

FREE PASS FOR DEVELOPERS?

DRAFT KL LOCAL PLAN 2040 NEEDS GREATER SCRUTINY

IAPPLAUD all parties involved in producing the detailed documents and briefings for the draft Kuala Lumpur Local Plan 2040 (KLLP2040).

The KLLP2040 draft has two volumes: Volume 1, Managing City Planning (divided into three parts); and Volume 2, Promoting City Development.

In Volume 1, for item 1-3.1 Change of Land Use Zone, it states that all land plots in KL have been designated with land use zones. Therefore, permitted uses and activities must comply with what is stated in Volume 1: Part 3, Classes of Use of Land and Buildings 2024.

However, changes are not permitted except through the provision of Section 17 of the Federal Territories (Planning) Act 1982 (Act 267) which also states that the mayor can alter, add, revise, repeal or replace KLLP2040.

That the mayor has such power over the KLLP2040 is my first concern.

Isn't it better if the Federal Territories Minister Council, which was activated recently, plays the role of checks and balances?

I recall that in 2023, the Federal Court dismissed an appeal by Kuala Lumpur City Hall (DBKL) and three others to reinstate the controversial

development order over parts of Taman Rimba Kiara (TRK).

The unanimous judgment said it was incumbent upon the court to protect the public's interest when land allocated for public space was removed from public use and utilised for private ownership.

A major change from the Kuala Lumpur City Plan 2020 (KLCP 2020) is how maximum density is measured for residential areas, from the previous persons per acre (ppa).

Low density residential areas (R1) and Established Housing (EH) are now based on height control (two- or three-storey) while other residential areas categories (R2, R3

and R4) are now based on plot ratio, similar to non-residential or commercial areas.

Plot ratio refers to the ratio between the gross floor area of a building and the area of the building plot based on some guidelines. A plot ratio of 1:4 can result in buildings as high as 20 to 30 floors depending on design and layout.

The main worry is it allows for higher densities via plot ratio "incentives" between 5 per cent to 100 per cent in redevelopment areas. For lot amalgamation areas, the incentive plot ratio is from 50 per cent to up to 400 per cent, depending on the area.

These "incentives", whether

given in support of public transport infrastructure, urban renewal or land ownership rationalisation, must be earned.

The KLLP2040 is silent on the detailed calculations, including criteria and the societal benefits, from giving such incentives to developers. Is this a free pass to further increase developers' profits?

Lastly, the period given for public comments on KLLP2040 is too short. It was initially up to March 1 then extended to April 1. A longer period is needed for better transparency.

SALLEH MOHAMMED
Kuala Lumpur