

SARAWAK HOUSING AND REAL ESTATE DEVELOPERS' ASSOCIATION

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PERSATUAN PEMAJU PERUMAHAN DAN HARTA TANAH SARAWAK

12 January 2018

Dato' Sri TPr. Bartholomew Wong Kee Kho

Chief Executive Officer of WP Perancang Sdn Bhd

1st-3rd Floor, No 459

Heights Drive Commercial Centre

Jalan Stutong, 93350 Kuching.

Dear Dato' Sri

RE: Consequences of new internal guidelines that affect every planning submission and approval in Sarawak.

Reference is made to your letter with reference no:WPP/SHEDA/2017/10(1) dated 2 November 2017. Please kindly refer to the following responses to your queries:-

1. Extension of Validity

SHEDA has written a letter on 16 November 2017 addressed to Dr. Hj. Wan Lizozman, Permanent Secretary of Ministry of Urban Development and Natural Resources (MUDNR) requesting the Ministry to grant an automatic extension of validity period for additional twelve (12) months for those planning approvals (with 24 months validity period) granted before 20 September 2017 so that it will be in line with the latest policy. Further to this, on 26 December 2017, MUDNR has agreed that all applications for development that have been granted for 24 months period of approval prior to the circular dated 20 September 2017 shall now be allowed to apply for one(1) time extension of validity period for twelve (12) months only. Please find attached the Letter from the President dated 9 January 2018, SPA Circular No.4/2017 dated 26 December 2017 and SHEDA's letter to MUDNR dated 16 November 2017 for your reference.

2. 0% Setback Relaxation on proposed building

During SHEDA's courtesy call on Dr. Hj. Wan Lizozman on 7 August 2017, SHEDA proposed that any approval on the density or setback relaxations to be decided at the SPA level instead of at the divisional level. A letter had been duly prepared and furnished to the Ministry for approval. The letter is attached for your reference.

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Fax: 085-415060
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3. Bomba confirmation for commercial building

SHEDA has confirmed with MUDR that the additional Bomba Confirmation is not applicable to all commercial building but only for those shophouses which convert into Inns.

4. Minimum 7.5m Legal access is a MUST for planning submission

SHEDA appreciates the comment and will look into this further.

5. Full submission is required to the application of conversion Low-cost Housing to SPEKTRA Lite/Medium housing or Low-cost Plus Housing to SPEKTRA Plus Housing

SHEDA has written a letter to the Ministry dated 1 March 2017 (as attached) to allows those previously approved Low Cost and Low Cost Plus Houses to be sold at the same price as SPEKTRA's types of houses, provided that the building setbacks and minimum built-up area and minimum number of rooms to be provided are sufficient to address the Government's concern in providing sufficient car parking bay and backyard for this type of housing. Besides complying with the latest SPEKTRA guidelines, we are hopeful that Ministry could allow developers to make use of the existing/ previously SPA approved plans of housing projects with Low Cost Houses/ Low Cost Plus houses without going through application for replanning.

SHEDA's active participation has been welcomed in various Ministries and SHEDA members' concerns have been steadily expressed to the relevant authorities. Even though many of these issues seem unending, SHEDA will persevere to continued discussions with Government bodies and agencies to resolve them. Please refer to SHEDA E-library for the latest updates on correspondences, circulars, policies and etc.

Thank you.

Yours Sincerely

for Sarawak Housing and Real Estate Developers' Association



Joseph Wong Kee Liong

President

SARAWAK HOUSING AND REAL ESTATE DEVELOPERS' ASSOCIATION

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PERSATUAN PEMAJU PERUMAHAN DAN HARTA TANAH SARAWAK

9 January 2018

Dear SHEDA Members,

Extension of Validity of Planning Approval

SHEDA has raised the issue of the validity period of the Planning approval during the courtesy visit to Dr. Hj Wan Lizozman, Permanent Secretary of Ministry of Urban Development and Natural Resources (MUDNR) on 7 August 2017. SHEDA was grateful that the Ministry has agreed to our appeal on the 3 years validity period (with no extension) instead of the 2 year but for those planning approvals granted before 20 September 2017, no application for extension of validity period of planning shall be entertained.

