


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



23 JUN 19 P2:08

SENATE
S. No. 2280

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
PROVIDING FOR THE DEVELOPMENT OF SUSTAINABLE CITIES AND
COMMUNITIES IN THE COUNTRY

EXPLANATORY NOTE

The Philippines is among the Member States who adopted in 2015 the 2030 Agenda for Sustainable Development, which is composed of seventeen (17) Sustainable Development Goals (SDGs) as a universal and interconnected plan of action to end poverty and hunger, restore the health of ecosystems, and ensure a better future and improved quality of life for all.

Included in the aforementioned goals is SDG 11 which about making cities and human settlements inclusive, safe, resilient and sustainable. It recognizes the fact that majority of the world's population live in cities, and estimates that in three decades, 7 out of 10 people will live in urban areas.

The same situation holds true at the domestic front. According to the Philippine Statistics Authority (PSA), 54% of the country's 109.03 million population or equivalent to 58.93 million lived in urban barangays in 2020. The figure showed an increase of 7.20 million persons from the 51.73 million urban residents in 2015¹.

¹ "Urban Population of the Philippines (2020 Census of Population and Housing)." July 5, 2022.
<https://psa.gov.ph/content/urban-population-philippines-2020-census-population-and-housing>

Out of the 42,046 barangays in the Philippines in 2020, only 7,957 barangays or 18.9% were classified as urban. The number is higher compared to the 7,437 urban barangays recorded in 2015. Moreover, the urban population increased at an average of 2.8 percent annually during the period 2015 to 2020 (which is lower than the 4.1% average annual urban population growth rate from 2010-2015)².

The congestion brought about by the concentration of individuals and families in metropolitan centers and capital cities causes a host of problems such as unequal access to basic services and public utilities, rise in criminality, degradation of the environment, and increased vulnerability of the marginalized sectors.

This proposed measure aims to provide a framework for the development of sustainable cities and communities, taking into account the aspects of cultural diversity, disaster resilience and climate change adaptation, urban mobility and connectivity, among others. It also tasks the Department of Human Settlements and Urban Development (DHSUD) to harmonize existing national housing and urban development plans with the general principles provided herein.

Considering the “stagnating” trend shown by the country with respect to attaining SDG 11 and its “decreasing scores” in the two main indicators (namely, Proportion of urban population living in slums and Satisfaction with public transport)³, a piece of legislation that would turn the situation around is much needed.

The immediate passage of this legislation is earnestly sought.



JINGGOY EJERCITO ESTRADA

² Ibid.


³ <https://dashboards.sdgindeX.org/profiles/philippines/indicators>. Accessed June 06, 2023.

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

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

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

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

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

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

- 14 a) Inclusive urban circular economy which creates decent jobs with fair wages;
15 supports entrepreneurship, creativity and innovation; ensures safe and non-
16 discriminatory working environments; and promotes resource-efficient
17 industries and consumption;
- 18 b) Spatial justice which promotes multiple use of land to prevent forced
19 evictions, displacement, marginalization, and gentrification; and ensures
20 that urban development provides vulnerable and marginalized sectors the
21 access to safe, adequate, and affordable housing under different tenurial
22 arrangements, giving priority to on-site resettlement, as well as universal
23 healthcare, accessible education, adequate infrastructures, sustainable
24 livelihoods, food security and nutrition; and safe and inclusive public spaces
25 that foster social cohesion;
- 26 c) Urban renewal which includes slum upgrading to improve housing,
27 infrastructures and services; urban greening, including the promotion of
28 urban agriculture for food security and communal wellness; and the
29 development of inclusive, safe, accessible and enjoyable open spaces and
30 parks;
- 31 d) Urban mobility and connectivity which provides for inclusive, safe,
32 accessible, affordable, efficient and sustainable public transportation

1 through the development of adequate transportation infrastructures,
2 utilities and intermodal transportation systems, including non-motorized
3 modes of transportation to strengthen global and urban-rural linkages and
4 management;

5 e) Digital connectivity through the establishment and maintenance of
6 information and communications technology (ICT) infrastructure and fast,
7 secure, stable, and affordable internet connectivity to strengthen global and
8 urban-rural linkages;

9 f) Urban safety which ensures freedom of all persons, regardless of gender,
10 age, health status, income, nationality, ethnicity, and political, religious or
11 sexual orientation from crimes and all forms of violence and discrimination
12 in the workplace and public spaces;

13 g) Ecological balance which requires the sustainable management of natural
14 resources; protection and conservation of biodiversity, natural ecosystems
15 and landscapes; proper waste management and sanitation; provision of
16 green infrastructures; and the development and use of renewable energy
17 sources in transportation, industry and households to reduce carbon
18 footprint and improve water and air quality;

