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NATION



# Tackling soil erosion woes

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A canvas sheet cover is used to prevent soil erosion in a housing area. In extreme cases, soil erosion can cause building collapse. FILE PIC

**LETTERS:** Soil erosion in housing areas can lead to structural damage. In extreme cases, it can cause building collapse, like the Highland Towers catastrophe in 1993 and collapsed houses in Taman Gambang Damai, Kuantan, in 2021.

Measures to prevent and address soil erosion in housing areas need improvement. There are insufficient laws, inadequate enforcement and lack of punishment for those responsible.

Factors that contribute to soil erosion in housing areas include:

**STATE** and land authorities use of unsuitable land for housing due to lax approval processes and insufficient soil fitness data.

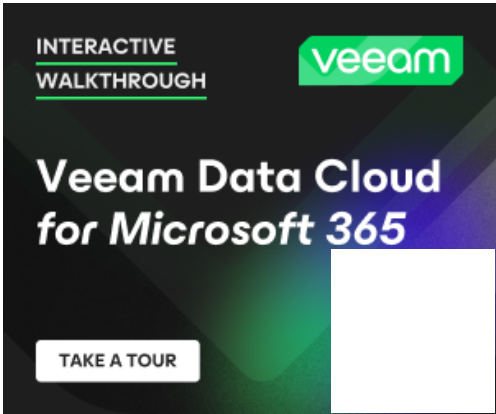
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**LOCAL** authorities improperly adhering to technical agencies' advice on development control, planning permissions and compliance due to the lack of statutory requirement.

**NO** mandate for technical agencies to provide updated big data and data analytics on soil and land for every district in Malaysia.



**PROVISIONS** under the Street Drainage and Building Act 1974 give immunity to local authorities from being held liable for breach of duty and negligence in exercising their statutory duties.

These factors affect how local authorities manage the building and construction industry.

It is also evident there is poor enforcement of legal provisions.

Statutory sale and purchase agreements (Schedules G, H, I and J) have a short defect liability period, no mandatory soil investigation before construction and developers do not have to insure against soil-related damage post-defect liability period.

The extended limitation period under Section 6A of the Limitation Act 1953 (Revised 1981) allows aggrieved residents to sue developers for negligence in housing construction, subject to conditions and restricted to monetary damages liability only. But it does not cover personal injury to residents.

It is important to consider proposals to stem soil erosion and reduce its negative impact. Development plans should be updated with input from technical agencies on soil, geographical and environmental data.

Malaysia should establish a Department of Soil Conservation, like the one in New South Wales, Australia. This department can provide data, information, specialist advice and measures to assess the suitability of locations for land development.

As for building laws, Singapore's practices are a good example.

Its building laws require detailed and rigorous verification and supervision by building experts and consultants to ensure the quality of the building and infrastructure work done by developers and contractors.

Despite potential damage from natural disasters, acts of God or unforeseeable circumstances, we should develop reasonable approaches to address soil problems, settlement and erosion.

Re-examine current laws, policies and practices on preventive and remedial measures for soil erosion in housing areas.

Otherwise, this problem will undermine the government's efforts to achieve the goals under the National Housing Policy 2018-2025 and 12th Malaysia Plan, which emphasises adequate, affordable and quality housing and sustainable development.

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The views expressed in this article are the author's own and do not necessarily reflect those of the New Straits Times



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