



**UNIVERSITI TEKNOLOGI MARA**

**BTP452: PLANNING LAW**

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| <b>Course Name (English)</b>   | PLANNING LAW <b>APPROVED</b>   |
| <b>Course Code</b>   | BTP452   |
| <b>MQF Credit</b>  | 2  |
| <b>Course Description</b>  | The Malaysian planning system is governed by several legislations and regulations to ensure the efficiency and uniformity in implementation, control, enforcement of planning upon the usage of lands and buildings in the local authority area. There exist interplays between land matters and the planning process especially at the state and local level. The legislation and statute that influenced the planning and development control system is both provided by both the land laws i.e. the National Land Code 1965, the Acquisition Act 1960 and etc. and also the planning laws i.e. the Town and Country Planning Act, 1976 (Act172), Street Drainage & Building Act, 1974 (Act 133) and By-laws etc. It is in this subject that teaches and gives the detail understanding of the planning system at the state and local level pertaining to forward planning and development control procedures. |
| <b>Transferable Skills</b>   | Demonstrate practical and contemporary knowledge of relevant professional, ethical and legal frameworks<br>Demonstrate professional skills, knowledge and competencies<br>Demonstrate maturity of thoughts when responding to multiple inputs and contexts   |
| <b>Teaching Methodologies</b>  | Lectures, Directed Self-learning   |
| <b>CLO</b>   | CLO1 ability to comprehend the detail aspect planning legislation and procedure<br>CLO2 ability to explain the statutory structure of planning machinery including its power and role and function and relationship between agencies<br>CLO3 ability to evaluate the existing system pertaining to land matters related to development   |
| <b>Pre-Requisite Courses</b>   | No course recommendations  |
| <b>Topics</b>  |  |
| <b>1. Introduction to Planning Legislation in Malaysia</b><br>1.1) Town and Country Planning Act, 1976 (Act172)<br>1.2) National Land Code 1965 (Act 56)<br>1.3) Local Government Act, 1976 (Act 171)  |  |
| <b>2. Legislative Roles and Functions of Institutions in the Planning Pr</b><br>2.1) The Federal Town and Country Planning Department<br>2.2) The State Town and Country Planning Department (Section 4 (1) and 4(8))<br>2.3) The State Planning Committee (Section 4)<br>2.4) Local Planning Authorities (Section 5 and 6)  |  |
| <b>3. Land Matters in the Planning Process (National Land Code 1965, Act</b><br>3.1) Land Conversion (Part 7 : Section 103-124A)<br>3.2) Amalgamation (Part 9 : Section 135 – 150)<br>3.3) Subdivision and Partitioning (Part 9 : Section 135 – 150)   |  |
| <b>4. Planning Approval (Part IV of Act 172)</b><br>4.1) Compliance to the Local Plan (Section 18)<br>4.2) Exemption from Planning Approval (Section 19(2))<br>4.3) Submission Requirements (Section 21)<br>4.4) The Right to be Informed (Section 21(6), 22(1) & 22(2))<br>4.5) Planning Conditions (Section 22(5))<br>4.6) Decision making in Planning Process (Section 22(2), 22(3), 22(4))<br>4.7) Appeal on the Planning Decision (Section 23)<br>4.8) Lapsed of Planning Approval (Section 24) |  |

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| 4.9) Withdrawal and Amendment of Planning Approval (Section 25)   |
| <b>5. Planning Instruments in Development Control</b><br>5.1) The Development Plan System (Part III – Section 7-17)<br>5.2) Non Statutory Planning Instrument   |
| <b>6. The Definition of “Development” (Section 2 of Act 172)</b><br>6.1) Work Operation<br>6.2) Material Change of Use<br>6.3) Other Land Matters   |
| <b>7. Important Statutory Requirements (Act 172)</b><br>7.1) The Appeal Board (Section 36 and 23)<br>7.2) Planning Enforcement (Section 26,27,28 and 29)<br>7.3) Development Charges (Section 32 and 33)<br>7.4) Planning Notices (Section 30 and 37) |
| <b>8. The Use of Circulars in Relation to Planning (British Experience)</b><br>8.1) Land for Housing<br>8.2) Green Belt<br>8.3) Use of Vacant and Derelict land<br>8.4) Use of Agriculture Land<br>8.5) Use of Planning Conditions                    |
| <b>9. Other Related Legislations</b><br>9.1) Federal Territory (Planning) Act, 1982 (Act 267)<br>9.2) Land Acquisition Act, 1960<br>9.3) Street, Drainage and Building Act, 1974 (Act 133)  |
| <b>10. Assignment</b><br>10.1) n/a  |
| <b>11. Examination</b><br>11.1) n/a   |

| Assessment Breakdown  | %      |
|-----------------------|--------|
| Continuous Assessment | 40.00% |
| Final Assessment      | 60.00% |

| Details of Continuous Assessment | Assessment Type | Assessment Description | % of Total Mark | CLO  |
|----------------------------------|-----------------|------------------------|-----------------|------|
|                                  | Assignment      | n/a                    | 20%             | CLO2 |
|                                  | Assignment      | n/a                    | 20%             | CLO1 |

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| Reading List       | Reference Book Resources                              | <ul style="list-style-type: none"> <li>• Ahmad Atory Hussain 1991, <i>Kerajaan Tempatan: Teori dan Peranan di Mala</i>, Kuala Lumpur, Dewan Bahasa dan Pustaka</li> <li>• Alder, J. 1979, <i>Development Control</i>, London, Sweet and Maxwell</li> <li>• Bruton, M.J. and Nicholson, J. 1987, <i>Local Planning Practice</i>, London, Hutchinson</li> <li>• Federal Constitution, <i>Kuala Lumpur. Government Printers</i></li> <li>• Kerajaan Malaysia 1980, <i>Panduan Pentadbiran Tanah, Jabatan Tanah dan</i> , Kuala Lumpur, Percetakan Negara</li> <li>• Laws of Malaysia 1976, <i>Local Government Act 1976 (Act 171)</i>, Kuala Lumpur, Government Printer</li> <li>• Laws of Malaysia 1976, <i>Town and Country Planning Act 1976 (Act 172)</i>, Kuala Lumpur. Government Printers</li> <li>• Laws of Malaysia 1960, <i>Land Acquisition Act 1960 (Act 34)</i> , Kuala Lumpur. Government Printers</li> <li>• Laws of Malaysia 1965, <i>National Land Code 1965 (Act 56)</i> , Kuala Lumpur. Government Printers</li> <li>• Phang Siew Nooi 1989, <i>Sistem Kerajaan Tempatan di Malaysia, Kuala L</i>, Dewan Bahasa dan Pustaka.</li> </ul> |
| Article/Paper List | This Course does not have any article/paper resources |   |
| Other References   | This Course does not have any other resources         |   |