19 h) Disaster resilience and climate change adaptation by capacitating urban
20 areas to adapt to and manage threats and risks posed by climate change
21 and disasters upon the citizenry, especially vulnerable groups, and to
22 facilitate post-disaster rehabilitation and recovery;

23 i) Cultural diversity which respects, protects, and promotes the diverse
24 livelihoods, customs, memory, identities, expressions, and sociocultural
25 norms of its inhabitants; the preservation of tangible cultural heritage, such
26 as artistic creations, historical sites and monuments; and safeguards
27 intangible cultural heritage, such as oral traditions, performing arts,
28 indigenous knowledge and traditional skills, as well as instruments, objects,
29 artifacts and cultural spaces associated therewith;

30 j) Participatory urban governance which involves political participation in the
31 formulation, implementation, and monitoring of urban policies, and the
32 budgeting or urban programs to promote transparency, effectiveness, and

1 inclusiveness in the engagement of a diverse set of inhabitants and their
2 organizations, especially of urban poor and marginalized groups, upholding
3 communal spirit and supporting community-building; and

- 4 k) Alignment of economic, social and environmental policies between and
5 among national, regional, city and municipal government units, facilitating
6 the achievement of the goals of each unit.

7 The Department of Human Settlements and Urban Development (DHSUD), in
8 consultation with relevant government agencies, local government units, civil society
9 organizations, the private sector and the academe, within one hundred eighty (180)
10 days from the effectivity of this Act, shall harmonize existing national housing and
11 urban development plans with this Act and formulate, in coordination with the
12 Department of the Interior and Local Government (DILG), the National Economic and
13 Development Authority (NEDA), and the PSA, a National Housing and Urban
14 Development Sector Plan (NHUDSP) to operationalize the goals of this Act, taking into
15 consideration the unique and evolving economic, social and institutional contexts of
16 the country.

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

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

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

- 28 a) Urban population living in slums – measured in terms of proportion of urban
29 population living in slums, informal settlements or inadequate housing;
30 b) Public transport access – measured in terms of proportion of population that
31 has convenient access to public transport, by sex, age, income group, and
32 persons with disability;

- 1 c) Sustainable urbanization rates – measured in terms of ratio of land
2 consumption rate to population growth rate;
- 3 d) Urban planning and management – measured in terms of proportion of cities
4 with a direct participation structure of civil society in urban planning and
5 management that operate regularly and democratically;
- 6 e) Protecting cultural heritage – measured in terms of total public and private
7 expenditure per capita spent on the preservation, protection and
8 conservation of all cultural and natural heritage;
- 9 f) Deaths and injuries from disasters – measured in terms of number of
10 deaths, missing persons and directly affected persons attributed to disasters
11 per 100,000 population;
- 12 g) Economic losses from disasters – measured in terms of direct economic loss
13 in relation to global gross domestic product, damage to critical infrastructure
14 and number of disruptions to basic services, attributed to disasters;
- 15 h) Solid waste management – measured in terms of proportion of urban solid
16 waste regularly collected and with adequate final discharge out of total
17 urban solid waste generated;
- 18 i) Urban air quality – measured in terms of the annual mean levels of fine
19 particulate matter;
- 20 j) Open spaces in cities – measured in terms of average share of the built-up
21 area of cities that is open for public use for all, by sex, age and persons with
22 disability;
- 23 k) Safe spaces in cities – measured in terms of proportion of persons who are
24 victims of physical or sexual harassment, by sex, age, persons with
25 disability, and place of occurrence, in the previous twelve (12) months;
- 26 l) Urban and regional planning – measured in terms of proportion of
27 population living in cities that implement urban and regional development
28 plans integrating population projections and resource needs, by size of city;
- 29 m) Integrated disaster risk management – measured in terms of adoption and
30 implementation of national disaster risk reduction strategies;