SHEDA then wrote a letter on 16 November 2017 requesting the Ministry to grant an automatic extension of validity period for additional twelve (12) months for those planning approvals (with 24 months validity period) granted before 20 September 2017.

Further to this, on 4 January 2018, MUDNR has agreed that all applications for development that have been granted for 24 months period of approval prior to the circular dated 20 September 2017 shall now be allowed to apply for one(1) time extension of validity period for twelve (12) months only.

Members are all encouraged to apply for the said extension for the validity period of the planning approval prior to 20 September 2017 for another year and obtain the Engineering Plan approval within the validity period by submitting it to the Director of Land and Survey or General Manager of Bintulu Development Authority (BDA) for decision.

Kindly be reminded that if the extension of period for twelve (12) months has lapsed, the applicant is to submit fresh applications and no application for extension of validity period of planning approval shall be entertained.

Please find attached the SPA Circular No. 4/2017 dated 26 December 2017 as well as SHEDA's letter to the MUDNR dated 16 November 2017 for your information.

Thank you.

Yours Sincerely,

for Sarawak Housing and Real Estate Developers' Association

Joseph Wong Kee Liong
President

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**KEMENTERIAN PEMBANGUNAN BANDAR DAN SUMBER ASLI SARAWAK***Ministry of Urban Development and Natural Resources Sarawak*

Tingkat 3, 15 & 16, Wisma Sumber Alam,

Jalan Stadium, Petra Jaya, 93050 Kuching, Sarawak.

Tel: +6 082-313811 / Fax: +6 082-313810 /

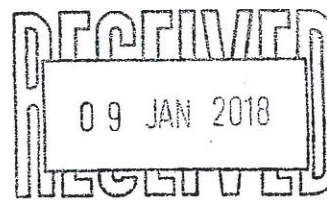
Laman Web: <http://www.kpps.sarawak.gov.my>

Our Ref. : (27)KPBSA/SPA/6-38/207 VOL.2
Your Ref. :

Date: 26 / 12 / 2017
Date:

Please See **"DISTRIBUTION LIST"**

Sir/Madam,



SPA CIRCULAR NO.4/2017 -
SECTION 233 OF THE LAND CODE - PERIOD OF APPROVAL

Reference is made to the above subject matter.

2. In relation to SPA Circular No.4/2017 dated 20.09.2017, the following additional matters have been agreed:-

- i) Applications for development that have been granted for 24 months period of approval prior to the circular dated 20.09.2017 shall now be granted for one (1) time extension of period of approval for twelve (12) months only.
- ii) Applications for extension of period of approval for twelve (12) months shall be submitted to the Director of Land and Survey or General Manager of Bintulu Development Authority (BDA) for decision. However, if the extension of period for twelve (12) months has lapsed, the applicant is to submit fresh application as stated in earlier circular.

3. For your information and further action.

"BERSATU BERUSAHA BERBAKTI"
"AN HONOUR TO SERVE"

(HAJI UNUS BIN TAMBI)

Ag. Secretary, State Planning Authority /

Permanent Secretary, Ministry of Urban Development and Natural Resources Sarawak.

