

Zahir: Newly gazetted plan is a regressive move that can open up possibilities of misuse of power.



Yeoh: Development with increased plot ratio will still be subject to public consultation.



Fernandez: Public consultation should be practised for all development order applications.

Public opinion on developments must be heard, say lawmakers

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A NEW law allowing the Kuala Lumpur mayor to seek public consultation for development project only when necessary, has received much flak from a legal expert and lawmakers.

The Federal Territory of Kuala Lumpur Planning Rules 2025 was gazetted on June 13 and said to have taken effect three days later.

It was highlighted during a Dewan Rakyat session earlier this month by Seputeh MP Teresa Kok, who criticised the government for gazetting the rules that handed excessive power to the mayor.

It became a matter of contention as Rule 3 stipulates that the mayor is only required to consult others if it is deemed necessary before considering an application for planning permission.

Local government legal expert Derek Fernandez said public consultation should be practised for all development order applications, to identify legitimate concerns that might not be picked up by local authorities.

"In many cases, there is insufficient detail in a local plan and this can give rise to a wide range of factors on the ground affecting the public.

"Public consultation bridges the gap between desktop plans and reality on the ground.

"No city can talk about sustainable development and meaningful public participation in planning and development control without preserving the public right to be heard or consulted.

"There is more good than harm in hearing the public and it usually leads to better decision-making and governance through transparency," he said.

Lawmakers also weighed in on the gazetting of the new planning rule.

Wangsa Maju MP Zahir Hassan described the new law as a "regressive move" that would open up possibilities of misuse of power.

"The process in gazetting a plan needs to be more transparent, as the changes happened without engagement and consultation.

"We cannot have a situation where a lot of power is given to the mayor," he said.

"There must be clear limits of authority to the mayor and more engagement with the *rakyat*; if not the *rakyat*, at least the MP," Zahir added.

Cheras MP Tan Kok Wai said he would be calling for an urgent meeting with Kuala Lumpur mayor Datuk Seri Maimunah Mohd Sharif to clarify the specifics of the matter.

"The mayor has to clarify the new rule and which specific development needs prior public consultation.

"Kuala Lumpur is facing over-development in many areas with high density high-rises.

"Proper planning through public consultation as well as basic amenities improvements are needed to ensure sustainable development," said Tan.

Segambut MP Hannah Yeoh said public hearing was still needed for development that was inconsistent with the gazetted Kuala Lumpur Local Plan 2040 (KLLP2040).

"This means that public consultation is needed for projects that have a change in zoning and plot ratio, but for proposed development that is consistent with gazetted local plans, there is no need for consultation," she told *StarMetro*.

Yeoh is calling on authorities to implement new social and environmental impact assessments for development orders (DO) that have been approved but have yet to start building.

"For example, in Desa Sri Hartamas, I am calling for old approved projects that have yet to be constructed, to be imposed with new Social Impact Assessment (SIA) and Environmental Impact Assessment (EIA) because the situation on the ground has changed.

"The renewal of old DOs cannot and should not be automatic," she said.

Previously, Kuala Lumpur City Hall (DBKL) said in a statement that it continued to practise best planning methods through the implementation of Rule 3 of Federal Territory of Kuala Lumpur Planning Rules 2025.

"Even though formal public objections and hearings are no longer part of the process after the gazetting of KLLP2040, DBKL continues to prioritise public input.

"Stakeholder consultations are still required for specific development proposals, such as those with increased intensity or limited duration, ensuring the public can provide feedback before approvals are given.

"Additionally, since Jan 26, 2024, DBKL has implemented SIA guidelines for all major projects, including infrastructure, utilities and affordable housing," DBKL said.