DRAFT KUALA LUMPUR
2020 CITY PLAN

RESPONSE OF COALITION FOR GOOD GOVERNANCE (CGG)

1 PREAMBLE

Dewan Bandaraya Kuala Lumpur is to be congratulated for completing the Draft KUALA LUMPUR 2020 CITY PLAN. It is a major step forward for the good governance of the city as the process of finalising the City Plan is one of the few occasions in which the city may engage the public in a serious and systematic discussion on the future of the city. It is also an opportunity to muster the support of the public in the implementation of the final City Plan. The future of Kuala Lumpur is not just the responsibility of the City Administration but also that of the citizens of Kuala Lumpur. The City Plan should, therefore, elicit a sense of joint-responsibility and joint-ownership between the governor and the governed. The citizens of Kuala Lumpur have a high stake in the future of their city. Where they see the City Plan as leading them to a bright and happy future, they will support it with enthusiasm and zeal. The citizens are essentially concerned that they have a liveable environment, a safe, healthy and comfortable habitat for their children and themselves, a supportive infrastructure for their businesses and work places, a caring administration that is receptive and responsive to their complaints, suggestions and proposals that may arise from time to time and, generally, a city they can be proud of.

2 THE NAME OF THE PLAN

To call the present plan the “Kuala Lumpur 2020 City Plan” is ambiguous and misleading. There is no provision in the Federal Territory (Planning) Act of 1982, the legal framework for planning for the city, for a “City Plan”. The Act provides for a Structure Plan and a Local Plan or Local Plans which would constitute the Development Plans for the city. Since the Structure Plan, which outlines the planning and development strategy for the city, has been prepared some time back, the present plan must be assumed by the public to be the “Local Plan”. To use any other title for it introduces an element of uncertainty as to its legal status within the framework of laws governing planning for the city. The present draft “City Plan” has all the elements and qualities of a local plan and, in an easily missed part of a sentence in the introduction – “It is the draft local plan for Kuala Lumpur prepared under provision of Section 13 of Federal Territory (Planning) Act 1982 …” – does identify it as the Local Plan. When approved and adopted, it will constitute the main document of the Development Plans as it contains the details for citizens to refer to for information and validation of the permissible uses for their properties. However, with its title as the “City Plan”, for which there is no provision, and to which there is no reference, in any existing law, reconciling it with the issue of origin and legitimacy becomes controversial. It is one thing to say, in one needle of a statement in a haystack of statements, that it is
something and another to call it, incontrovertibly, THE something. It could give rise to potential litigation. CGG sincerely believes that the more prosaic title of Local Plan should be used – perhaps something like “Kuala Lumpur Local Plan 2008-2020” – and this title should appear on all its document covers as an identification. By all means, the more exciting name “Kuala Lumpur 2020 City Plan” may be used as a subtitle and be emblazoned all over the Local Plan documents.

3 TIME TO RESPOND

Dewan Bandaraya initially allowed the public a period of 1 month to object to or make representations in respect of the Draft City Plan (Local Plan) but has extended it to the end of August 2008. The Federal Territory (Planning) Act 1982, however, does not specify the time allowable. It simply refers to “the period afforded for making objections to or representations in respect of a draft local plan” (Part III Section 16 Sub-section (1)), presumably anticipating that the local authority will act with discretion and appropriateness.

The Federal Territory (Planning) Act came into force in 1982. One would expect that the preparation of the Development Plans – Structure Plan and Local Plan – could and should have been dealt with within the first 5 years of the Act coming into force. That it has taken Dewan Bandaraya 26 years to prepare the Kuala Lumpur Structure Plan and the Draft Local Plan (City Plan) would suggest that the plans are difficult to consider, complex and time-consuming to prepare. For the public it will be equally difficult to consider, complex and time-consuming to read, digest and understand, as well as to formulate coherent responses.

It should also be borne in mind that the public does not only consist of atomised individuals concerned with their particular parcels of land and personal views but also groups and organisations that would want an opportunity to organise themselves to discuss and debate the principles as well as details of the Draft City Plan (Local Plan) and, to be helpful to DBKL, to formulate not only coherent responses but responses that are positive, comprehensive, unified and feasible. This will not only require effort but also time. Given that it has taken DBKL 26 years to prepare the Development Plans – Structure Plan and Draft Local Plan (City Plan) – which have to be read in tandem, CGG suggests to DBKL to afford the public at least 26 weeks to respond to the present Draft City Plan (perhaps till the end of December 2008). Given the importance of the subject matter and the wide interest it is eliciting, a rush to end examination and discussion does not bode well for the future governance of the city. It may be suggested that DBKL, with its organisational resources, could initiate and organise, with some of the more active NGOs, some of these public discussions and debates. At such events DBKL should, of course, act strictly as a facilitator and not be seen to be steering the direction of the discussions. Such public-spirited action on DBKL’s part would certainly have a positive effect on DBKL’s public relations and prestige. From such public discussions and debates the potential respondents, NGOs and individuals, could formulate their particular responses. The process could help to eliminate some of the potentially contradictory or irrelevant responses.
These discussion sessions would differ from the consultation sessions held at the beginning of the Draft City Plan preparation process, in that at these sessions there will be a prepared basis for discussion. Discussions will be directed to focus on the plan proposals.

