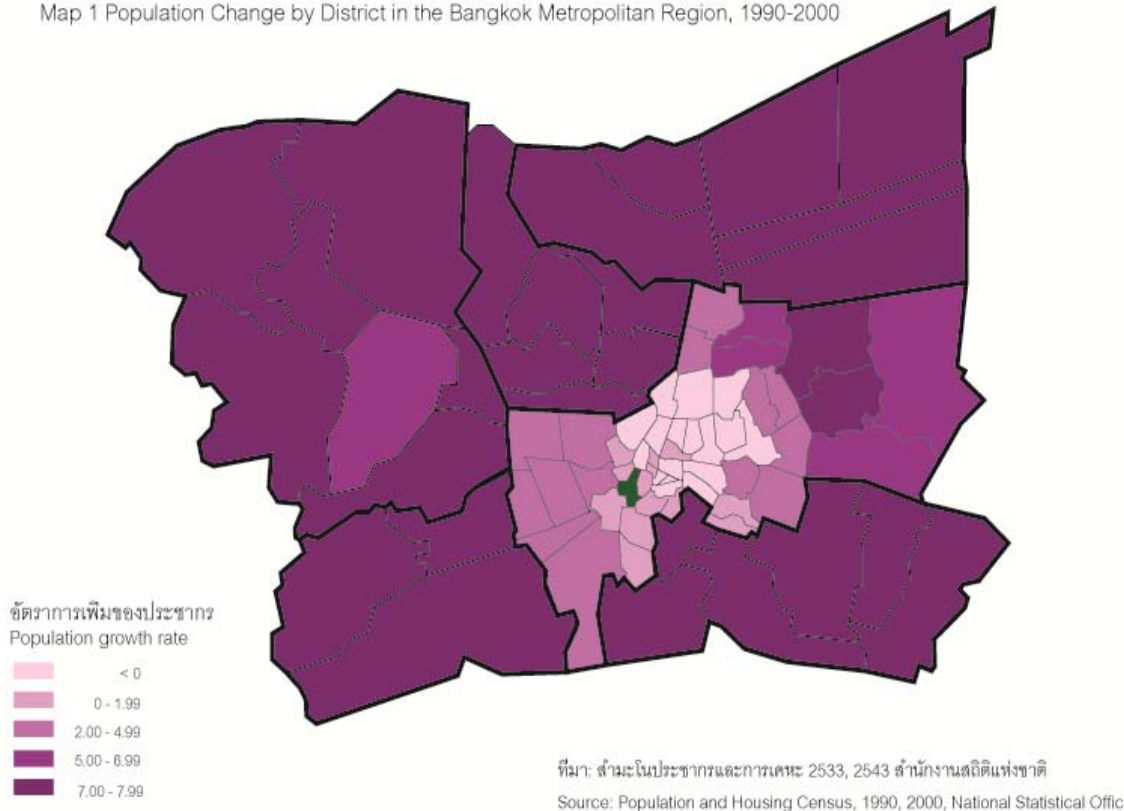
Central areas still have higher densities



