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LEGALLY SPEAKING

SALLEH BUANG

URBAN PLANNING

THE FUTURE IS UNDERGROUND

Malaysia needs a comprehensive master plan for urban planning, both above ground and underground

In Malaysia, some of the infrastructure, like several of the MRT stations, are located underground.

"THE future is underground, and I don't mean the dead," these were the parting words of an old friend, Nik Ramly, a veteran town planner, as he shook my hand before leaving for KLIA. He was in Kedah recently for a brief meeting with his clients in Alor Setar. As his flight home to Kuala Lumpur was late in the evening, I asked him to drop by at my place. I promised to send him to the airport at Kepala Batas in time for his flight.

We discussed the latest issues in urban planning, but I was especially interested to know about Singapore's master plan for its underground development. He said that building underground for Singapore "was not an obsession, but a necessity".

The island state has no choice because its population will soon hit the six million mark, and by 2030 its population may very well peak at seven million. It is doing what Hong Kong had done in the past. Hong Kong has a population of seven million.

What my friend is not certain is whether, like Hong Kong, Singapore intends to build only infrastructure and utilities below ground but also, like Montreal in Canada and Helsinki in Finland, it intends to build cities, homes, parks, hotels, places of worship and sports centres as well.

For decades, Singapore has been reclaiming land from the sea, but it has realised that it could not continue doing so forever. Factors such as rising sea levels and impacts of climate change cannot be ignored and must be taken into account. The best option for the island's future was to build underground.

For several years now the island state had moved its infrastructure and utilities, including train lines, retail outlets, pedestrian walkways and a five-lane highway, underground.

When I asked him whether Malaysia should follow suit, he said: "Why not?"

After all, the National Land Code 1965 now has clear provisions for the alienation and lease of underground land and the technology is now already available for the development of stratum, he added. I told him our 3D cadastrial legislation is not in place yet, although it is probably on its way.

He asked me if there were now any regulations affecting underground land. I told him that the government had passed the National Land Code (Underground Land) (Minimum Depth) Regulation 2017, which set the minimum depth for agricultural land at six metres, for building land at 10 metres and industrial land at 15 metres. What these regulations mean is that beyond those minimum depths, the way is clear for the State Authority to alienate underground land (stratum) for future development.

Nik Ramly asked me to take another look at the earlier plans regarding Bandar Malaysia. In January 2016, the federal government had revealed the "underground city plan" of this huge 194ha piece of valuable real estate in the federal capital. The dream was to turn the old airport base into a sprawling central transport hub, to house the Malaysian terminus for the proposed mega High-Speed Rail (HSR) linking Kuala Lumpur to Singapore.

It is true that the HSR project was earlier scrapped, but it was later reactivated and deferred for two years; Malaysia has to pay compensation to Singapore for the unilateral termination and deferment. The Bandar Malaysia project was also earlier scrapped but it was later resuscitated.

Nik Ramly reminded me that in the case of Bandar Malaysia, the plan was to build a two-level underground city modelled after Montreal's Underground City, featuring food and beverage outlets, shopping malls, and commercial as well as lifestyle residential facilities. "It would be a great pity if it cannot become a reality," he added.

Responding to my question on Singapore, in March this year, the Singapore Urban Redevelopment Authority (URA) had launched the island states' Draft Master Plan 2019, which is the blueprint for the island state's development over the next 15 years.

What is significant in the master plan is the 3D underground maps for Marina Bay, Jurong Innovation District and Punggol Digital District, with a promise that 3D maps for other areas will be included in the future.

He said that when we started building our SMART Tunnel (Stormwater Management and Road Tunnel) and the MRT (Mass Rapid Transit) Project years ago, we did not have (at that time) a master plan for our underground land.

When I asked him if a master plan of our underground land is important now, he explained that it is not crucial if we are only thinking of building car parks, utilities, communications lines, facilities and transport infrastructure underground. But if our future plan is to build cities and living spaces below the surface, then such a master plan (containing 3D maps, like Singapore) is absolutely critical.

A comprehensive master plan is vital in urban planning, whether above ground or underground.

"If our future plan is to build cities and living spaces below the surface, then a master plan containing 3D maps is absolutely critical.

The writer formerly served the Attorney-General's Chambers before he left for private practice, the corporate sector and academia