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ROYAL GOVERNMENT OF BHUTAN
MINISTRY OF WORKS AND HUMAN SETTLEMENT
THIMPHU: BHUTAN

"Construction Industry: Solutions to Innovation and Improved Technology"

MoWHS/PPD-29/2018/1231

5/2 November 2018

To,

1. Secretary, Ministry of Home and Cultural Affairs
2. Secretary, Ministry of Agriculture and Forests
3. Secretary, Ministry of Economic Affairs
4. Secretary, National Land Commission Secretariat
5. Secretary, National Environment Commission Secretariat
6. Director, Department of Human Settlement, MoWHS
7. Director, Department of Engineering Services, MoWHS

Subject: Circulation of the final minutes of the 20th NCCHS Meeting

Dashos,

The Ministry of Works and Human Settlement is pleased to forward a copy of the Minutes of the 20th National Consultative Committee for Human Settlement (NCCHS) Meeting held on 9th October 2018 for kind perusal and reference.

Yours sincerely,

(Chencho Norbu)
Secretary

Copy to:

1. Dasho Thrompon, Thimphu Thromde, for kind perusal and reference
2. Dasho Dzongdag, Trashigang Dzongkhag Administration, for kind perusal and reference
3. Dasho Dzongdag, Paro Dzongkhag Administration, for kind perusal and reference
4. Dasho Dzongdag, Dagana Dzongkhag Administration, for kind perusal and reference
5. Dasho Dzongdag, Trongsa Dzongkhag Administration, for kind perusal and reference
6. Dasho Dzongdag, Thimphu Dzongkhag Administration, for kind perusal and reference
7. Dasho Dzongdag, Wangduephodrang Dzongkhag Administration, for kind perusal and reference
8. Dasho Dzongdag, Pemagatshel Dzongkhag Administration, for kind perusal and reference
9. Dasho Thrompon, Samdrup Jongkhar Thromde, for kind perusal and reference
10. Dasho Dzongdag, Zhemgang Dzongkhag Administration, for kind perusal and reference

Minutes of the Meeting

20th National Consultative Committee for Human Settlement

The 20th NCCHS meeting was held on 9th October 2018 in the Conference Hall of the MoWHS. The Secretary, MoWHS chaired the meeting as advised by the Hon'ble Advisor, IG to the Ministry of Works and Human Settlement (MoWHS). A total of 12 plans and the endorsement of the Strategic Environment Assessment (SEA) for Thimphu Structure Plan and the Implementation Plan were submitted for consideration.

The following are the discussions held and the decisions made on the 20th NCCHS meeting for consideration and approval.

1. Welcome Remarks by the Secretary, MoWHS

The Secretary, MoWHS welcomed the representatives of the Committee Members and the representatives of the local governments whose human settlement plans were submitted for endorsement of the NCCHS.

2. Endorsement of the Report on the Strategic Environment Assessment for Thimphu Structure Plan and the Implementation Plan

Presenter: Sonam Tshewang, GIS officer, Thimphu Thromde

The GIS Officer of the Thimphu Thromde presented the Strategic Environment Assessment for Thimphu Structure Plan and explained why it was carried out. He informed the meeting that the SEA was carried out by a core team, comprising of representatives from the Thimphu Thromde, the MoWHS, the NECS, the NLCS, the UNDP and GNHC, and with the support from the Korea Environment Institute, the Republic of Korea. He presented the issues relating to infrastructure and services that the Thimphu Thromde is grappling with and the recommendations to resolve the key issues and challenges in the form of a detailed implementation plan.

Issues/Discussion

The Secretary, MoWHS informed that the SEA is an effective strategic decision-making tool which takes into consideration the environmental and social aspects for the formulation of any policies and programmes. The Dzongkhags and Thromdes were urged to consider undertaking SEA for major policies, plans and programs.

NECS's representative pointed out that all the upcoming structure plans must replicate the SEA study carried out for the Thimphu Structure Plan. In addition, NECS's representative also pointed out that as per the Environmental Assessment Act, 2000 environmental clearance is prerequisite for the implementation of these structure plans.

Decision

- The SEA Report and its implementation plan were provisionally endorsed. The PPD, MoWHS

should circulate the Final Report to the Thimphu Thromde and other stakeholders for the effective implementation.