Our Ref. : 27/KPBSA/SPA/6-38/ 207 VOL.2

SPA CIRCULAR NO.4/2017 -
SECTION 233 OF THE LAND CODE - PERIOD OF APPROVAL**DISTRIBUTION LIST**

- 1) **Malaysian Institute of Planners (Sarawak and Sabah Chapter)**
Ultimate Professional Centre
2nd Floor, No.16, Jalan Bukit Mata Kuching,
93100 Kuching, Sarawak.
Tel: 082-258485
Fax: 082-233485
e-mail: mipsarawak@mip.org.my / mip.sarawak@gmail.com
- 2) **Pertubuhan Akitek Malaysia Sarawak Chapter (PAMSC)**
2nd Floor, Sub-Lot 56, Jalan Wan Alwi,
Lot 7915 Queen's Court,
93350 Kuching, Sarawak.
Tel: 082-457182
Fax: 082-451180
e-mail: info@pamsc.org.my
- 3) **The Institution of Engineers, Malaysia (Sarawak Branch)**
The Ultimate Professional Centre
2nd Floor, 16, Jalan Bukit Mata Kuching,
93100 Kuching, Sarawak.
Tel: 082-428 506
Fax: 082-243 718
e-mail: iemsarawak@gmail.com
- 4) **Royal Institution of Surveyors (Sarawak Branch)**
Ultimate Professional Centre,
2nd Floor, 16 Jalan Bukit Mata Kuching,
93100 Kuching, Sarawak.
- 5) **Land Surveyors Board Sarawak**
Lot 155 & 156, Section 20 KTLD,
9-C & 9-D, Jalan Badarudin
93400 Kuching
Sarawak
Tel: 082-417920
Fax: 082-246149
e-mail: surveyboardsarawak@gmail.com
- 6) **Sarawak Housing and Real Estate Developers' Association (SHEDA)**
Secretariat
Sub-Lot 42, 2nd Floor, Tabuan Stutong Commercial Centre,
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*A World Class Organization in
Spearheading Sustainable Natural Resources and Built Environment*

PERSATUAN PEMAJU PERUMAHAN DAN HARTA TANAH SARAWAK

16 November 2017

Dr. Hj. Wan Lizozman bin Wan Omar
Permanent Secretary

Ministry of Urban Development and Natural Resources (MUDNR)
Tingkat 3, 15&16, Wisma Sumber Alam,
Jalan Stadium, Petra Jaya, 93050 Kuching, Sarawak.

Dear Dr. Hj Wan Liz

Extension of Validity of Planning Approval

Reference is respectfully made to the abovementioned matter.

During the courtesy visit to Dr. Haji's office on the 7 August 2017, SHEDA has raised the issue of the validity period of the Planning Approval.

We are grateful that the Ministry has agreed to our appeal that the Validity of Planning Approval granted for development shall be for thirty-six (36) months from the date of planning approval and no application for extension of validity period of planning approval shall be entertained.

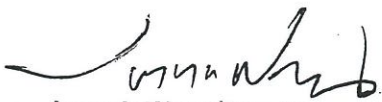
Due to the sudden change of policy on no extension of validity of planning approval, developers who have obtained the planning approvals prior to the implementation of the new policy are caught by surprise and majority of them are not able to obtain the engineering plan approvals and commenced work before the expiry of the planning approval.

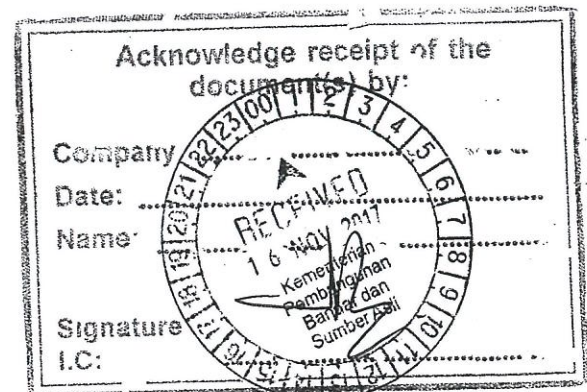
In view thereof, SHEDA is requesting the Ministry to grant an automatic extension of validity period for additional twelve (12) months for those planning approvals (with 24 months validity period) granted before 20 September 2017 so that it will be in line with the latest policy. This automatic one (1) year extension will provide developers adequate time to have their engineering plans approved and commenced work before the expiring of the extended period.

We would be grateful if your good office could consider our requests herein.

Thank you.

