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LEGALLY SPEAKING



SALLEH BUANG

MIXED DEVELOPMENT

# EMBRACING TRANSIT-ORIENTED DEVELOPMENT

TODs will be the future landscape for development projects everywhere

**A** NEWS report in a Malay daily (*Berita Harian*) last Friday clearly proves that Malaysia has fully embraced transit-oriented development (TOD) in a big way. I had then just returned from Kuala Lumpur where I met an old colleague (a town planner) and we had spent some considerable time talking about the same subject.

The report quoted PRIMA chief executive officer Datuk Abdul Mutalib Alias, who said that PRIMA had embarked on several TOD projects in the Klang Valley at various locations – including Cempaka, Pandan Indah, Pandan Jaya, Titiwangsa, Bandar Baru Sentul, Jelatek, Kinrara and Bandar Puteri.

The essential element of all these TODs is their proximity to the place of employment, schools, health services and public transport (such as the Light Rail Transit [LRT] and Mass Rapid Transit [MRT]), thereby enhancing mobility and productivity of the urban population.

Property experts have often said that KL Sentral was the first TOD hub by a well-known local company, and this company was also involved in other TODs in PJ Sentral, Cyberjaya City Centre, Kwasa Sentral in Sungai Buloh, and the northern transport hub of Penang Sentral.

Other local developers have their TODs near the Subang Jaya LRT station, the Salak Tinggi ERL station and Dang Wangi LRT station. Other LRT stations which will become sites for future TOD projects are Ara Damansara, Awan Besar, Kelana Jaya and IOI Puchong Jaya.

On May 31 last year, Prime Minister Datuk Seri Najib Razak launched the 57.06ha TOD in Cyberjaya, called “Cyberjaya City

Centre”, a joint-venture between Malaysian Resources Corporation Bhd and Cyberview Sdn Bhd. The project is being developed in three phases with a total gross development value of RM11 billion.

Najib said that this latest TOD will take the nation’s technology hub to the next level. In the near future we will see TODs in Bandar Malaysia, near the Tun Razak Exchange, KL Metropolis, DC Residency Kuala Lumpur, Kwasa Damansara and D’Sara Sentral.

In a 28-page document titled “The Future of Transit Oriented Development” (issued in Jan 2017), MIDF (Malaysian Industrial Development Finance) states that a TOD is “the planning and building a mix of housing, business and other amenities close to transit stations”. When a mixed development project is located close to a transit station, it can maximise public transport ridership, support local businesses and make the neighbourhood a vibrant place to live and work in.

TOD focuses on urban growth around transit facilities and leverages on transit investments to help produce substantial benefits – walkable communities, improved access to jobs and economic opportunities, reduced motor traffic congestion, less air pollution and lower greenhouse gas emissions.

The MIDF document states that as a rule of thumb, a TOD is built within one-quarter mile (or a five- to seven-minute walk) of a transit station. A TOD is characterised by a mixed development, with moderate to high density, enjoying pedestrian connectivity, offering a range of different modes of transportation, reduced parking, and high quality design. The document also encourages the authorities to implement strategies to facilitate TOD on properties that have been acquired for transit stations. In a nutshell, a TOD is a high-value complement to mass transit development.

According to a 38-page document, titled “Greater KL/Klang Valley Land Public Transport Master Plan”



A model of a transit-oriented development project that will be carried out by PRIMA at several locations in the Klang Valley.

by the Land and Public Transport Commission (SPAD), the Kuala Lumpur City Plan (KLCP) 2020 has identified Transit Planning Zone (TPZ) to areas within 400m of a transit station (LRT, KTM Komuter, Monorail or Rapid Bus station).

The TPZ is a special zone where more intensified development will be encouraged (incentives such as higher density and plot ratio) to provide higher intensity of population and employment to support LPT (land, public transport) travel. The plan is aimed to encourage TOD by proposing incentives such as the bonus of additional 0.5 plot ratio for development in the priority TPZ, i.e. within 250m from a rail station.

The document warned, however, that merely undertaking a development near a transit station is not a guarantee for success. TODs are still subject to market forces. In undertaking a TOD, a developer must also consider the following critical factors:

**PROMOTE** mixed development of residential, commercial, employment and public realm within walking distances to the transit station;

**CREATE** pedestrian-friendly street network that directly connects local destinations;

**PROVIDE** a mix of housing

types, densities and costs;

**MAKE** public spaces the focus of building orientation and neighbourhoods; and,

**PRESERVE** sensitive habitats and high-quality open spaces.

In February 2012, the Edmonton City Council issued an 84-page document titled, “Transit Oriented Development Guidelines” setting out, amongst others, Land Use and Intensity Guidelines, and Public Realm Guidelines. The former is used to evaluate rezoning applications on sites within 400m of existing or planned LRT stations or transit centres. The latter is used as a basis for rezoning sites larger than or equal to one hectare, or creating new or amending statutory plans within 800m of an LRT station or 400m of a transit centre.

Such guidelines in our local authorities will be of assistance to our developers. The growth of TOD in future will possibly see some changes in our planning law and the increased use of spatium (a new development in our land law) in our country.

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