3. Trashigang Structure Plan 2009-2019 (Revision)

Presenter: Ms. Kinzang Deki, Sr. Urban Planner, Urban Planning and Development Division

The Trashigang Structure Plan (2009-2019) was reviewed since the Thromde boundary was extended from 133.4 acres to 662.9 acres in 2015, and the revision of the land use and Development Control Regulation (DCR) based on geo-technical study results. The non-compliance of the DCR with regard to the number of building floors was also highlighted.

The revision emphasized on certain proposals of the 2009 Structure Plan that were deemed imperative to materialize the vision of the old Structure Plan:

- a. Converting the existing archery range to an open space
- b. Acquiring the Bhutan Telecom's land for Town Hall
- c. Pedestrianizing the town plaza (around Mani Dungkhor)
- d. Constructing the walkways alongside the Mithedrang chhu downstream
- e. Designating of service precincts in Pamm

Issues/Discussion

- a. Small plots size measuring less than 4.5 decimals
- b. Registered private plots in E1 (Environmental Conservation) precinct
- c. Seventeen private plots falling in the high hazard zone in Melphey area
- d. Inaccurate and inconsistent land data from National Land Commission

The Dzongdag and the Architect of Trashigang raised the following points:

- a. Request for land substitution by the land owners whose plots fall in the Melphey high hazard zone, where development is restricted and the request to allow for construction after the go-ahead from the site-specific geo-technical studies, thereby permitting development.
- b. Increase in plot coverage up to 70 per cent along with the increase in number of floors for the plots falling in UV-1 precincts and also for the plots measuring less than 4.5 decimals
- c. Need to increase the height of the Mithedrang river protection walls to protect the town from flooding in the future.

The coverage of 50% in the UV-1 precinct is based on technical reasons—new construction, especially during the excavation phase could impact the stability of the adjacent structure. Moreover, the requirement of maintaining minimum setback do not permit the increase of coverage to 70 percent as requested by the public. The increase in number of floors to 4 is also not admissible as the plots are small in size and would not only spoil the aesthetics of the structure per se but also negatively impact on the visual character of the town. The plot owners with plot less than 4.5 decimals could opt for consolidation.

Decision

- The MoWHS shall take up discussion with the NLCS on the land substitution for plots within the red and/or high hazard zone (E1)
- In view of the extreme fragile condition in Melphey area, piecemeal mitigation measures as per the site specific geotechnical studies will further aggravate the soil instability. It was suggested that the site specific geotechnical studies, mitigation measures and development activities may have to be carried out collectively. But, overall the recommendation to hiring geo-technical services by plot owners will be discouraged in view of the overall stability of the area, future problems associated with the challenges in providing the municipal services and aesthetics.
- The revision of the Trashigang Structure Plan was endorsed as proposed.

4. Paro Valley Development Plan (Revision)

Presenter: Tshering Pelden, Urban Planner, Regional and Rural Planning Division

The Paro Valley Development Plan (PVDP) was endorsed on 29th December 2016 in the 16th NCCHS. However, during implementation of the plan there were repeated requests from the public to increase the floor height to 3 floors in the rural areas. Subsequently, the restriction of building heights to 2 floors in the rural areas was reviewed jointly by the DHS and the Paro Dzongkhag Administration in July - August 2017.

The revised Paro Valley Development Plan proposed to incorporate changes in building height and the uses of each precinct as per the Cabinet's order dated 12 July 2018 endorsing 3 floor construction in the rural areas in principle, and with the instruction to incorporate the same revision in the Bhutan Building Regulations.

Issues/Discussion

- a. The Dzongkhag Administration was advised to initiate preparation of Local Area Plans based on the priorities and ground realities
- b. Chhuzhings that have already been converted to residential and dry land in Rural Residential precincts and in the periphery of the town center precinct was raised as an issue. The construction on such plots may be allowed if there is no adverse impact on the visual quality, aesthetics and the cultural landscape of the area. Otherwise it should be dealt as per the Guidelines for the conversion, substitution and management of Chhuzhings and Restricted Development areas once it is approved
- c. Heritage Village precinct which falls under the Cultural Landscape Land use zone proposed to be protected and conserved was also reviewed as no new constructions were allowed in this precinct and people have time and again appealed for new constructions. The review recommended building heights of 2 floors with special approval from the Ministry and detailed scrutiny for the architectural facades and materials should be carried out
- d. The Dzongkhag administration requested to lift the suspension of the PVDP imposed vide the Zhabtog Minister's letter dated 28/29 March 2018