Yours sincerely,
for Sarawak Housing and Real Estate Developers' Association


Joseph Wong Kee Liong
President/ Chairman, Housing Committee
SHEDA



SARAWAK HOUSING AND REAL ESTATE DEVELOPERS' ASSOCIATION

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PERSATUAN PEMAJU PERUMAHAN DAN HARTA TANAH SARAWAK

7 August 2017

Dr. Hj. Wan Lizozman bin Wan Omar
Permanent Secretary

Ministry of Urban Development and Natural Resources (MUDNR)
Tingkat 3, 15&16, Wisma Sumber Alam,
Jalan Stadium, Petra Jaya, 93050 Kuching, Sarawak.

Dear Dr. Hj Wan Liz,

Feedback on the eSPA Workshop

Reference is made to the 3rd State Planning Authority (eSPA) Workshop which was held on 2 August 2017.

SHEDA would like to take this opportunity to thank Dr. Haji for giving us the opportunity to participate and give feedback during the session. SHEDA fully supports the implementation of eSPA and looks forward to online planning submission soon. Further to the said workshop, kindly find below SHEDA's feedbacks on the eSPA.

1) Security Features

Security features to login as QPs, Land Owners, Developers or PA holders need to be very sensitive to protect the privacy and copyright of the projects submitted through digital submissions in order to prevent intruders.

2) Rejection of source

There is this concern that the eSPA will cause "rejection of source" for applications that do not comply 100% with existing criteria or rules. A simple example is for density for strata development which in many international jurisdictions, reasonable density relaxations are permissibly mitigated by various means for instance, higher than normal great areas, additional parking or demonstrable absence of strain on surrounding roading system (eg. if the land is surrounded by water and connecting roads are adequate to serve the development parcel). A process needs to be in place for such instances. SHEDA proposes that any approval on density or setback relaxations to be decided at the SPA level instead of at the divisional level.

3) Processing time

We believe that implementing eSPA will speed up the delivery services by SPA as developers are now able to do online submission to either Divisional Land & Survey or BDA. With eSPA, the Ministry must be able to monitor and keep tracks on the processing time by respective agencies as soon as online submissions are submitted at the divisional level.

4) Files to be uploaded

Adequate testing on file sizes to be uploaded is necessary to prevent uninterrupted online submission when it is implemented. SHEDA is willing to provide these kinds of sample files to your system designer for testing purpose.

Acknowledge receipt of the document(s) by:	
Company	<i>Haji Lizozman bin Wan Omar</i>
Date:	
Name:	
Signature	<i>[Signature]</i>
I.C:	

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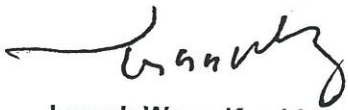
Conclusion

In view of above, SHEDA suggests that another stakeholder engagement session is necessary to develop a foolproof test for eSPA to ensure that developers would not caught by unnecessary or impractical online requirements which would delay the approval of planning application.

Thank you.

Yours sincerely,

for Sarawak Housing and Real Estate Developers' Association



Joseph Wong Kee Liong
President
Housing Committee Chairman



Rewi Hamid Bugo
Deputy President
Planning and Resource Management Chairman

SARAWAK HOUSING AND REAL ESTATE DEVELOPERS' ASSOCIATION

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PERSATUAN PEMAJU PERUMAHAN DAN HARTA TANAH SARAWAK

1 March 2017

Datu Sudarsono Osman
Permanent Secretary
Ministry of Resource Planning and Environment
Tingkat 16, Wisma Sumber Alam
Jalan Stadium, Petra Jaya, 93050 Kuching, Sarawak.

Acknowledge receipt of the document(s) by

Company: _____

Date: 2/3/2017

Name: Yang Siew Ching

Signature: [Signature]

I.C: _____

Dear Datu,

Landed SPEKTRA Houses

We thank Yang Berbahagia Datu for granting SHEDA State Council Members a courtesy visit on 24th February, 2017. We greatly appreciate your time as well as the opportunity for us to discuss on issues concerning affordable housing, which ranges from SHEDA's proposal on affordable housing, PR1MA housing and SPEKTRA(s) Housing:-

A. SPEKTRA Houses

Sheda applaud Government's continuous effort in promoting and improving the quality of affordable housing for Sarawakian.