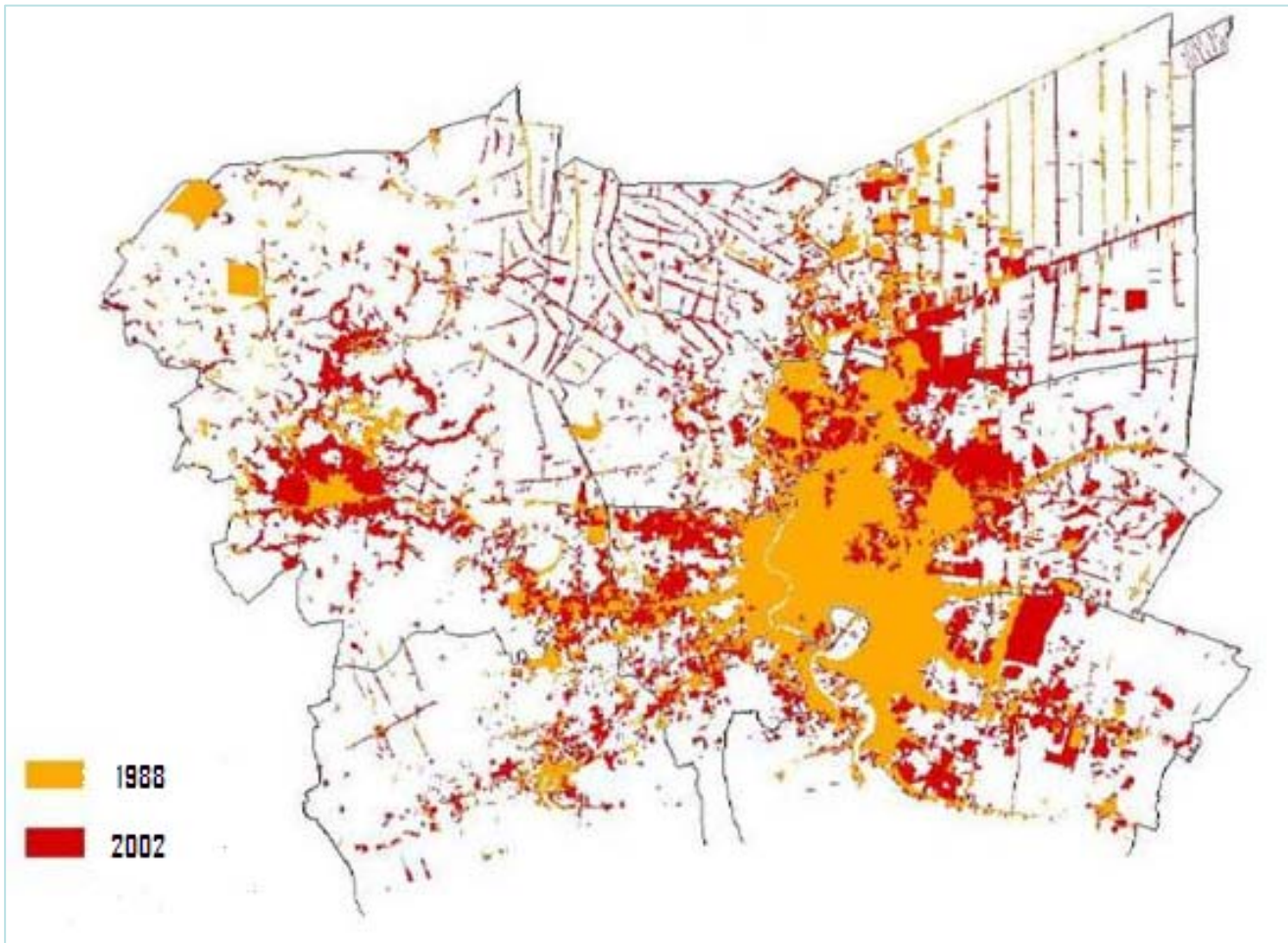
But higher growth rates in the burbs & beyond

แผนที่ 1 การเปลี่ยนแปลงจำนวนประชากรรายเขตและอำเภอในกรุงเทพมหานครและปริมณฑล 2533-2543

Map 1 Population Change by District in the Bangkok Metropolitan Region, 1990-2000



