



# **KURSUS EKSEKUTIF PENTADBIR TANAH**

## **LAND DEVELOPMENT**

**- UNDERSTANDING THE RELATION BETWEEN  
NATIONAL LAND CODE 1965**

**AND**

**TOWN COUNTRY AND PLANNING ACT 1976 (TCPA)**

**AND**

**ONE STOP CENTRE (OSC)**

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**INSTUN**

**30 OKT – 1 NOV 2018**

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1. OVERVIEW OF THE 2 LEGISLATIONS ; NLC & TCPA
2. UNDERSTANDING THE PLANNING STANDARD AND HOW IT RELATED TO LAND DEVELOPMENT
3. ISSUES OF LAND DEVELOPMENT
4. VISAMAYA'S CASE
5. WAY FOWARD



# LAND DEVELOPMENT UNDER NLC VS TCPA

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- ❖ VARIOUS PROVISIONS
  - DIVISION V NLC, SECT 2, 18, 19, 21  
TCPA
  
- ❖ VARIOUS PROCESS
  - OSC COMPLIANCE, SPC,  
VARIATION OF DEVELOPMENT PLAN ,  
AMENDMENT TO THE PLANNING  
PERMISSION
  
- ❖ VARIOUS RULINGS
  - LOCAL PLAN, STRUCTURE PLAN  
LAND USE PLANNING SYSTEM  
Ex : - KL City Plan 2020
    - Urban Development  
Guideline (UDG)



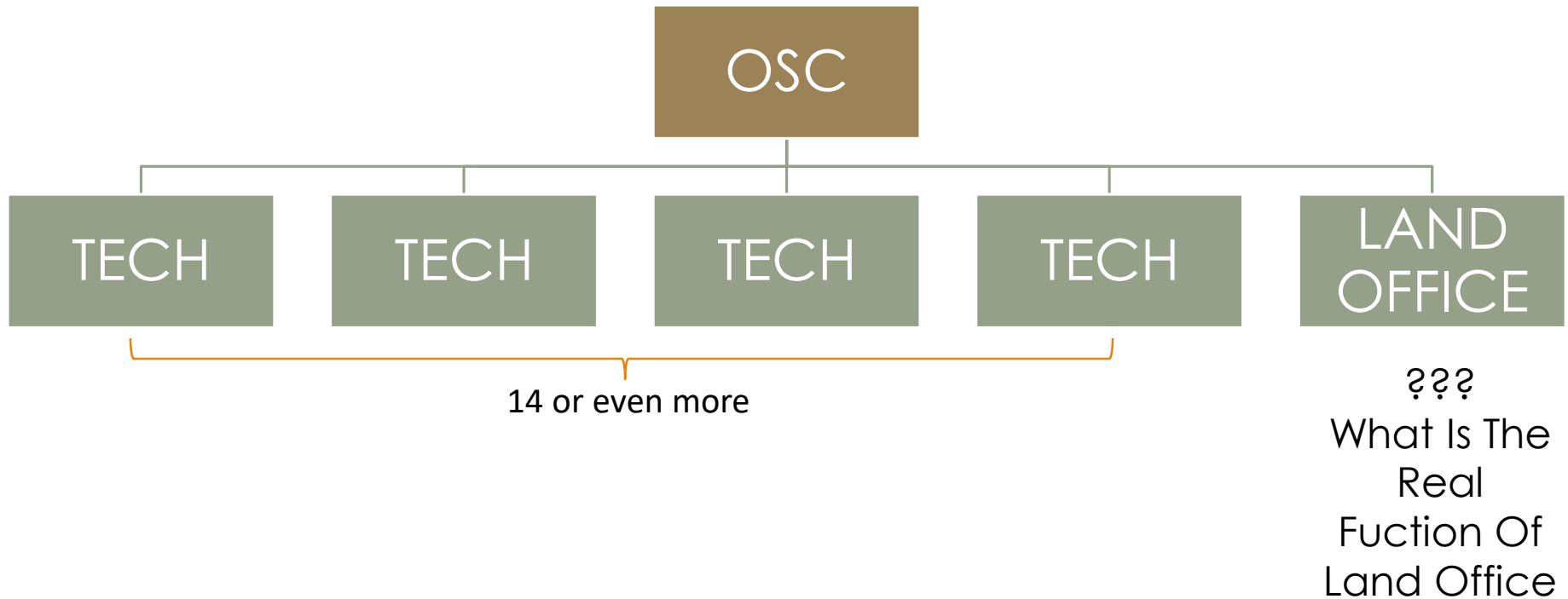
# PROCESS OF LAND DEVELOPMENT

<u>WHAT TO MITIGATE</u>	<u>PROCESS</u>	<u>PLAYER</u>
To ensure only the proposed development is registered in the land title	Registration of new title	Land Authority (PTG/PTD)
	↑	
To allow the surrendering of the land and give back according to the proposal development	Approval by State Authority	State Authority
	↑	
To ensure that all policies are comply with and to give recommendation	Drafting paper to JKHB/MMK	PTG
	↑	
To ensure that all application one in compliance with	Processing application of subdivision by SBKS	Land Office
	↑	
To comply with technical comment and planning standard	Endosmen of the application	OCS Local Authority
	↑	
One stop centre beginning from 2007	Submission of KM layout to OSC	Developer/Land Owner



# OSC COMPLIANCE

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# UNDERSTANDING THE PLANNING STANDARD AND HOW IT RELATED TO LAND DEVELOPMENT

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1. WHAT IS PLANNING STANDARD
2. BASIC PRINCIPLES OF PLANNING STANDARD
  - Fair distribution for land use ; residential, commercial, industrial
  - Allocation for road reserved
  - Composition of recreational area and greens.
  - Installation of infrastructure, sewerage, treatment, electricity, water supply
  - Provision of public facilities and amenities ; schools, halls, place of worship
  - Compliance with zoning



# ISSUES OF LAND DEVELOPMENT

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1. RIGIDITY OF THE PLANNING STANDARD MINIMIZING THE LAND DEVELOPMENT
2. AMENDMENT TO PLANNING PERMISSION AND ISSUES OF LOSING FACILITIES.
3. DEVELOPMENT CHARGES AND ISSUE WITH LAND CONVERSION.
4. LAND PARTITION AND ISSUES REGARDING SECT. 141A
5. MISUSED OF THE FUNCTION OF STATE PLANNING COMMITTEE (SPC) IN MATTER PERTAINING TO LAND ISSUES.



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**VISAMAYA'S CASE**  
**(MAJLIS PEBANDARAN SUBANG JAYA**  
**V VISAMAYA SDN. BHD. & ANOR [2015] 7 CLJ 27**

**AND**

**SECT 108 OF NLC**





# WAY FOWARD

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1. KNOWLEDGE ENRICHMENT FOR LAND ADMINISTRATOR & OFFICERS
2. EMPOWERMENT OF HUMAN CAPITAL
3. PROFESIONALISM IN LAND ADMINISTRATION
4. AMENDMENT TO THE LAWS, RULINGS etc

