

SPEECH BY THE MINISTER FOR LOCAL GOVERNMENT,
LANDS AND HOUSING, ENCHE ABDUL HAMID BIN HAJI
JUMAT, IN MOVING THE SECOND READING OF THE
PLANNING BILL, 1958 AT THE LEGISLATIVE ASSEM-
BLY MEETING ON WED. SEPT. 10

Sir, this Bill which is a companion to the previous Bill, the Housing and Development Board Bill, had its genesis in the White Paper on Local Government Policy (No. Cmd. 30 of 1956) which was published following upon the McNeice Report on Local Government. In its statement of policy in paragraph 3(2), pages 2 and 3 of the Paper, Government indicated that it did not accept wholly the McNeice Committee's recommendations that the administration of the planned use of land, involving control of development and the preparation of detailed plans should be responsibility of the local authorities. It was further stated as follows:

"The Government considers that for the time being a Town Planning Department should be set up under the Ministry of Local Government, Lands and Housing to advise all local authorities and do the detailed planning. Local authorities should have

full authority to make decisions on plans submitted which would be taken after receiving the advice (but not necessarily be in conformity with it) of the Town Planning Department. An appeal can be made direct to the Minister from individuals dissatisfied with the decisions of the local authorities. It is also considered that in due course of time, when practicable, the Town Planning Department should hand over its records to the local authorities, who would then be directly responsible for local planning, due regard being paid to the provisions of the Master Plan.

It is also agreed that the Minister should have powers of arbitration and direction in planning matters and that the administration of the Master Plan should be administered by Government. It is also considered that the Minister should be granted powers to permit him to take independent advice in planning matters at the five-yearly reviews of the Master Plan and at such other times as he considers necessary but without any obligation on his part to do so.

Sir, the Bill now before this House merely attempts to give flesh to the skeletal structure proposed in the White Paper on Local Government. The Planning organisation may, however, still not be readily apparent from the provisions of the Planning Bill. Clause 3 of the Bill provides merely that such person or persons as the Governor-in-Council thinks fit may be appointed the Competent Authority or the Competent Authorities for the operation of the Ordinance either generally or in relating to any particular section of the Ordinance. I should therefore explain that the administration of the Planning Bill will lie with several bodies -

The first of these bodies will be a Government Planning Department under the Ministry of Local Government, Lands and Housing which will comprise three divisions made up of the present Singapore Improvement Trust divisions. There are :-

(a) The 2/-

- (a) The Master Plan Division which will be responsible for the preparation and revision of the Master Plan under its Planning Adviser as the Competent Authority for the purposes of sections 6 and 7 of the Ordinance;
- (b) The Replanning Division which will be responsible for interpretation and detailed planning of the Master Plan, and give advice to local authorities;
- (c) The Development Control Division which will be responsible for controlling development under plans submitted by private persons and will advise local authorities.

The second of the bodies responsible for the administration of the Bill are the local authorities, who will be made Competent Authorities for the purposes of sections 8, 9 to 14 of the Planning Bill in their respective local authority areas, except for new towns or areas of comprehensive redevelopment which will be administered by the Housing and Development Board as the Competent Authority. The local authority when appointed will have its authority limited on the following extent and manner. In the preliminary phase, the local authority will act in accordance with the advice of the Planning Department (Replanning or Development Control Division). This limitation is made to enable the local authority to gain experience and become familiar with the procedure and principles of the control of development. It is expected that in the case of the City Council, the preliminary phase will last only a few months. In the second phase, the local authority will act in consultation with, but not necessarily in accordance with the advice of, the Planning Department. In the third phase, the local authority will be solely responsible for control of development. This third phase will be reached when the records and such staff as may be agreed, can be separated and transferred to each local authority.

I have already indicated that the Housing and Development Board will be the Competent Authority for the purposes of sections 9 to 14 in respect of new towns and areas of comprehensive redevelopment.

Finally, there will be my own Ministry, the Ministry of Local Government, Lands and Housing assisted by a separate inspectorate, if necessary, to deal with appeals to the Minister against planning decisions and to give independent advice if required to the Minister on planning matters at the five-yearly reviews of the Master Plan or at such other times as the Minister considers necessary. It has, I know, been a source of some dissatisfaction that the Trust has, under the present legislation, rather extensive powers and that their decisions are not subject to appeal. This has been necessary in the past before the publication of the Master Plan, but it is now possible to provide dissatisfied owners with the right of appeal against what they may consider unreasonable decisions.

I shall now touch upon one matter which has, no doubt, exercised the minds of many owners, namely, the question of compensation 3/-

compensation for lands which suffer depreciation in value as a result of the restrictions or provisions of the Master Plan. This is a question of considerable difficulty which has not been solved satisfactorily in any other legislation. In the original United Kingdom planning legislation, liability for payments because of depreciation in values were accepted but only because it was intended to recoup such payments by changes for betterment of lands for which permission to develop was given under the planning legislation. It has now been found impracticable to recover betterment charges which have therefore had to be dropped. After very careful consideration, therefore, the Government has decided that as there was equally no practicable way of collecting charges for betterment in Singapore, it cannot accept the principle of compensation for depreciation in values as a result of the Master Plan.

To owners who may be disappointed by such a decision, I would point out that none of the provisions of the Master Plan can really be said to be of a permanent nature, since it would be subject to revision at the five-yearly reviews and it would also be open to any future Government to alter or even scrap the Master Plan - not that I think this latter decision is likely, as the Master Plan has been the result of much survey and study. I would say also that the principle must be accepted that Government is not normally bound to compensate parties who suffer incidental loss as a result of State action designed for the benefit of the population as a whole. A provision has, however, been made in clause 15, to require, in certain limited cases, the Government to purchase land. This is intended to provide that where, for example, a developer has been required to provide an open space or school in a development estate and has otherwise completed his development, the remaining public purpose areas should be acquired, where the land is required within five years and is not capable of reasonably beneficial use in its existing state.

I do not think I need say any more about the Bill as the provisions will be clear from the full Explanatory Statement which has been furnished with the Bill. I should add, however, that I have given a notice of certain amendments which are of a minor nature but will, I think, improve the Bill. These can be examined in Select Committee, to which the Bill will be committed.

Sir, I beg to move.

SEPTEMBER 10, 1958.

(Time issued 1600 hours).