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Press release

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**Penang Island's Mega Projects Should Not Proceed  
Without Proper Local Plan in Place**

Sahabat Alam Malaysia (SAM) calls on the Penang State Government (PSG) to put on hold all approvals for any mega projects on the island such as the Light Rail Transit (LRT) and the Penang Hill Cable Car until a proper Local Plan for the island is in place.

Although the Penang Island Structure Plan 2030 (SP) is in place, and references to the LRT and the Cable Car are contained therein, there are no further details in terms of a detailed zoning of areas which will only be shown in a Local Plan.

In so far as developments on Penang Hill is concerned, there is the Penang Hill Special Area Plan, which stipulates details as to the zoning of areas and what can and cannot be done on the Hill. However, there will be areas outside the Special Area Plan, especially in the foothills of the bottom station involving areas in the Penang Botanical Gardens and its surrounding areas which require proper planning considerations.

As regards the LRT project, once the alignment is finalised, it will involve massive social and environmental impacts in the immediate neighbourhoods along the alignment which requires details in terms of the zoning plans in these areas.

It is indeed regrettable since decades now, that Penang island has yet to have a proper Local Plan to guide the details of planning and zoning, and what the PSG and the Majlis Bandaraya Pulau Pinang (MBPP) have been doing thus far, is to approve planning applications without proper accountability and transparency.

In fact, in the Sunrise Condominium vs Sunway City case, the Federal Court last year in January 2023 had chided the authorities and said this – "... no local plan was ever drawn up by the local authority despite the Penang Structure Plan 2020 being gazetted in June 2007 and the express provision of section 12 of the TCPA (Town and Country Planning Act 1976) which envisaged that work on the local plan ought to commence before or soon after the Penang Structure Plan comes into effect."

As stated by the Federal Court Judges, "The development plan takes the form of the structural plan and ensuing from the structural plan, the local plan. The local plan details how the structural plan is to be implemented in each area and zone."

The Federal Court also stressed that "Another fundamental aspect of the TCPA is the inclusion of the element of public participation in the land planning process. This element is an integral part of the democratic process which enables the public to require accountability in relation to development in and around where they live...which requires public participation in the drawing up of both structure plans and local plans."

Therefore, without a Local Plan, which requires transparency and the democratic participation of the public in the detailed planning, the PSG and the MBPP will be acting without any accountability whatsoever, and this cannot be consistent with the planning process as envisaged by the TCPA.

SAM urges the Penang State authorities to follow the law and halt further decision-making in relation to these projects, until a proper Local Plan is in place, so that development planning is done properly and with proper accountability and transparency.

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