Decision

- a. The revisions made in the PVDP was endorsed as proposed; and
- b. The MoWHS shall issue instructions revoking the suspension imposed on the implementation of the PVDP

5. Dagapela Structure Plan

Presenter: Tshering Pelden, Urban Planner, Urban Planning and Development Division

It was presented that Dagapela was identified as a town in 1992 and was classified as a class D town as per the Revised Taxation Policy, 1992. Since the initial conception of the plan two rounds of consultations were held with the public and the stakeholders apart from the bilateral meetings with the Dzongkhag Administration. Of the total planning area of 1450 acres (5.80 km²), only 338.9 acres (1.37 sq.km) was considered for planning due to time constraints and development feasibility.

Issues/Discussion

- a. In the core area there are plots measuring as small as 38 m². For plots of such size provision has been made where they could consolidate them and carry out combined constructions
- b. Since Dagapela is not a declared Thromde, designation of precincts as in the declared Thromdes would entail change in taxation
- c. The Dzongkhag Administration has received development proposals during the moratorium phase and recommendations to frame an Interim Development Guidelines was proposed by the planning team
- d. There are private land holdings in environment conservation precinct (E1) and in areas which are not very steep but under forest cover. As such, for the plots falling under the E1 precinct, further geo-technical studies could be carried out by the plot owners
- e. There are a few structures along the Dagana-Sunkosh Primary National Highway (at Tsendagang junction) which fall within the road Right of Way and have not been acquired. The Dzongdag said that the issue was also raised during the last Dzongdags' Conference. Structures which have been there prior to the designation of the road as highways is a pertinent issue; and
- f. Dagapela in its existing condition has rich forest cover and numerous flora and fauna. However most of them are on the private land. In order to maintain the vegetation EIA is recommended to be carried out on the structure plan before implementation.

Decision:

- a. The Dagapela Structure Plan was endorsed as submitted
- b. To carry out geotechnical studies in the E1 precinct, the overall topography of the precinct should be considered instead of plot wise. To protect the area no blanket approval for development will be granted
- c. For the Road Right of Way to be maintained for the highways, The Department of Road shall be consulted.

6. Khaling Structure Plan

Presenter: Bhavana Chhetri, Deputy Chief Urban Planner, Regional and Rural Planning Division

It was informed that the preparation of the Khaling Structure Plan was undertaken upon the receipt of the Royal Command in 2015 which followed the grant of land as *Kidu*. The total planning area is 0.98 sq.km or 243.60 acres.

The planning boundary covers entire Dawzor village, Jigme Sherubling Central School (Upper and Lower Campus), Gewog Centre area, both old and new BHU areas, existing commercial area, Rashung Village, the BPC colony and the existing government and corporate institutions.

The first public consultation was held in November 2016 wherein the land pooling method was accepted by the public. Since then, two public meetings/consultation were held in January and June 2017.

Issues/Discussions

- a. There are five plots falling under no construction zone
- b. There are a few permanent structures which will be affected by road (highway) widening
- c. It is stated in the report that there 16 plots reconfigured for the shopkeepers that have been termed as “*Kidu* plots”, and if these plots can still be termed as such
- d. If the terms used for precinct designation, such as Urban Core (UC) and Urban Village (UV) could still be used in the Khaling Structure Plan as it is under rural areas
- e. Given that the preparation of the plan for Khaling town was undertaken on the Royal Command the plan has also been submitted to the office of HRH the Gyaltshab.

Decision

- a. The Khaling Structure Plan was endorsed as proposed in principle, pending the final approval from HRH the Gyaltshab; and
- b. The MoWHS will consult the National Land Commission to seek advice as to whether the plots can be termed as *Kidu* plots.