4 POPULATION TARGET

The Draft City Plan targets a population of 2.2 million for the Federal Territory by 2020. This appears to be derived from the Structure Plan and there is no cogent justification for this target. As the National Physical Plan projects a lower population for the Federal Territory (based on existing trends and a projected exodus of population from inner cities to the suburbs, that is, from Kuala Lumpur city to the conurbation), the Draft City Plan should consider a downward revision of this target. (The population target cannot also be pegged to job creation as many city workers are prevented by high house prices from fulfilling their desire to live within the city. Indeed, means to lower or even to control house prices in the city could have been one of the subjects of the City Plan.)

Any discussion of the population of Kuala Lumpur should include the population of Putrajaya. Since Putrajaya has extricated from Kuala Lumpur a major component of its function (the governmental function) and with it a sizable portion of its population, the population of Putrajaya should be calculated as part and parcel of the Kuala Lumpur population, including how it may affect the demographic composition of the total population, as if it is just a suburb. Its separation from Kuala Lumpur by some distance and by the territories of intervening local authorities should be disregarded.

At any rate the population target should be reviewed. For an area of 242.2 sq. km. this gives a density of more than 9,000 persons per sq. km. or 90 persons per hectare, a rather high density that is not easily reconciled with the rhetoric of “a liveable city” or “greener city”. Given the need to set aside a large proportion (70%\(^1\)) of the city area for commercial, institutional, industrial, recreational and other uses as well as for infrastructure and utilities, such as roads, drains, cemeteries, sewerage treatment plants, etc., the gross residential density may be as high as 350 persons per hectare, not a very comfortable density to live in. Kuala Lumpur will have to be a city of apartments with very few landed properties. As the population target implies an addition population of 600,000 people between 2005 and 2020 much of the present low and medium density housing will have to be converted to high-rise apartment development.

\(^1\) DKLCP Volume 1 page 4.4 “Land Use Zones, 2020”
A comparison of urban densities with a random selection of world cities may be sobering:

<table>
<thead>
<tr>
<th>CITY</th>
<th>PERSONS PER KM²</th>
<th>PERSONS PER HECTARE</th>
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<tr>
<td>Kuala Lumpur (current)²</td>
<td>6840</td>
<td>68*</td>
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<tr>
<td>Kuala Lumpur City Plan³</td>
<td>9577</td>
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<td>Melbourne⁴</td>
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<td>Toronto⁷</td>
<td>3972</td>
<td>39</td>
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²The current density in Kuala Lumpur is more than twice the NPP projection of 25 persons per hectare; despite this, the Kuala Lumpur City Plan proposes an almost 2 fold increase, 4 times over the NPP projection, in density by 2020!

A large population should not in itself be a target. A population target should be a function of what a finite area can contain and still afford its residents the quality living described by the rhetoric of the City Plan. As projected in the National Physical Plan, Kuala Lumpur will be the hub of a metropolitan area of 8.4 million, clearly one of the major city regions of the world, with more people than even Greater London. If being big and populous is important, there is clearly no necessity to pack more people into Kuala Lumpur. As the Kuala Lumpur Structure Plan predated the National Physical Plan, the City Plan should adopt the later figures of the National Physical Plan population projection for the City of Kuala Lumpur (1.8 – 1.9 million by 2020) as its population target. To do otherwise is to defy the adoption by the Federal Government of the 2001 Amendment to the Town and Country Planning Act extending the jurisdiction of the National Physical Planning Council to include Kuala Lumpur and extending the strategic policies of the National Physical Plan to cover Kuala Lumpur. At the very least, Kuala Lumpur is expected to plan within the national development context. As the national capital and leading city, its refusal to do so will doom the National Physical Plan to failure! If Kuala Lumpur does not agree with the National Physical Plan, it should have raised its objections before the National Physical Planning Council. Since it has not done so, it must be assumed that Kuala Lumpur acquiesces with the National Physical Plan. A refusal to comply with it now is not formal objection but sheer recalcitrance, or even an act of insidious sabotage. It calls for a directive by the National Physical Planning Council.

A population target has far-reaching effects on the policies of the City Administration. At KL city house prices, clearly only a small proportion of the 600,000 anticipated in-migrants will be able to afford private sector middle cost to high cost housing. DBKL has no choice but to adopt an aggressive policy of building low-cost housing. Juxtaposed against a policy to regulate industrial activities and, presumably, of encouraging illegal and inappropriate industries to relocate out of the city (the Draft City proposes a reduction of industrial areas by 8% by the end of the plan period), the synergy of the policies could lead to reversed commuting – live in the city and work in

² The Star, 26 May 08
³ Ibid
⁴ http://en.wikipedia.org/wiki/Melbourne
⁵ http://en.wikipedia.org/wiki/London
⁷ http://en.wikipedia.org/wiki/Toronto
the conurbation. This is just as undesirable as the present situation of inward commuting. DBKL should not plan as if it is competing with the other cities in the Kuala Lumpur conurbation for population share but should plan with them for a judicious spread of people to create a good living environment not only for the residents of Kuala Lumpur but for the whole conurbation. Kuala Lumpur should not plan as if it is an island surrounded by the sea like Singapore or by guarded borders like Hong Kong. Kuala Lumpur is free to assign some of its development potential and the population growth that comes with it to the greater Kuala Lumpur conurbation.