In order to ensure the sustainability of these affordable housing schemes, Sheda would like to appeal to your Ministry to grant more flexibility to the professional teams/consultants in managing the width of the land required for these types of affordable housing, while maintaining minimum floor area and number of rooms required for all SPEKTRA types of houses and observing the current required minimum setback.

The table below indicates the criteria of SPEKTRA houses compared with the Low Cost types /normal terraced house:-

Type	Front Setback (m)	Rear Setback (m)	Side Setback (m)	Int. Land Width (m)	Land Length (m)	Minimum Plot Size (m2)	Built-up Area (sq.ft.)	No. of Bedrooms
Low Cost	4.5	3.0	3.0/4.5	5.5	15.0	82.5	433	Minimum 2
SPEKTRA Lite	6.0	1.5	3.0/4.5	6.1	16.7	101.87	700	Minimum 3
SPEKTRA Medium	6.0	1.5	3.0/4.5	6.1	17.5	106.75	755	Minimum 3
Low Cost Plus	6.0	6.0	4.5	6.0	22.0 - 24.0	132.0 - 144.0	645 - 774	Minimum 3
SPEKTRA Plus	6.0	6.0	3.0/4.5	6.5	24.0	156.0	833	Minimum 3
Normal Terraced House	6.0	6.0	4.5	6.0	24.7	148.0	Not applicable	Not applicable

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If any control on minimum of frontage width is required for these SPEKTRA types of houses, 5.5m - 6.0m is a sufficient width to cater for 2 car parking bays. The current minimum frontage width of normal terraced house is 6.0M.

Any saving of land area from Spektra Housing will provide additional land for normal houses, this will help in stabilizing the price of normal housing.

B. Existing approval for Low Cost and Low Cost Plus Houses

We write to appeal for your deliberation in allowing those previously approved Low Cost and Low Cost Plus Houses to be sold at the same price as SPEKTRA's types of houses, provided that the building setbacks and minimum built-up area and minimum number of rooms to be provided are sufficient to address the Government's concern in providing sufficient car parking bay and backyard for this type of housing.

In this respect, our Sarawakian Architects shall be given the credit and flexibility to come out with innovative design and concept to meet the Government's requirement on the minimum built-up area and rooms (be it single-storey or double-storey) to ensure sustainability.

With setbacks complying with the latest SPEKTRA Plus guidelines,

- (i) Low Cost houses' approval shall be deemed as SPEKTRA Lite or SPEKTRA Medium approval. Depending on the market need, the developer shall decide whether to build 700 sq.ft. and sell as SPEKTRA Lite or to build 755 sq.ft. and sell as SPEKTRA Medium; and
- (ii) Low Cost Plus houses' approval with the minimum built-up area and number of bedrooms required, shall be deemed as SPEKTRA Plus approval and be sold as SPEKTRA Plus houses.

In allowing the Developers to make use of the existing/previously SPA approved plans of housing projects with Low Cost Houses/Low Cost Plus houses without going through application for amendment will definitely save time and cost in re-planning and/or re-survey etc. It is worth noting that a proposed re-planning of project involving low cost housing will cost not less than RM100,000.00 in consultant fees. (An average land surveyor's fees is about RM8,000.00 per acre. Thus, survey fees for a 10 acres project would cost RM80,000.00).

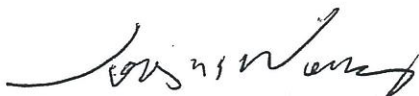
Mostly importantly, in allowing our above request, the developers can then focus to deliver the supply of these types of affordable housing immediately.

We look forward to receiving a favourable reply from Yang Berbahagia Datu soon.

Thank you.

Yours faithfully,

for Sarawak Housing and Real Estate Developers' Association (SHEDA)



Joseph Wong Kee Liong
President / Chairman, Housing Committee
SHEDA

cc. Dr. Haji Wan Liz Ozman Wan Omar, Permanent Secretary, Ministry of Housing and Urbanisation