

# On The Role of State Control over Planning and Using the HCMC Land Stock

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## 1. Planning and using land in HCMC

Planning the use of land is a basis for effective allocation of the land stock. The Decree 91/CP dated Aug. 17, 1999 stipulates, "Cities must be developed according to plans and regulations with a view to serving defense, cultural, economic and political purposes." The HCMC Town Planning Institute has made plans for town development based on the national master plan for socioeconomic development and the strategy for town planning up to 2020 approved by the PM in his Decision 10/1998/QĐ dated Jan. 23, 1999 and the plan for zones development. Its plan reflects part of the zone planning and could be used for a separate chain of

towns or one along some major roads or an open city, and it could be realized within 10 to 20 years. This plan takes a more concrete form in detailed plans on the use of pieces of land for different functions, on preparations and building of infrastructure, and on sites of public works and space for architecture, and could serve as a basis for construction plans by contractors.

In recent years, the planning task in HCMC has gained the following achievements:

- At municipal level: drawing new maps of lots and pieces of land with adjustments and supplements based on detailed plans 1/2000 approved by the HCMC chief architect.

- At district level: The master plan has been dis-

seminated among suburb authorities since 1999 after examining the use of land in these suburbs to decide whether it is appropriate to the master plan approved by the HCMC government; necessary adjustments have been also suggested based on realities of land use and land management.

The detailed plans for land use of the 1/2000 and 1/500 scales are made according to standards of town planning and infrastructure building. Generally, from 45% to 50% of land allocated to developers is zoned and planned in detail, and this is usually a source of disputes between planners and developers.

To carry out the approved plan, the HCMC Service of Land Registrations

(now the Service of Resources and Environment) made a plan to use the land in HCMC in 1995, and submitted it to the General Department of Land Registration and the PM for approval. By the end of 2003, the HCMC Service of Resources and Environment worked out the plan to use the land in HCMC up to 2010 and sent it to the HCMC government and the General Department of Land Registration for approval.

## 2. Shortcomings in the planning and realization of the master plan

- Lack of cooperation between relevant authorities in making the master plan: authorities of the lowest levels – commune and hamlet ones to be precise- that have exact infor-

Table 1: Some facts about the use of land stock in HCMC in 2003-05 (hectare)

Class of land	Area	2003			2004			2005		
		Change	Area at the end of 2003	Change as % original area	Change	Area at the end of 2004	Change as % of original area	Change	Area at the end of 2005	Change as % of original area
(1)	(2)	(3)	(4) = (2)+(3)	(5) = (3)/(2)	(6)	(7) = (4)+(6)	(8) = (6)/(4)	(9)	(10) = (1)-(9)	(11) = (9)/(7)
Land for special purposes	24,784.45	2,971.74	27,736.19	12.0%	4,660.42	32,396.61	16.80%	2,646.72	29,749.89	8.17%
Urban residential land	12,357.74	2,238.31	14,596.05	18.1%	1,401.22	15,997.27	9.60%	1,371.04	14,626.23	8.57%
Rural residential land	5,332.67	-550.00	4,782.67	-10.3%	1,219.58	3,563.09	-25.50%	-959.08	4,522.17	-26.92%
Farming land	93,458.09	4,485.99	88,972.10	-4.8%	4,218.39	93,190.49	4.74%	2,558.70	90,631.79	2.75%
Forest land	33,489.68	-133.96	33,355.72	-0.4%	-30.51	33,325.21	-0.09%	0.01	33,325.20	0.00%
Reserve	40,099.37	-40.10	40,059.27	-0.1%	-93.16	39,966.11	-0.23%	-	39,966.11	-
Total	209,502.00	0.00	209,502.00	14.5%	8,936.78	218,438.78	5.32%	5,617.39	212,821.39	-7.43%

Source: HCMC Service of Resources and Environment

mation about the use of land stock and its prospective developments only play a minor role in this task. The process of making the detailed plan sometimes is only an act of legalizing changes in the use of land. And as a result, the detailed plans are usually unrealistic and unpractical and they have to be revised regularly, which cause a lot of troubles for local residents.

- The detailed plans are not made known to both local authorities and the public: Local authorities who have to deal with such problems as land clearance and compensation payment rarely receive information about the detailed plans on time. As for the public, they tend to protest the detailed plans because they have no chance to learn about these plans beforehand.

- The master plan for HCMC fails to open new spaces for future development: Directions of development for HCMC have changed four times since 1975 (in 1993, 1996, 1998 and 2003) and the present direction is still inappropriate. Residential areas tend to go northwest while the plan wants to develop toward south and southeast directions. And as a result, the town development is beyond the control of municipal authorities.

- The planning task tends to take a shotgun approach and fails to reduce the density in the inner city: Residential areas tend to take shape along new roads from the inner city instead of forming adjacent towns as planned.

- Detailed plans didn't pay full attention to the infrastructure building and tends to divide new residential areas into small lots: The Official Letter 695/CV-UB issued by the HCMC People's Committee on Dec. 22, 1999 allows division of land into small lots, and as a result, many developers came into operation and they only com-



Photo by Huynh Tho

pleted some basic infrastructure works without connecting them with existing works, which led to pollution of water because of lack of sewers.

- The master plan fails to establish close relations between new residential areas with the inner city: The HCMC population is distributed unevenly, the average density varies between some 50,000 persons per square kilometer in the inner city and 7,000 in suburbs. There are many slums in the inner city, which makes HCMC less attractive.

- Rural and urban areas are not separate clearly: In five new districts, only nine wards are allowed urban area status, the rest is considered as rural areas, which causes difficulties for local authorities because they have to apply different rules to different areas in their district, and for the healthy development of the realty market.

### 3. Measures to make the development plan and use the land stock for HCMC

Making development plans and scheme to use the land stock effectively is an instrument for directing the town development and regulating the realty market. To achieve this

aim, town planners should perfect the master plan for municipal development, and then work out detailed plans for districts and wards, and make it known to the public. By doing so, the land resource could be used effectively and the realty market developed healthily.

- The role of the municipal authorities: After the master and detail plans are made, authorities could take back wrongly-allocated land, and grant, sell or lease land according to the plans.

- New directions for urbanization: It's necessary to cooperate with surrounding cities, such as Vũng Tàu, Phan Thiết or Cà Mau, in developing satellite towns in order to save HCMC from being the sole center of the South. To achieve this aim, HCMC could help develop clusters of towns in Eastern and Western South Vietnam by contributing to major works, such as highways connecting these towns and supply of information about capital, labor and real estate markets.

- Information about development plans: The development plans must be made and tested by experts in order to reach a long-term master plan.

The planning must be made according to functions of each zone instead of being limited to administrative boundaries. After finishing the master and detailed plans, they must be publicized along with intended process of realizing them. If they are not carried out as planned, the public must be kept informed about it.

The detailed plans of the 1/500 scale and the plan for residential zones in rural areas made be made available in order to control the urbanization process.

All individuals and organizations must have right to get information about, and give opinions if need be, the development plan making process. This process and control over construction of major works must comply with the Town Planning Law. The master plan, after being approved, must be legally valid and free from intervention by any authorities. It must be publicized from two to three years before land is taken back. After the land is granted, developers must complete their projects within five or six years and they are banned from dividing the land into lots and reselling them to individuals. ■