As for world class, it will hardly be world-class in image and living environment, with its resultant banks and banks of low-cost housing! And all this arising from a population target plucked from the air – a population target that is even doubtful of achievement given the current trend of slow growth of the city population! Far from creating a world-class city DBKL is more likely to turn the city into one huge slummy rabbit Warren.

5 OPEN SPACE

According to the KL Structure Plan only 6.5% of the total land area of the city has been gazetted as “open space”. Under the National Urbanisation Policy (NUP) prepared by the Department of Town and Country Planning, Peninsular Malaysia, a target for open spaces was adopted. One of the measures identified under the policy (NUP9.ii) is to “provide adequate public open spaces by the adoption of a standard of 2 hectares per 1,000 urban population”.

The policy also calls for recreational areas to be gazetted and for their development to be monitored, for environmentally sensitive areas to be protected and for green areas to be established as buffer zones to limit urban development, amongst other provisions.

The current 6.5% coverage of gazetted open spaces in the city translates to only 0.36ha per 1,000 people which is far below the target of 2ha per 1,000 people. The current gazetted open space to population ratio for Kuala Lumpur compares poorly with that for London (4ha per 1,000 people), Melbourne (2ha) and Toronto (2ha).

The Federal Territories Ministry is in the process of drafting a Policy on Green Areas for the Federal Territories (“Dasar Kawasan Hijau Wilayah Persekutuan”). Green areas are defined in the draft policy as “areas that on the most part are covered with natural vegetation or crops.”

In order to attain the targeted 2 ha per 1,000 people ratio by 2020, the coverage of gazetted open spaces will have to be increased from the current 6.5% of the total area of KL to 18% (taking into account the population growth projection for 2020 – unless the population target is revised). This can be achieved, if the City Authority can look into the gazetting the city’s existing green areas, which are currently available as open spaces. However, the provision for public open spaces in the Draft Kuala Lumpur City Plan 2020 is for approximately half of that area, which does not meet the target of the NUP of 2ha per 1,000 people.

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1 Kuala Lumpur Structure Plan 2020 pg 6.1 Table 6.1
However, certain actions proposed in the Draft City Plan contradict this line of action. Certain existing green areas such as buffer zones are proposed to be designated for various uses, including for housing, commercial use, etc. These include areas in Medan Damansara, Medang Serai, Institutional land in Federal Hill, and the Gasing Heights. Again the rhetoric of the City Plan and its manifestations do not match. It should be borne in mind that these are existing green areas and do not, therefore, require the removal of buildings and other developments to be converted to public open space. How reassuring can DBKL be in ensuring that the rest of the 2 ha. per 1,000 population is to be fulfilled?

6 ENVIRONMENTALLY SENSITIVE AREAS

In the chapter on “Protecting and Enhancing the Environment” the City Plan states the following policy: EN 6  *KLCH shall not permit development on hillsides with slopes that exceeds the allowable level, rules and regulation set by Federal Government.*” However, in the same breath DBKL leaves the door ajar for itself by reducing this to: “Control on developments in areas ranked as ESA is through additional planning control …” What the additional planning controls will be are left to be determined, presumably, on a case by case basis. The track record of DBKL is not very reassuring. Two examples are the granting of planning permission to develop on Gasing Heights and on very steep slopes in an originally designated buffer zone in Medan Damansara. The additional planning control are the requirements for geo-technical reports, mitigation measures, lowering of densities, protection of the new slopes – but still all adding up to development, risk to existing residents, loss of green areas and a degradation of the city environment.

7 STABLE NEIGHBOURHOODS

This particular section is a comment on some of the detailed proposals of the City Plan and is also a recommendation to DBKL to include in the plan a policy to safeguard and protect stable neighbourhoods, that is, to play the positive role of a guardian for the city. The recommendation is that stable neighbourhoods should not be disrupted. This is derived from the observation of the events in Medan Damansara, Bukit Tunku and Bukit Persekutuan.

