

## 기부채납 건축물의 공공성 강화를 위한 제도 개선 방향 연구

The Study on the Improvement of Policies for Strengthening the Publicness of  
Donation Accepting Public Buildings

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SUMMARY

## 1. Introduction

This study aims to derive tasks for improving the quality level of the contribution acceptance buildings and reviews the direction of the system improvement based on various problems, such as the buildings not providing an adequate environment to the consumer, the buildings being excluded from the minimum procedures for quality control including architectural planning and public architecture deliberation that must be going through to secure publicity, and the waste of budget caused by interior change and creation of underused space due to the frequent changes in operation and management plans regarding the infrastructure and the program.

Based on this background, this study aims to identify the supply system and current status of the buildings supplied to the public with the acceptance of contributions and suggests quality management enhancement solutions and system improvement directions for improving the quality of the contributed acceptance buildings based on issues that appear during the establishment process of the contributed acceptance buildings and diagnosis of the corresponding problems.

## 2. Contributed Acceptance Policy Status

Laws that directly regulate contributed acceptance in South Korea include 「the State Property Act」, 「the Public Property Act」, 「the Housing Act」, 「the Act on the Improvement of Urban Areas and Residential Environments」, 「the Local Tax Act」, and 「the Value-Added Tax Act」. 「The National Land Planning and Utilization Act」 stipulate public contributions that include contributed acceptance. Furthermore, it deals with various details through institutions such as “Guidelines for Donation of Infrastructure” or “Guidelines for Donation of the infrastructure of a Housing Construction Project” of “Guidelines for Establishing District-Unit Plan”, which is operated in the format of directives or guidelines and “Pre-negotiation of Urban Plan Change” and “Guidelines for Public Facility Donation Floor Area Ratio Incentive”. Delving into the characteristics of the system related to the contributed acceptance, the guidelines for donation, that is operated by the State, and the local governments deal with details such as the principle of the donation and calculation criteria, total liability ratio and level of liability, infrastructure installation standards, location and scale of contributed acceptance facilities, and shape of land. However, they mostly focus only on the initial stage of the development project. To make matters worse, there have been no separate regulations on the establishment process of the facility after the donation, nor on the operation and maintenance of facilities after the completion, raising issues such as quality control problems during the establishment process of the facility (building) and difficulties in securing budgets for continuous operation and maintenance.

## 3. Contributed Acceptance Building Operation Conditions

The surveys on contributed acceptance buildings were mainly focused on their status in metropolitan cities such as Seoul, Daejeon, Daegu, and Busan, as well as local governments such as Seocho-gu, and Suseong-gu of Daegu, which responded to requests for data.

In the case of Seoul, it was confirmed that the types of the contributed acceptance building were becoming increasingly diversified to public rental industry facilities, public rental shopping malls, public rental housing, and educational research facilities from public office buildings, cultural facilities, and social welfare facilities. The Seoul Metropolitan Government is the only local government that has established a separate management system for such contributed acceptance buildings and is trying to introduce a project management system equivalent to public architecture focused on architecture planning through the national public building center with the recently established contributed acceptance public building project management system improvement plan (proposal) (September, 2021). In addition, it has established a plan to renovate the management system such as systematic purpose selection procedure and history management with the frequent demand identification regarding the contributed acceptance buildings of the corresponding cities and districts in line with the urban planning portal via contributed acceptance demand·supply integrated management system.

Despite these efforts by some local governments, the creation and operation of contributed acceptance buildings are poorly managed. Since there are no separate survey items in the public property management system, regular inspections are often not conducted, and important information is often omitted, such as the reasons for acquiring public facilities.

In addition, it is difficult for a systematic management to take place since the department in charge of managing the contributed acceptance buildings varies in each local government, and because the departments that manage each public property management, demand survey, prior consultation, and integrated management are all dispersed within the same local government.

The spread of contributed acceptance buildings is a major issue in the media, and the main issues that are pointed out by numerous articles were criticisms on securing the publicity such as the controversy over the adequacy of facilities, maintenance of contributed acceptance facilities, designation of management offices, and privatization of the facilities. In the case of public rental housing, which has been gradually expanding in recent years, it has been confirmed to trigger conflicts in the local community.