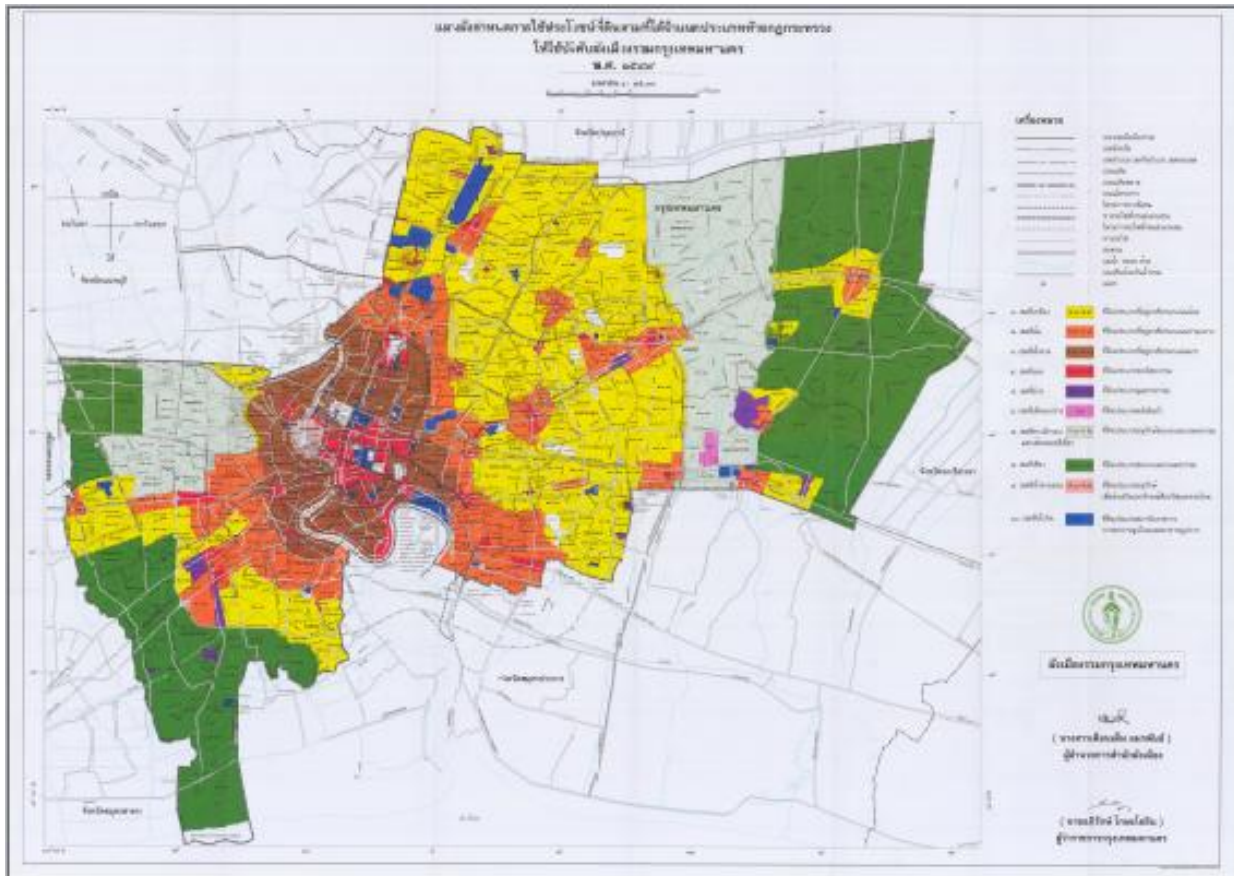
Built-up area continues to expand outward



Why can't we control urban development?

- Regulatory inadequacies
 - Land-use regulations in Comprehensive Plans
 - Subdivision controls, building codes, etc.
- Governance issues
 - Government structure
 - Intra-governmental relationships
 - Accountability and transparency

Improper use of future land-use map as zoning map



The scale is too crude (1:75,000), making it difficult to regulate.

Problems with bulk controls

- No bulk controls (FAR, OSR) in Comprehensive Plans until 2006
 - but still only in the BMA Comprehensive Plan
 - existing density requirements are not realistic
- Bulk controls in other laws are not area-specific
 - BCR & setbacks regulated by building type not area
- Land subdivision law is not area-specific
 - No minimum lot size required for each zone in the current Comprehensive Plans

Expectations don't meet reality

Density types	Floor Area Ratio	Building Coverage Ratio	Open Space Ratio
Land-use types			
Residential	0.6 - 12	30 - 67	5 - 67
Commercial	1 - 15	59 - 78	5 - 24
Industrial	0.6 - 2	37 - 70	18 - 104
Agricultural	0.005 – 0.8	0.4 - 39	90 - 18784
Governmental	0.6 – 0.9	17 - 40	68 - 130

The current FAR allowed for agricultural zones is as high as 1.5...