A neighbourhood that has taken decades to stabilise, physically through adherence to its original layout plan and socially through the long interaction of its residents, should not suffer the disruption and indignity of an insertion of further development into areas which the residents have long regarded as green lungs and integral components of the neighbourhood. While there may be a desire on the part of DBKL to introduce infill development, the meaning and nature of infill development should be carefully considered. Infill development is not simply filling in every pocket of “empty” land with development. Much of these “empty” pockets were deliberately provided for in the original layout plans and serve as passive open spaces, buffers and aesthetic relief to continuous areas of housing. These pockets of land should not be seen as a means to increase the coffers of DBKL by the collection of planning fees and rates. They contribute to the aesthetic and environmental quality of the city and are a hallmark of the architects and town planner who designed these residential areas. To insert further
development into these neighbourhoods would destroy their physical cohesion and disrupt their social stability. How much the residents may be riled by the insensitivity of DBKL may be indicated by the switch of political loyalty in some constituencies of Kuala Lumpur, e.g. Segambut (Medan Damansara development) and Lembah Pantai (proposed commercial use of institutional police land), which, after decades of loyally returning the candidates of the ruling party, elects an MP from another party in the recent General Elections.

8 MAPS

The detailed proposal maps contained in Volume 2 Part 2, providing information on Land Use Zoning and Development Intensity, are of a very good visual quality. However, there are two critical items of information missing from the maps. They are:

(i) Present Land Use

Without this information the public cannot tell what the change in permissible use is. DBKL may argue that individual property owners know the current use of their properties and, therefore, will know what the change is, without reference to a present land use map. However, DBKL is not just addressing property owners as atomised individuals but the community as a whole. It is, therefore, legitimate for the public to request that a Present Land Use Map, at the same scale as the proposal maps, be produced. A Present Land Use Map is likely to have been prepared in the course of studying the city for the production of the City Plan. It is only a matter of publishing it for the benefit of the public. (Providing such a map at a reduced scale in a different volume will not make for easy reference for the layman.)

(ii) Contour Information

Without contour information the public cannot immediately tell where the environmentally sensitive areas are. One has to be exceptionally familiar with the physical features of the city to identify the hills, steep slopes, ravines, floodplains and other features. The maps in Volume 2 Part 2 should, therefore, be prepared on a topographical base. Given the current availability of digital mapping this should not be an onerous task for DBKL.

Identifying Environmental Protection Zones (Volume 2 Part 1) is helpful but it should not be a reason for depriving the public of the right to an independent assessment of what constitutes an environmentally sensitive area, particularly in relation to their respective neighbourhoods.
9 CONCLUSION

These responses from CGG are focused on the Kuala Lumpur residents’ concerns and expectations. In the areas of economics, business expansion, job creation and other matters, CGG defers to other respondents or to DBKL as it does not feel qualified to comment.

The high-minded rhetoric that introduces the City Plan is very edifying and seductive. But further reading of the City Plan reveals a discrepancy between rhetoric and detailed proposals. A resident would worry about further discrepancy between plan proposal and implementation. In a situation where the citizen has no control and little influence over the City Administration he/she feels hopeless and must depend on the good intention and dedication to duty of the City Administration.

The main areas of objection and comment of CGG are:

i. The title of the plan.
ii. The time afforded for response.
iii. An unjustified and unnecessarily high population target.
iv. Contradiction between open space provision and development of green areas.
v. Contradiction between plan statements on environmentally sensitive areas and detailed proposals.
vi. Contradiction between rhetoric and the detailed proposals laid out in Volume 2
vii. Lack of protection and support for stable neighbourhoods.
viii. Inadequacy of maps.
ix. Usage of highly technical terms (a glossary of technical terms should be provided for the benefit of the layperson.)

Please refer to the following appendices for more details:

Appendix 1 Development Plans – Processes and Procedures
Appendix 2 A Social Scientist’s Perspective
Appendix 3 Connectivity and Assessibility
Appendix 4 Protecting and Enhancing the Environment
Appendix 1

Development Plans – Process and Procedures

The development process for the growth of a planned city primarily depends on the formulation of Development Plans. Development Plans, namely Structure Plans and Local Plans, are statutory documents that provide the policy framework and the direction of growth of the city. In addition these plans provide the Local Authority the means and measures to ensure a well-planned development process by imposing development controls to ensure that there is a balance in development and the environment. The preparation of Development Plans stems from the legislation tool, in this case, the Town and Country Planning Act that clearly states the different stages of embarking on the preparation of the Development Plans.

In West Malaysia, the Town And Country Planning Act of 1976 (Act 172) provides the legislative framework for the preparation of National Physical Plan, Structure Plan and Local Plan. This paper provides the sequence in the preparation of Development Plans and the process and procedures involved in its preparation.

1.0 Town and Country Planning Act 1976 (Act172)

It’s an act for the purpose of ensuring uniformity of law and policy for the proper control and regulation of town and country planning in Peninsular Malaysia. The Act clearly states the three main stages in the preparation of the Development Plans i.e. the National Physical Plan (NPP), Structure Plan and the Local Plan.

Under Section 6B of the Act it clearly states that “The Director General of Town and Country Planning shall, upon the direction of the Council, prepare and submit to the Council for its approval a draft national physical plan which covers for Peninsular Malaysia”.

The draft national physical plan shall—
(a) be a written statement formulating strategic policies for the purpose of determining the general directions and trends of the physical development of the nation;

(b) be accompanied by such indicative plans as may be required to clarify the strategic policies; and

(c) contain such other matters as may be prescribed or as the Council may in any particular case specify.