7. Samtse Structure Plan (Revision)

Presenter: Sonam Seldon Dema, Urban Planner, Urban Planning and Development Division

It was informed that the Samtse Structure Plan was approved in 6th NCCHS in February 2006 with a planning area of 1206.3 acres. The *Local Area Plan 1* was prepared in 2009 and released to the Dzongkhag Administration for implementation. The *Local Area Plan 2* was initiated by the Department of Human Settlements in consultation and coordination with Dzongkhag Administration in July 2017 and with the land data and information provided by NLCS. LAP 2 is completed but the Department was again informed that there are changes in land data which will require further review of the plan.

The structure plan was reviewed for the following reasons:

- a. Change in the land use on site
- b. Re-alignment of the road due to change in the land use
- c. Inadequate land data when the Structure Plan was prepared and still is the case; and
- d. Inclusion of additional areas within the planning boundary.

Issues/Discussion

- a. In view of the incompatible land use the Structure Plan proposed relocation of National Jersey Breeding Centre (NJBC). From the total land occupied by the center 10.35 acres proposed for Dzong precinct and the remaining for the defense establishment
- b. The international boundary buffer proposed in the Structure Plan has affected 92 acres of land belonging to 40 landowners since no development is permitted within it
- c. Discrepancies, anomalies and missing land data provided by NLCS after the completion of preparation of LAP 2.

The Municipal Engineer of the Samtse dzongkhag informed that three public consultations were held. He inquired if the recommendations and suggestions for a service centre, a helipad, a parking, a vegetable shed, a games and sports facility and a fuel station have been incorporated in the revised structure plan. The DHS informed that, except for the helipad, rest of the recommendations have been incorporated in the plan.

He informed the meeting that there is a growing pressure from the landowners affected by the international boundary buffer zone.

Decision

- a. The Samtse Structure Plan was endorsed as proposed;
- b. The Dzongkhag administration shall formally write to MoAF for the relocation of the NJBC and facilitate identification of the new site
- c. The Dzongkhag Administration and the DHS shall write to the NLCS on the missing/inaccurate land data, and that no planning shall be carried out without complete and accurate land data henceforth.

8. Taktse Action Area Plan

Presenter: Ngawang Tshomo, Urban Planner, Regional and Rural Planning Division

Following the request of Dzongkhag Administration, a development plan for Tagtse with a broad precinct designation was prepared in 2014. The establishment of the Institute of Language and Cultural Studies in the village was cited as reason for the need of a plan. However, the Tagtse Development Plan had not been implemented in the absence of a detailed plotting and demarcation. Therefore the Dzongkhag Administration requested for a detailed plan. In view of this the development plan was reviewed and it was renamed as Tagtse Action Area Plan.

The plan proposed two development options. The one with detailed plotting was prepared to show how the village would discontinue to carry out farming as it would entail shifting of plot

boundaries. However as proposed the people and the local government chose the development option which caused minimum disturbance to the land boundary thereby enabling continuation of farming activities.

Issues/Discussion

- a. *Kamzhing* and *Khimsa* plots constitute 95 percent of the land
- b. The planning boundary does not include the ILCS
- c. Tagtse is neither a Thromde nor an urban area

The Planning Officer of the Dzongkhag reported that there is a plan to upgrade the BHU to a Grade-II BHU as per the directive of the Her Majesty the Queen Mother, and that the plan should take note of it.

Upon being enquired who would own and implement the plan, the DHS clarified that Gewog should take ownership of the Tagtse Action Area Plan with the support from the Dzongkhag Administration.

The Wangdue dzongkhag engineer sought clarification on if the proposed road in the Action Area Plan is same as that of farm road. It was clarified that the proposed road though very similar is different from the farm road as it was being proposed through the plan. However similar to farm roads, no compensation would be paid as the road would have immediate benefit to the plots abutting the road.

Zhemgang Dzongdag commented that the built form of the ILCS has to be regulated as the built form is not in harmony with the landscape of the area. He also suggested that the Dzongkhag Administration of Trongsa in consultation with RUB could make certain changes such that the built form is in harmony with the landscape of the area.

Decision

- The Tagtse Action Area Plan was endorsed as proposed.

9. Kabisa Structure Plan (LAP 1)

Presenter: Tshering Dorji, Deputy Chief Urban Planner, Urban Planning and Development Division

It was informed that the Kabesa Structure Plan (2015-2025) was prepared in 2015 and approved during the 15th NCCHS on 13th April 2016.