Confusing permission of secondary uses

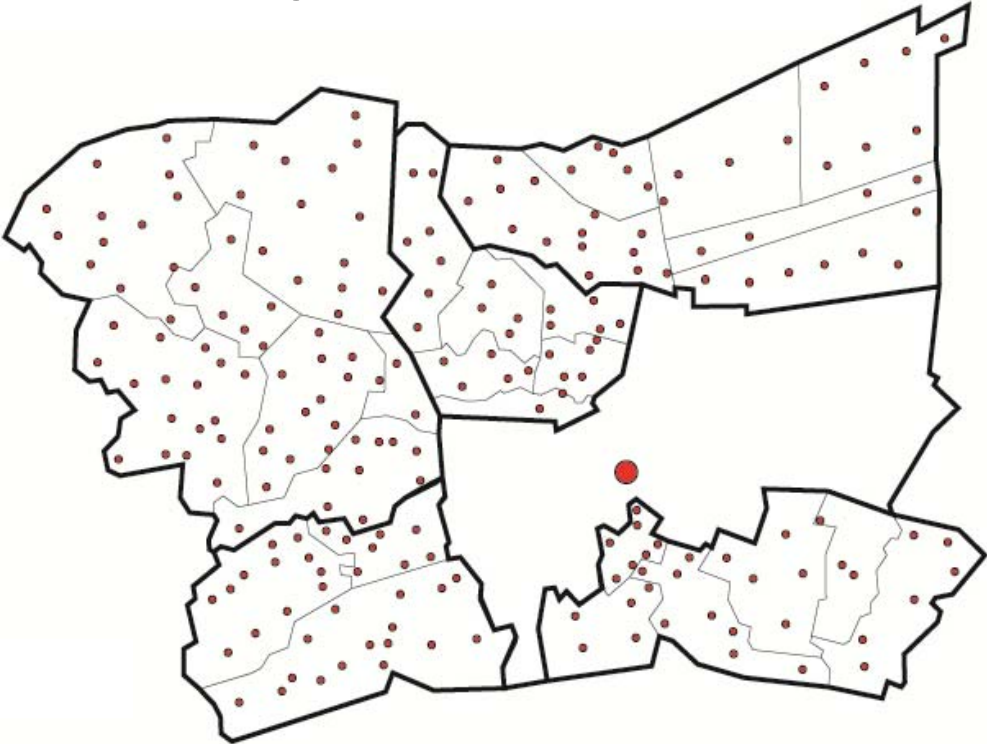
- Comprehensive Plans permit 5-10% of “other” uses in each block
 - manifests the long-lasting confusion among Thai planners as to what a land-use regulation is supposed to control: Non-conforming uses!
 - This “flexibility” creates huge burden on planners and unfairness among developers

Governance: changing planning contexts

- Decentralization
 - Each local administration is now legally allowed to draft a comprehensive plan
 - Central government is transferring planning functions to local governments
- Government downsizing
 - Fewer newly-hired public planners in the central government

Everybody is now allowed to plan...