The Act further reiterates that it shall be the general duty of the Federal Government and the Government of every State to assist in ensuring that the objectives of the national physical plan are achieved.

Under Part III of the Act, every State will have to prepare a Structure Plan with clear guidelines that include:

a) the principal physical, economic, environmental, and social characteristics, including the principal land uses, of the State and, so far as they may be expected to affect the State, those of the neighbouring areas;

b) the national physical plan and other principal economic, social, physical and environmental management and conservation policies of the nation;

c) the size, composition, and distribution of the population of the State, whether resident or not

d) without prejudice to paragraph (a), the communications, transport system, and traffic of the State and, so far as they may be expected to affect the State, those of the neighbouring areas;

Similarly the Act also provides the basis for the Local Authority to prepare Local Plans whose procedures in the preparation of such plans amongst other must include the following:

Where a structure plan for the State has come into effect the local planning authority shall as soon as practicable prepare a draft local plan for the whole of its area.
A draft local plan shall consist of a map and a written statement and shall—

(a) formulate, in such details as the local planning authority thinks appropriate, its proposals for:
   (i) the development of;
   (ii) the use of land in;
   (iii) the protection and improvement of the physical environment of;
   (iv) the preservation of the natural topography of;
   (v) the improvement of the landscape of;
   (vi) the preservation and planting of trees in;
   (vii) the making up of open spaces in;
   (viii) the preservation and enhancement of character and appearance of buildings in;
   (ix) the improvement of communications in; and
   (x) the management of traffic in, the area of the local plan; and

(b) contain such matters as may be prescribed or as the Committee may in any particular case specify.

A draft local plan for an area shall contain, or be accompanied by, such diagrams, illustrations, and descriptive matter as the local planning authority thinks appropriate for the purpose of explaining or illustrating the proposals in the plan, or as may be prescribed by the Committee, or as may in any particular case be specified in directions given by the Committee; and the diagrams, illustrations, and descriptive matter shall be treated as forming part of the plan.

The Town and Country Planning Act stipulate specifically the need for public participation prior to the approval of the Development Plans. In the case of the Structure Plans, there are two levels for public participation, namely the Report of Survey stage and at the formulation of the Draft Structure Plan. Similarly at
the Local Plan preparation the Act stipulates that prior the preparation of a local plan, the local planning authority shall take such steps as will in its opinion secure:

(a) that publicity is given in its area to the draft local plan that will be prepared, its objectives and the purpose for its preparation, and matters that the local planning authority proposes to include in the plan;

(b) that persons who may be expected to desire an opportunity of making representations to the local planning authority in respect of those matters are made aware that they are entitled to, and are given, an opportunity of doing so.

2.0 National Physical Plan

The National Physical Plan is the national blueprint for spatial planning in Peninsula Malaysia. It is a tool to achieve an integrated and sustainable land use planning. The main functions of the NPP is to:

- Provide the spatial dimension to the national socio-economic plans and sectoral policies;
- Provide the framework for regional, state and local planning
- Provide physical planning policies and guidelines.

The policies and guidelines will provide the basis for the States’ in the formulation of the Structure Plans and subsequent Local Plans.

3.0 Structure Plans

Structure Plans are written policy statements on the goals, objectives and vision of the State in the development planning for the planned period, which is usually within a 20 year time period. The Structure Plan will cover all aspects of the development contents ranging from the following sectors:

i) Land Use
There are two stages in the preparation of the Structure Plan, the first incorporates the surveys, projected demography and demands and the development strategies envisaged for the planned area. These findings are published as the Report of Survey, which is publicised for a month for feedback from the public. Any objections, comments and proposals from the public will be considered prior to the preparation of the second stage of the Plan, namely the Draft Structure Plan. The draft structure plan will include the written statement of policies for each sector and provide the vision and development strategies and land use zonings in the forms of illustrative maps. This stage will also include public participation from the public for comments, objections and feedback prior to finalizing the plan. The Structure plan will identify the Local Plans that need to be carried out by the Local Authorities to provide a more detail planning of the local planning authority area (LPAA).

4.0 Local Plans

Local Plans are initiated by the Local Authorities to prepare detail development plans for their respective area. The Local plan includes the detail land use zonings of the LPAA and supported by projected requirements of the population by sectors for the planned period. The Local Plans will take into consideration the policies and framework of the National Physical Plan and the Structure Plan policies prior to the preparation of the plans. Detail surveys and assessment will be carried out to propose the land use intentions and strategies to be adopted by
the Local Authority. The manual for the preparation of Development Plans stipulates very clearly that the Local Authorities must consult the public on their vision, goals and objectives as well as on the direction of growth and zonings prior to the preparation of the Local Plan.

By this it means that the Local authority must consult residents’ association, NGO’s and other bodies on their strategy and vision and on the direction of growth prior to the formulation of the Local Plans. The local plans zoning will be detail zonings by land lots and incorporated into the cadastral sheets for reference by the landowners on the future land use zonings. The Local Plan will also provide the development guidelines and policy framework and the development usage by classifications, in the form of Use Class Orders. The land use zonings and strategies must be determined by the projected demands by each sector and the rationale for such usage must be clearly spelt out. In the UK and other European Countries, the policies are further scrutinizes and evaluated through the Strategic Environment Assessment (SEA) tool to further clarify the importance and relevance of the policies to the environment and to achieve sustainable development in the planning process.