Issues/Discussions

The first local area plan for the Kabisa Structure Plan was completed on 30th June 2018 for which three public consultations were held and in which the landowners have repeatedly requested for conversion of their *Chhuzhing* plots. But, conversion has been prohibited as per the current policies. A separate meeting was held with the NLCS, the MoAF, the Thimphu Dzongkhag and the MoWHS to this effect on 12th March 2018. During the meeting it was agreed that the trapped dry land in-between *Chhuzhings* will be replaced with available state land within the planning

boundary and trapped *Chhuzhings* will be converted to developable land. Further, existing built up areas in between *Chhuzhings* will be kept as they are now. The plan proposed that the unbuilt residential plots in-between *Chhuzhings* will be replaced with available state land as per the regulations and surrender their current plots to state. Those built residential plots will be kept as they are. The trapped *Chhuzhing* land will be converted to residential plots as per the regulations.

The Dzongdag informed that the area of *Chhuzhing* is about 60.8 acres fragmented into 238 plots. While the area might seem bigger, the *Chhuzhing* landholdings range between 10 decimals to a maximum of an acre. He further informed that the affected people always argue that when all other more favourable *Chhuzhings* as in Mewang and Bajo have been all developed, as to why their *Chhuzhings* in relatively higher altitude have to be protected. The upcoming Dzongkhag Tshogdu will deliberate on this matter as requested by the public and the Gewog.

The Secretary, MoWHS shared that it would be meaningless to develop a plan if people for whom the plan is developed do not accept it.

Decision

- a. The NCCHS decided to keep on hold the Kabesa Structure Plan;
- b. A tri-patriate meeting will be held among the NLCS, the MoAF and the MoWHS to discuss on the conversion of *Chhuzhing* to *Kamzhing* and Khimsa
- c. The Ministry to follow up the NLCS on the status of the "Guidelines for the Conversion, Substitution and Management of *Chhuzhings* and Restricted Development Areas."
- d. As per the instruction of the Interim Government, the MoWHS will submit a note on the conservation of *Chhuzhing* to the Interim Government.

10. Norbuding Structure Plan (2017 - 2037)

Presenter: Cheki Wangchuk, Urban Planner, Wangduephodrang Dzongkhag

Norbuding is Wangduephodrang Dzongkhag's Yenlag Thromde. It has an area of 85.984 acres with approximate resident population of 1019. The town currently lacks sewerage treatment plant or network, drainages and solid waste management.

Issues/Discussion:

- a. The plots sizes are less than 4 decimals
- b. The smaller plot owners agreed to consolidate their plots for construction
- c. The public also requested for standard plot size as there is state land available in the vicinity

It was informed that a *lhakhang* has been proposed for Norbuding town but approval should be sought from the Ministry of Home and Cultural Affairs (MoHCA). The proposed Cordyceps auction yard, which may be used once in a year, will be used as a vegetable market shed during other times.

Decision

- The Norbuding Structure Plan was endorsed as proposed.

11. Wangduephodrang Structure Plan 2015 - 2035 (Revision)

Presenter: Kinley Wangyel, Urban Planner, Urban Planning and Development Division, DHS

The Wangduephodrang Structure Plan with an area of 494.21 acres was endorsed during the 16th NCCHS in December 2016. The structure plan was reviewed for the following reasons:

- a. The LG and the public expressed disagreement on the maximum allowable number of floors
- b. Concerns were raised over plots falling under the no development zone
- c. Changes in land use from the approved structure plan (inclusion of the weekly market and the relocation of the BHU and school)

The revised structure plan proposes for a valley of flower precinct to shift the visual axis from Bajo Town to the valley of flower precinct; preservation of agricultural land, the creation of foreground for the Dzong to preserve sanctity by relocating the Bhutan Telecom office and the school; and transition from high density development to a low-density development.

Issues/Discussion:

Dasho Dzongdag informed that people have repeatedly requested to increase number of floors from what is proposed in the plan. The revised *Local Area Plan* proposed to increase the permissible building heights to 4 floors in UV-1, 3 floors in UV-2 and UV-3. However, the plot coverage shall still remain the same as proposed in the earlier LAP. Further, the LAP proposes vegetable market and the primary school relocated to the BHU area. The Dzongkhag engineer suggested that a room should be kept for further studies to get to determine the stability of the plots in restricted development precinct.