Locations of local governments in the BMR

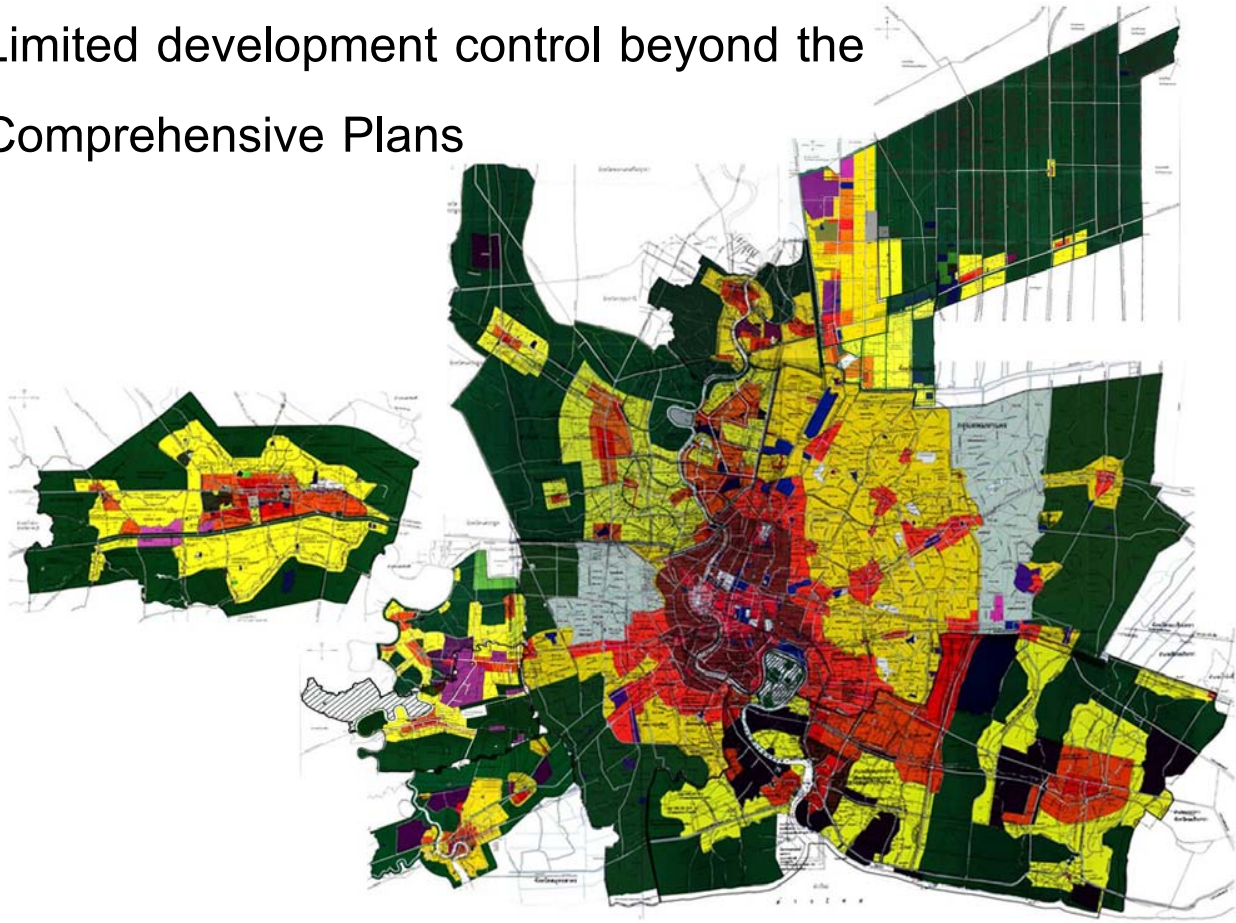


Regional planning... or the lack thereof

- Too many regional plans and committees
 - NESDB, DPT, Regional Planning Committee, etc.
 - Whose regional plan to use?
- Regional planning without implementation
 - No administrative and legal requirements for local cities to follow the regional plans

But the control doesn't follow suit...

Limited development control beyond the Comprehensive Plans



Overlapping/ disjointed responsibilities

- No connection b/w strategic and spatial planning
 - Two different agencies within the BMA: One for strategic plan, the other Comprehensive Plan.
They don't work together
- No public participation required for the strategic planning process, but required for the “physical” comprehensive plan

Planning by consultants

- Local governments don't have planners
 - Ended up hiring private consultants
 - Even planning departments now hire planning consultants to do the work
- Accountability, transparency, and capability-building issues
- Limited role of non-governmental and grassroots groups dealing with urban-fringe issues

Unfavorable conditions for institutional cooperation

- Inter-governmental cooperation is now ad hoc
 - Flood mitigation (not even prevention)
- Joint provision of infra services is difficult
 - local government can't use its budget funds outside its territory
- No legal provisions or ministerial guidelines as to how local governments could establish inter-local cooperation

Concluding remarks

- Decentralization & gov't downsizing make it more difficult to plan regionally
- Institutional and legal changes are needed
- Key challenges:
 - Political leadership that effects policy/institutional changes for sustainability
 - How quickly and well we can produce planners (esp. who know law and economics)