The Local Plan therefore plays a vital role in the future development of the City or Towns and for the community by clearly formulating land use zonings and the projected requirements and needs for the sectors namely, housing, industry, commerce, social and community requirements, preservation and conservation of environmental sensitive zones, infrastructure and utility requirements, and the institutional framework to implement the recommendations and strategies.

5.0 **KL Draft City Plan**

The general assessment of the current KL Draft City Plan, 2008 has indicated that there are definitely anomalies in the process and procedures in the formulation of the plan and report. The main fundamental issues on the planning perspective include but not limited to the following:
• The KL Draft City Plan has not taken into cognisance the recommendation and guidelines from the National Physical Plan particularly in relation to the density and environment;
• The Plan has not fully followed the gazetted KL Structure Plan policies and recommendations;
• There seem to be some misunderstanding by DBKL on the term sustainable development and what it actually means;
• The Land Use Zonings were formulated without detail consultation and participation with the Residents’, NGO’s and other relevant parties;
• Some of the Zonings does not conform to the present uses but rather been rezoned for higher densities and other uses without any rationale or justifications;
• Proposed Transit Zones in the Draft Plan assumes that a 500 metre radius of area will be zoned for commercial uses but in comparison with world class cities its only the road fronting the station halts are zoned for commercial uses;
• The proposed LRT/Monorail corridors were arbitrarily indicated (desktop study) rather than going on ground to evaluate the existing conditions;
• In some areas, the proposed LRT/Monorail corridor are located in stretches of existing roads, where there is insufficient width for both LRT/Monorail infrastructure and road users;
• High densities proposed for two particular Districts but does indicate how additional traffic and utility requirements will be resolved;
• The zoning does not correlate to the projected needs of the population by District and fundamental community requirement like schools, hospital, social service facilities, community open spaces are not clearly indicated;
• Transportation modals like lorries and taxis have been ignored or even possible cycle paths/pedestrian walkways;
• The Use Class Orders need to be further evaluated in reference with Volume 3 of the Report which has been conveniently made unavailable to the public;
• The absence of a Key Land Use Plan for each District that is vital for the public to assess the districts’ development zoning in total;

There are other issues concerning the detail socio-economic; infrastructure and utilities, traffic and transportation, environment, and other sectors that have not been highlighted, but nevertheless, the present KL City Draft Plan needs to be utilized as an exercise to obtain public views. DBKL will therefore need to prepare and formulate a new Local Plan (perhaps, with a new group of consultants’) to take a fresh new approach in planning for the KL community and address all the current discrepancies that has been highlighted by the public. Furthermore DBKL must discontinue the practice of referring to the Draft City Plans for development applications until the new Local Plan has been prepared.
Appendix 2
A Social Scientist’s Perspective

The purpose of this note is to raise some matters for the consideration of those who might wish to comment on the plan.

Public Participation
Public participation in a local plan is both a legal (statutory) requirement as well as an important governance matter. It is incumbent on City Hall to provide relevant and sufficient information so that the public can visualize the likely outcome of the proposals in the plan. Being the government, City Hall needs to put in place a process that ensures meaningful participation, not merely a process to fulfill the statutory requirement. In this regard, there should also be a review process that gives opportunity for those who may disagree with key directions or programs in the plan.

Public Transport
A public transport policy needs to be a key element in any global city as people need to move and travel to their destinations and they need to do this efficiently and with minimal cost. KL and its surrounding suburbs need to develop a good public transport system in order to serve its residents better. Policies need to be enacted (coordination is needed from other government agencies) to fight congestion and reduced usage of private cars. City Hall can contribute to this by putting in place policies that will eventually make public transport convenient and modest in cost. Cross-subsidy measures may be needed to bring this about. City Hall needs to take immediate action to produce a plan to make sure that public transport is the choice of the future.

Land Use
Any public transport plan must certainly be correlated with land use. Residential patterns must now be aligned along public transport routes. Public transport services must be directed to serve all residential areas, and coordinated with infrastructure support. It is an inappropriate land use pattern that needs to be changed and that will of course be more difficult. But the future requires making sure that a rational land use policy and program is in place to enable its residents to travel, work and live with ease and comfort. There are many examples in the world that have done this well, especially places that have higher population densities and less space than we have in KL. City Hall should review its land use policy with that long term view in mind.