- 1 n) Local disaster risk management – measured in terms of adoption and
2 implementation of local disaster risk reduction strategies in line with national
3 disaster risk reduction strategies;
- 4 o) Urban economy – measured in terms of percentage of the labor force in the
5 education and Research and Development sectors, and unemployment rate
6 and number of businesses;
- 7 p) Innovation-g geared education – measured in terms of the number of Science,
8 Technology, Engineering and Mathematics higher education degree
9 programs being offered by an educational institution in the city;
- 10 q) Use of renewable energy – measured in terms of percentage of consumed
11 energy from renewable sources;
- 12 r) Universal healthcare – measured in terms of number of in-patient hospital
13 beds and physicians;
- 14 s) Food security – measured in terms of percentage of city budget spent on
15 initiatives on urban agriculture;
- 16 t) Water and wastewater management – measured in terms of water
17 consumption per capita, percentage of households with access to basic
18 water supply, percentage of treated wastewater that is reused;
- 19 u) Access to ICT services – measured in terms of proportion of population that
20 has access to fast, secure, stable, and affordable internet services to cater
21 and accommodate online or digital transactions or services necessary for
22 the conduct of daily activities in the modern society; and
- 23 v) Such other targets and indicators as determined by the DHSUD, NEDA,
24 DILG, and PSA consistent with the principles that guide sustainable cities
25 and communities as provided in Section 4 of this Act: *Provided, That at any*
26 *time, but not more than once every five years, such targets and indicators*
27 *may be reviewed or revised as the need arises to conform to changes and*
28 *new developments brought about by the latest trends in institutionalizing*
29 *sustainable cities and communities.*

30 *Sec. 6. Urban Planning and Urban Development.* – The DHSUD shall, in
31 coordination with NEDA, DILG and Department of Public Works and Highways, provide
32 technical assistance to local government units in the integration of the pertinent

1 provisions of this Act, the National Urban Development and Housing Framework, and
2 the NHUDSP in their Annual Development Plans, Annual Investment Plans, Physical
3 Framework Plans, Development Master Plans, Comprehensive Land Use Plans,
4 Disaster Risk Reduction and Management Plans, and similar plans.

5 National agencies and local government units shall ensure the genuine and
6 adequate participation in urban, regional, spatial, and environmental planning:
7 *Provided*, That access to information, official records, public records and to documents
8 and papers pertaining to official acts, transactions or decisions, and research data
9 related to urban development to enable informed participation in the decision-making
10 shall be made available pursuant to Section 7, Article III of the 1987 Constitution.

11 *Sec. 7. Incentives for Sustainable Cities.* – The DILG and the Department of
12 Budget and Management (DBM), shall incorporate the annual targets set by DHSUD,
13 DILG and NEDA in the awarding of the Seal of Good Local Governance under Republic
14 Act No. 11292, otherwise known as “The Seal of Good Local Governance Act of 2019.”

15 *Sec. 8. Public Participation.* – National agencies and local government units
16 shall ensure the genuine and adequate participation in urban, regional, spatial, and
17 environmental planning through the following:

- 18 a) Incentives for the private sector – the Department of Finance shall provide
19 incentives to the participation of the private sector in the achievement of
20 the goals identified under this Act, in accordance with Republic Act No.
21 10771, otherwise known as the “Philippine Green Jobs Act of 2016”;
- 22 b) Capacity building for communities – the DHSUD shall provide technical
23 assistance to homeowners’ associations, neighborhood associations,
24 people’s organizations, and other local organizations to empower them as
25 partners in achieving the goals of this Act, and enable them to undertake
26 community-level actions towards becoming sustainable communities; and
- 27 c) Informed participation – information, education and communication
28 materials shall be developed to make the NHUDSP accessible to all. Every
29 Filipino shall have access to information, official records, public records and
30 to documents and papers pertaining to official acts, transactions or
31 decisions, and research data related to urban development to enable
32 informed participation in the decision-making process.

1 Sec. 9. *Report to Congress.* – The DHSUD, NEDA and DILG shall submit an
2 annual report on the performance of their respective duties provided for under this
3 Act and the compliance of cities and urban municipalities to the provisions of this Act
4 to the Congress of the Philippines, through the Committee on Housing and Urban
5 Development of the House of Representatives and the Committee on Urban Planning,
6 Housing and Resettlement of the Senate.

7 Sec. 10. *Implementing Rules and Regulations.* – Within six (6) months from the
8 effectivity of this Act, the DHSUD, in consultation with the NEDA, DILG, PSA, League
9 of Cities of the Philippines, League of Municipalities of the Philippines, civil society
10 organizations, the private sector and the academe, shall promulgate the implementing
11 rules and regulations for the effective implementation of this Act.

12 Sec. 11. *Separability Clause.* – If any provision of this Act or a portion thereof
13 is declared unconstitutional or invalid, such parts not affected thereby shall remain in
14 full force and effect.

15 Sec. 12. *Repealing Clause.* – All laws, decrees, executive orders, rules and
16 regulations and other issuances or parts thereof which are inconsistent with this Act
17 are hereby repealed, amended or modified accordingly.

18 Sec. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its
19 publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,