

Hillslope development in Bukit Antarabangsa too close for comfort



By AIDA AHMAD

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Hope and Aiman's homes (right) in Taman Villa Sri Ukay are adjacent to a proposed development site on Lot 126846 in Bukit Antarabangsa, Selangor. — Photos: GLENN GUAN/The Star



THE prospect of a development project on a slope near their homes is sending chills down the spines of several Bukit Antarabangsa

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Those living in neighbourhoods like Taman Villa Sri Ukay, Taman Kelab Ukay and Taman Bukit Mewah fear that the extensive excavations and rock blasting on a slope in an environmentally sensitive area may have an impact on their safety.

The developer had invited residents to a nearby hotel for a briefing but StarMetro was denied entry to the Nov 18 meeting.



The back of Hope's house in Taman Villa Sri Ukay has a staircase that leads up to a jungle that overlooks Lot 126846.

It is learnt that the developer had submitted multiple applications for planning permission over the years, some of which had been approved.

In a letter inviting them to the meeting and signed by the company's CEO, it was stated that the proposed development comprised plans to construct serviced apartments including a private higher education institution (HEI) and commercial development.



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StarMetro reached out to the developer for comments but did not receive a response.



Hope says water overflows and seeps through the retaining wall when it rains heavily.

In February 2016, it was reported that a proposal was submitted to Ampang Jaya Municipal Council (MPAJ) for the construction of eight, 10, 24 and 41-storey blocks comprising office suites, condominium, three-storey shopping centre and a multi-level carpark on a 3.48ha plot at Lot 126846.

StarMetro reached out to MPAJ regarding the revised planning permission to build 2,200 units of a serviced apartment and mall with a HEI but the council failed to provide any feedback.

MPAJ president Dr Ani Ahmad when asked on the approved planning permission but the reply was only, “We will update later”.

Calls made to Bukit Antarabangsa assemblyman Mohd Kamri Kamaruddin for comments went unanswered at press time.

A slope unit within MPAJ’s engineering department was established in 2009, in the wake of repeated landslides in Taman Hillview and a major landslide on Dec 6, 2008, in Taman Bukit Mewah that killed four people, injured 15 and destroyed 14 homes.



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Highlands of Selangor as well as several development guidelines.

Looming in their backyards

Bruce Hope, a water treatment management business owner from New Zealand and his Malaysian wife bought their home in the hilly area off Jalan Persiaran Ukay 15 years ago. Their backyard faces Lot 126846.



Ariv says MPAJ and Selangor government have no jurisdiction over the proposed development.

He said the secondary jungle was originally a rubber plantation.

Now, it is interspersed with native Jelutong trees as well as fig trees.

The worrying part, he said, is that there is a stream that cuts through Lot 126846 down to the back of his house and water seeps through the retaining wall every time it rains heavily.

“The drain behind the retaining wall was blocked and filled with dirt when we bought the house and water was overflowing to the front.

“We had to dig the concrete path, repair it and do drainage works.

“We noticed that in the last 15 years, rainfall has increased. It is more frequent and heavier.

“In the last three months, there were three floods. The drains cannot keep up.

“I’m not anti-development but I’m concerned especially when it is a 30- to 40-storey building in an environmentally sensitive area,” he said.

Hope said in 2021, the developer and an MPAJ councillor visited him and promised to provide measurements for an offset (buffer zone) between his property and Lot 126846.

“They saw a problem with the stream and didn’t want it encroaching on the development site. They never returned after that.

“If they dig the ground and there is a downpour, the mud and debris will flow to my house.”

Hope’s neighbour, bank fund manager Mohd Aiman Anuar, said the freehold land, low density and greenery were the selling points when he bought his house two years ago.

“It’s a great space for kids and we like the fresh air in the morning,” he said.



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Bukit Antarabangsa Task Force (BATF) committee member Surinder Singh said Lot 126846 development proposal received approval from the Selangor Economic Action Council (MTES) under a previous menteri besar.

transparent by providing information to residents.

“BATF objected to the project but for whatever reason, the development did not start.

“During the Covid-19 pandemic in 2021, there was a groundbreaking ceremony and a former MPAJ councillor invited us for a meeting, where the developer invited a slope expert who reclassified the slope categories.

“There was no follow-up meeting. All went silent in the last two years. We were told Lot 126846 had been subdivided into two lots.

“How can the planning permission still be valid? When there is a stream involved, especially in Bukit Antarabangsa, the area must not be touched at all.”

Worsening traffic problems

During a meeting on Sept 28 with MPAJ and PLANMalaysia Selangor chaired by Ani, long-time Bukit Antarabangsa resident Dr Mohamed Rafick Khan raised his concerns.

He said the proposed development would choke residents’ movement along Jalan Wangsa 1 and MRR2.

“Things are not expected to improve as other developments are coming up within Bukit Antarabangsa.

“All vehicles from Ampang that gravitate to the future development will make a U-turn at the Kampung Pasir traffic light to enter Jalan Wangsa 1 into Bukit Antarabangsa.”



“The completion of East Klang Valley Expressway will worsen the situation at the Kampung Pasir traffic junction.

“The proposed road widening on part of Jalan Wangsa 1 is inadequate to alleviate the potential traffic impact with the approved development.”

Dr Mohamed Rafick urged MPAJ to strictly follow PLANMalaysia’s development guidelines and ensure a balanced development is approved by exercising their powers under Section 25(1) of the Town and Country Planning Act 1976 (Act 172) since an extension application for planning permission is due this month.

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"I believe that the engineers for the developer are aware of this, so they will make sure that the slopes are gentler and better suited for structures."

Jurisdiction issues

Ampang Jaya Deserves Better founder Ariv Chelvam said the proposed development at Lot 126846 was subject to Subsection 22(2A) of the Act, and that MPAJ and even the state government had no jurisdiction over the matter.

"The Federal Court has already extensively elaborated on the importance of Subsection 22(2A), Act 172 and the need to refer such developments to the National Physical Planning Council (NPPC).

"The existing state guidelines only mention that hillside and/or hillslope developments should only be referred to the Selangor State Technical Committee for Development of Environmentally Sensitive Areas (KSAS), and these guidelines are beyond the legal power of Act 172.

"It is pointless to refer such developments to the local and state authorities when they do not have jurisdiction over it in the first place.

"For me, the whole proposed development, if approved without the NPPC's approval, is null and void," he said.

In a letter from PLANMalaysia in reply to Ariv's question on the legality of planning permission on Lot 126846, the department stated that the developer's proposed development was in line with the commercial and service land use zoning as stipulated in the Local Plan (RT) MPAJ (Amendment 2) 2020.

PLANMalaysia said as a result of the site visit, the development of the existing developer's sales gallery was given planning permission exemption by MPAJ.

PLANMalaysia stressed that it is necessary for such developments to submit an application for temporary authorisation under Section 22(5)(a) of Act 172 given that there is a permanent construction structure connecting to MRR2.

In the letter, PLANMalaysia said it also found issues related to "land use conflict", category/condition errors, the declaration of land as "empty land" in the current land use plan of the RT MPAJ (Amendment 2) 2020, and the non-conformity of the planning permission title with the technical agency's report.

Ariv said during the developer's briefing at the hotel, the firm said it also had an exemption from KSAS.

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