Public Open Space and the Environment
Of late, residents and local residents in many places in KL and Selangor, have decried the loss of green lungs and areas that provide recreation to the public. If KL is to be a city that cares for its people, then City Hall must develop more public open space and recreation grounds and not lose them to those who wish merely to make a profit from it. If important green areas have to be degazetted, equivalent or better areas must be provided. City Hall is the only institution that can deliver on such matters as they have the power to direct the development process through its zoning regulations. The value of public use of open and recreational space should not be regarded as less important than the “development” of developers. City Hall should therefore review the development of all green lung areas such as Federal Hill, Kiara and Damansara, and to look into protecting the public’s interest in such places. As KL develops more and more, the value
of green and recreational areas will rise and increase. City Hall should take a long term view of such developments and move to protect the public’s interest.

Floods
Flood episodes have been occurring more frequently in the past 10 years. It is easy to blame nature for this. However, City Hall needs to examine its own landuse plans, and those of its neighbours, especially those upstream of KL, to put in place a more robust strategy to avert floods. Will the Smart Tunnel do that job? City Hall must critically assess that initiative.

Housing
It is incumbent on City Hall to make sure that all its residents have proper and adequate housing. The house owning policy needs to be delivered with greater investment and better planning. Low and medium cost housing need not be poorly built nor improperly maintained after they are built. Social programs are needed to ensure that those who live in those places understand their roles and responsibilities, pay their bills and cooperate with the institutional authorities so that all can achieve their goals: people live in decent places and government deliver on their policies. Public housing programs need also to be connected to transport and proper open space, services and facilities. A good public housing policy is necessary to be undertaken by City Hall.

Ecological Footprint
A city that aspires to be world class and be globalised needs to take the environment into account. City Hall should launch a policy to reduce its ecological footprint or at least to ensure that the partners that support KL’s development also adopt, use environment friendly measures. The operative strategy is to minimize the impact of the development so that we can all participate in a more sustainable lifestyle. City Hall can do more on the social and environmental aspects to reduce its impact on the environment as well as help to educate its residents to do the same.
Appendix 3

A Review of Connectivity And Accessibility For The City


The proposed objectives, concepts and strategies for the City’s transportation system as stated in the KLDCP are consistent with those for a sustainable, integrated, environmentally friendly and people friendly transportation system. There are very little flaws with the stated three (3) core principles and the associated ten (10) strategic directions, as reiterated below:

3 Core Principles

• Building a More Sustainable, Integrated and Environmentally Friendly Transport Infrastructure
• Moving Towards Travel Demand Management Strategies
• Creating Streets for People

10 Strategic Directions

• Implementing Congestion Free City
• Extending Urban Rail Network With Regional Network
• Providing Park and Ride Facilities
• Giving Priority to Buses
• Dispersing Peak-period Traffic
• Reducing SOV and Providing Incentives to Road Users
• Restraining Traffic Within City Centre
• Managing Car Parking
• Using ITIS
• Establishing Functional Road Hierarchy

However, at the Local Plan or City Plan level, the important considerations are:

• How these objectives and concepts are translated into detailed spatial and physical forms? For instance, how does the KLDCP propose to implement a congestion free city and what are the measures provided in the KLDCP that would disperse peak period traffic effectively?

• Has the KLDCP got it right in its analysis and projections of the travel demand pattern for the City?

If its analysis and projections have flaws, then its detailed spatial and physical proposals will be equally flawed too. Because the KLDCP is going to prescribe a solution for the whole City of Kuala Lumpur, plot by plot, parcel by parcel, and the uses of every single piece of land in the City will be dictated by this City Plan, it is therefore imperative that the creators of this City Plan have to get it right all the way. Very little room is left for error, otherwise many people’s life
in the City might be left to the mercy of the extent of these errors, and that the workings of the City might also be equally affected.

- Have the planners of this KLDCP been going through participatory discussions and consultations with the people of Kuala Lumpur to get their feedback and opinions, to test and to affirm their hypothesis and analysis? (So that the detailed solutions prescribed are practical and consistent with their aspirations and their needs.)

- Has the KLDCP been checked and cross-checked for errors and inaccuracies, for illogical conclusions and irregularities?

2. A Critique: Errors, Illogical Conclusions and Questionable Proposals

- It is given in the KLDCP that the person trips for the rail mode at the City Centre Screen Line for year 2005 were 169,277 person trips per day (page 5.4). However, it was announced by RapidKL recently that the rail share for the City is more than 313,750 person trips per day (see STAR daily 11th July 2008). To get from 169,000 in 2005 to 313,000 in 2008 would involve an annual growth rate of more than 30% per annum; it is not logical and it is not possible in the KL City context.

If the KLDCP has underestimated the rail traffic in 2005, does it mean it has overestimated the share of car use?

The implication, however, may be more serious or more worrying: Is the traffic model so developed to analyse the traffic problems in Kuala Lumpur reflective of the actual conditions on the ground? Or is the model equally flawed as a result of this error in the base data?

- In the forecasted Desire Line 2020 (within Kuala Lumpur), it is shown that for the strategic zone of Damansara-Penchala, about 50% of the desired trips (163,000) are associated with the strategic zone of Sentul-Menjalara to the north, less than half of that (71,000) are interacting with the City Centre of Kuala Lumpur (see page 5.3). It is illogical; it is difficult to imagine how Sentul-Menjalara can overtake KL City Centre as a more attractive destination for the people in Damansara-Penchala area in 2020, and that KL City Centre can only be half as attractive as Sentul-Menjalara.