The DHS clarified that the stadium proposed during the consultation could not be incorporated due to lack of space and high land pooling requirement, but a open football ground has been proposed in the existing school area along the Punatsang Chhu.

Decision

- The Wangduephodrang Structure Plan revision was endorsed as proposed.

12. Nganglam Structure Plan

Presenter: Tshering Phuntsho, Urban Planner, Urban Planning and Development Division

Issues/Discussion

The Regional Hub Plan was revised to accommodate change in land use at site, developmental activities and kidu plots. Dasho Dzongdag raised issue of additional floor for the Dechi town discussed a couple of months ago.

Decision:

- a. The revised Nganglam Structure Plan was endorsed as proposed; and
- b. The DHS shall field a team to review Denchi plan by last week of October 2018.

13. Samdrup Jongkhar Structure Plan (Amendment of Precinct)

Presenter: Dorji Wangdi, Urban Planner, Samdrup Jongkhar Thromde

Issues/Discussion

The amendment of precincts in the Samdrup Jongkhar Structure Plan and the DCR for the urban core two in Dewathang extended area were due to the following reasons:

- a. There are private plots assigned institutional precinct without meeting the minimum institutional area requirements
- b. There are anomalies in the plot information in the UDP, LAP and land record and lack of standard reference
- c. There is development approved and undertaken on government land with unclear precincts;
- d. There are sudden changes of precinct boundaries from adjacent plots without proper transition
- e. There is difficulty in issuing site plans for development
- f. In the case of Dewathang, with the minimum standard plot area of 2400 sq. feet, there is a need to increase the ground coverage from 35 percent like in Samdrup Jongkhar

The presentation proposed for the endorsement of the following revision in Samdrup Jongkhar:

#	Type of issue	No. of cases	Remarks
1	Private plots falling under Institutional Precinct	13	Proposed for precinct change
2	Precinct Mismatch in the UDP and LAP/record	22	Corrected as per UDP or proposed for correction as per record
3	Plots which requires revised precincts	11	Assigned new precincts

The proposal for DCR change in U2 in Dewathang is as follows:

#	Precinct	Max. Ground Coverage	Max. FAR	Max. Height	Remarks
1	UC-2	50%	1.5	4	Cannot exceed the max. FAR by any means

Decision

- The revision was endorsed as proposed.

14. Revision of Panbang Structure Plan

Presenter: Thinley Paday, Urban Planner, Urban Planning and Development Division, DHS

The Panbang Structure Plan with 648.28 acres was approved in the 17/18 NCCHS on 3rd October 2017. The structure plan is reviewed to accommodate 34 kidu plots granted in 2017. Besides, the approved land use in the structure plan do not cater to the required land use of kidu recipients.

Issues/Discussion

- a. The Dzongkhag informed that the Dzongkhag does not have any issue and is ready for implementation once the plan is released
- b. The Dzongkhag engineer requested if UC precinct in the old Pangbang Town could be changed to a residential precinct to promote commercial and more developmental activities in Tungkudempa

The DHS clarified that it will be impractical and at the same time undesirable having to travel from the existing Pangbang Town to Tungkudempa for everything including small grocery items. In view of good planning practices and according due considerations to environment backed by analyses, small commercial core UC-2 was also proposed in the old Pangbang Town.

Decision

- The revision of the Panbang Structure Plan was endorsed as proposed

15. Issues related to Good Planning Process and acceptance by stakeholders

The following issues were submitted for discussion and consideration of the 20th NCCHS Meeting and decided:

- a. Inconsistent land data

The ministry shall not initiate any planning process without the availability of accurate data.

- b. Increase of the building heights

The increase of the building heights will be governed by the Bhutan Building Regulations 2018.

- c. Small plots

The MoWHS shall take up the issue with the National Land Commission Secretariat.

- d. Development on steep slopes

The restriction on the development on steep slopes and in high hazard zones will still be imposed

and not released for development unless there are independent geotechnical studies undertaken and the findings suggest otherwise. Given that provision of infrastructure and services in such areas will be difficult and costly, it was suggested that such areas do not generally be allowed to be developed.

e. Development of land falling under the international boundary buffer areas

The MoWHS has under the former Zhabtog Minister already initiated discussions with the relevant agencies. The MoWHS will follow up with the agencies.