

KL stakeholders left disadvantaged

City Hall's new development regulations make public participation optional

THE recent gazettelement of the PU (A) 179 Federal Territory (Planning) (Application for Planning Permission) Rules (2025) goes against the guiding principle that Kuala Lumpur City Hall (DBKL) employed in the Kuala Lumpur Structure Plan 2040 (PSKL).

In DBKL's own words: "The PSKL was developed through extensive public consultation and stakeholder engagement."

These two important principles of public policy planning were clearly ignored in the drafting of the new rules.

This is also against the spirit of the Federal Territories Planning Act (Act 267) and is not aligned with the objectives of the Public Private People Partnership that DBKL is promoting.

The new planning rules supersede the revoked 54-year-old Planning (Development) Rules.

The new rules should reflect the law, case law and proceeding as it stands, the current demands of society in terms of good governance and public participatory planning, but they appear to be regressive in nature.

DBKL has not taken into consideration the Sustainable Development Goals relating to inclusivity, public participation and the spirit of partnership when gazetting these new rules.

Our main concerns are that the new rules will disadvantage Kuala Lumpur residents.

There are major changes in the new rules which supersede the Planning (Development) Rules 1970 (PU (A) 7 (1971) and its amendments.

Rules 5 and 7 of the 1970 regulations have been removed and apparently consolidated as Rule 3 in the 2025 version.

Assurances must be given that the Local Plan Alteration (*Perubahan*) process remains in place, and that there will be no premature granting of any form of Development Order before the *Perubahan* process is completed.

The *Perubahan* process operates directly under the Federal



Territories Planning Act itself.

The removal has effectively eliminated the rights of neighbouring landowners to be notified of any new purported development, hence removing the rights to protest and be heard.

This suppression of rights goes against the power given to the authority to make rules, which is supposed to supplement or enhance the smooth execution of Act 267.

This is an abuse of power, i.e. removing the public participation rights under the guise of implementing rules to supplement the Act.

In summary, the 1970 rules required mandatory public notification through newspapers, a 74-day plan display, notices to adjacent landowners, public objection rights, objection hearings and consultation with technical agencies.

Timelines and procedures were more transparent and oriented towards public participation, based on Act 267 and the spirit of community involvement and administrative oversight.

The 2025 rules, effective since last June 16, do not mandate public notification, do not set a fixed plan display period, do not require notices to adjacent landowners and do not grant a specific right to object.

Objection hearings and consultations with agencies are now optional at the discretion of

the mayor.

The new rules seem to be more oriented towards administrative efficiency and centralised authority, with less emphasis on public participation and oversight compared to the 1970 regulations.

These revised rules seem to have granted wider power and discretion to the mayor in decision making.

While mayoral discretion can be used positively, unchecked discretion removes accountability.

A governance system that relies solely on the goodwill of a single office-holder, without codified safeguards, is vulnerable to inconsistency, political pressure and public distrust.

The fundamental issue here is about social enlightenment and sophistication that has come about over half-a-century and the need to recognise new global paradigms as well as higher civil society expectations.

The lack of public engagement in drawing up these new rules only reinforces the negative perception of transparency and public participation for development in Kuala Lumpur.

DBKL's slogans like "KL City for All", Make KL a Sustainable, Liveable and Loveable City" can never be realised without public participation.

Past incidents and recurring risk patterns (such as landslides

and fault lines, flash floods, excessive traffic jam) are often missing the public disclosure of requisite planning documents and reports such as Environment Impact Assessments (EIA), Traffic Impact Assessments and Social Impact Assessments.

Public engagement is the only stage where these can be exposed and addressed – it must never be optional.

DBKL should delay the implementation of the 2025 rules until a thorough public consultation is completed and the guidelines are revised accordingly to reflect viewpoints of the stakeholders.

It should publish a list of all legacy development applications that will continue to be dealt with under the revoked 1970 rules.

DBKL should reinstate the requirement to consult relevant technical agencies, affected communities and stakeholders before approving any planning application.

"Relevant authorities" should be defined and this should include statutory references to agencies so that the mayor can't pick and choose arbitrarily.

Public and community input must be guaranteed.

Direct, formal written notification to residents associations and non-governmental organisations (NGOs) in affected areas, with a fixed response period, should be mandatory.



The new planning rules supersede KL's 54-year-old Planning (Development) Rules which had requirements for public notification.
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DBKL should publish a consultation summary report online for each application, listing those consulted and feedback received.

There should be a trigger mechanism for risk areas.

For high-risk zones (steep slopes, floodplains, heritage sites), consultation must be compulsory and involve site-specific technical assessments before approval.

There should not be any discretion override without justification.

The mayor must issue a publicly accessible written justification explaining every discretion exercised.

Gaps within statutory processes such as EIA should be closed.

Rule 3 should explicitly require coordination with other statutory processes, so that environmental and safety concerns aren't bypassed through separate planning approvals.

The public accessibility OSC Portal should be reinstated for transparency and enhancing open data within DBKL.

This statement is jointly issued by KLRA+SD which represents 75 Residents Associations in Kuala Lumpur; Selamatkan Kuala Lumpur; Friends of Bukit Dinding; Friends of Bukit Kiara; Gabungan Bertindak Malaysia; Alliance of River Three; and Community Action Nexus Bhd.