The implications can be very serious, if that finding or analysis about desire travel lines is taken to its conclusion. It would mean for the people of Damansara-Penchala, the movements to Sentul-Menjalara will be very much more significant than the movements to Kuala Lumpur, hence the transport infrastructure provisions for them will be oriented more to link up with Sentul-Menjalara than to Kuala Lumpur City. And it is reflected in the proposals in this KLDCP – three new urban rail lines are proposed and outlined in the KLDCP to serve this corridor, namely,
Line 5: KL Sentral-Segambut Line, 
Line 6: Segambut-Pasar Selayang Line, and 
Line 7: Sentul-Pasar Selayang Line.

This may be a classic case of erroneous analysis leading to an equally erroneous solution.

- Equally problematic is the proposal in the KLDCP to provide a rail link between Sentul-Menjalara strategic zone and Wangsa Maju-Maluri strategic zone. The desire line diagram mentioned above, even taken at its face value, shows only an interaction of 17,000 trips (daily), but a rail line of 15km is to be included in the KL City Plan to cater for this travel demand (Line 8: Kepong-Sri Rampai Line, see page 5.7). The issue is more than just the suitability of a rail line, it involves all the land use provisions or zoning categories along the whole length of the alignment. The impact is cumulative and progresses all the way down the line. The implication is: If the rail line is not suitable, then the proposed land use zonings along the way would not be suitable too. Hence, the importance of data accuracy, consultation, feedback, cross checking, and logic testing cannot be overemphasised for this document of such importance as KLDCP.

- Another possible glaring error in this very important travel pattern analysis is the desire line shown emanating from the strategic zone of Wangsa Maju-Maluri to the KL City Centre. A total of 516,000 trips are shown to relate to the City Centre, while only a total of 371,000 trips are generated by the strategic zone. What has come out seems to be more than what it produces at source; it is not quite possible to have such a situation. If the City Plan is drafted based on such a scenario, then the Plan in itself will become illogical in so far as the proposed transportation plan is concerned.

- Another probable illogical finding relates to the forecasted trips generated from the external zone at the NE sector (see diagram on Forecasted Desire Line 2020 (External) on page 5.9). It is well known that, to the east and north east of Kuala Lumpur City as bounded by the MRR2 are the mountain ranges and forests. Yet, the trips forecasted for this external sector amount to 796,000 (daily) for year 2020; it would seem rather improbable to have a total of close to 800,000 trips generated daily from these mountain ranges and beyond. In comparison, the same forecast diagram gives only a corresponding total of 414,000 trips from the external western sector (represented by ‘W’ in the diagram in page 5.9) where such conurbation as Klang, Shah Alam and Subang Jaya are located.

Thus, if its logic and its analysis are questionable, then the solutions derived from such logic and analysis will become questionable too. It is therefore imperative that City Hall must review and cross check the Plan’s technical data and analyses, and re-examine its proposals and solutions so drafted as a result of these data and analyses.
Appendix 4
SUFFICIENCY OF OPEN SPACE?

According to KL Structure Plan only 6.5% of the total land area of the city has been gazetted as “open space”.

Under the National Urbanisation Policy (NUP) prepared by the Department of Town and Country Planning, Peninsular Malaysia, a target for open spaces was adopted. One of the measures identified under the policy (NUP9.ii) is to “provide adequate public open spaces by the adoption of a standard of 2 hectares per 1,000 urban population”.

The policy also calls for recreational areas to be gazetted and for their development to be monitored, for environmentally sensitive areas to be protected and for green areas to be established as buffer zones to limit urban development, amongst other provisions.

The current 6.52% coverage of gazetted open spaces in the city translates to only 0.36ha per 1,000 people which is far below the target of 2ha per 1,000 people. The current gazetted open space to population ratio for Kuala Lumpur compares poorly with that for London (4ha per 1,000 people), Melbourne (2ha) and Toronto (2ha).

The Federal Territories Ministry is in the process of drafting a Policy on Green Areas for the Federal Territories (“Dasar Kawasan Hijau Wilayah Persekutuan”). Green areas are defined in the draft policy as “areas that on the most part are covered with natural vegetation or crops.”

In order to attain the targeted 2 ha per 1,000 people ratio by 2020, the coverage of gazetted open spaces will have to be increased from the current 6.52% of the total area of KL to 18% (taking into account the population growth projection for 2020). This can be achieved, if the government can look into the gazetting the city’s existing green areas, which are currently available as gazetted open spaces. However, the provision for public open spaces in the Draft Kuala Lumpur City Plan 2020 is for approximately half of that area, which does not meet the target of the NUP of 2ha per 1,000 people.

Apart from gazetting green areas as open spaces using local authority by-laws, such areas could also be gazetted as reserved land using the National Land Code 1965. Under Section 62 of the National Land Code, the State authority may reserve any State land for any public purpose while Section 14 allows for the individual State authority to make additional rules pertaining to the reserved land.