As for the management status of the contributed acceptance buildings, the facility decision process, donation promotion process, initial urban planning decision, and

changes in the final facility operation program were researched through in-depth case analysis via on-site visit surveys and interviews with managers. As a result of the in-depth case analysis, frequent changes in operation plans and poor initial building plans, inappropriate location selection of facilities, lack of quality control measures equivalent to public buildings, and lack of management plans after completion were narrowed down as major issues.

Contributed acceptance buildings generally divide into two types: one that secures separate land and be donated after construction and one that only donates part of the facilities in the building. The main problems derived from the interview with the manager and the results of the in-depth case analysis can all be prevented with pre-inspection items in each stage of the construction.

In the facility decision stage, the type, location, and purpose of the facility are determined. When a separate site is secured to construct a building, a management system for location selection, land shape, and facility purpose is required to confirm the possibility of operation in order to secure the publicity of the building in the future. In the building construction stage, when a separate site is secured to construct a building, a management system that can embody the intention of the initial plan, space deployment, and planning which reflects the actual manager's demands until the completion of the building layout in the site is operated. In the maintenance stage, a periodic operation status investigation and a plan to reflect excessive maintenance costs in the initial donation ratio are required.

## 4. The Oversight in the Improvement of Systems regarding Contributed Acceptance Buildings

As examined in Chapters 2 and 3, the target and range of donation are gradually expanding, showing a tendency of expansion of subjects and scope of not only the provision of land but also the provision of public facilities and their construction costs. On the other hand, the standards and grounds for the quality of completed buildings and subsequent operations that have not been provided as related systems only stipulate procedures that should be conducted in the initial process of the project

such as principles of donation, calculation standards, total liability ratio, and liability level, infrastructure installation standards, contributed acceptance facility's location and scale.

In addition, public buildings are currently defined as buildings built or created by public institutions in accordance with Article 2 (Definition) of 「the Act on the Promotion of Building Service Industry」. Thus, buildings built by the private sector and donated to the public are excluded from the range of public buildings defined by the law, and the project is carried out without being subject to the preliminary procedures introduced to prevent excessive waste of budget and to improve the quality of public buildings.

To react to these limitations, this study established two directions: preparing the solution to apply preliminary procedures and standards equivalent to the public buildings to contributed acceptance buildings through practical intervention and improvement of screening process in short term and establishing systematic foundation via review of the definition of the public construction long term.

The existing management plan establishment procedure provided challenges in checking whether the building implemented the actual context of the agreement because the ownership was transferred to the managing institution immediately after the completion of the demand survey, facility managing plan establishment, and checking of the construction details. This study has suggested essential review items and the process that can enhance the publicity of the contributed acceptance buildings by improving the demand and supply matching process of contributed acceptance buildings after the facility decision, enhancing construction planning and pre-consultation process, and establishing a detailed quality management process and standard of the building.

In the long-term, this study has suggested expanding the range of public buildings from the buildings constructed or built by public institutions to the buildings constructed, built, owned, or managed by public institutions, so in the end, the buildings that are owned, utilized, and managed by the public are included in the preliminary procedure management system for public construction project orders.

## 5. Conclusion

This study reviewed improvement measures to enhance publicity during the process of constructing contributed acceptance buildings, which are rapidly spreading as an important type of donation in the systematic framework of public contribution, including the donation from various development projects according to the urban planning.

The direction of system improvement for contributed acceptance buildings suggested in this study can be significant in that it focused on searching for solutions based on problems arising in the current contributed acceptance building projects and suggesting directions to improve practical intervention steps or deliberation procedures under the current legal system. On the other hand, this study failed to review the fundamental problems of donation due to the limitations of the content and spatial scope.

In the long-term, other follow-up tasks should be continuously conducted. Research should become more advanced in preparation of the legal system amendment renovations related to contributed acceptance buildings and the quality regulation for effective construction and management.

### Keywords

Contributed Acceptance Buildings, System Improvement, Publicity