



THE PERCEPTION OF PLANNING
STAKEHOLDERS IN THE IMPLEMENTATION OF
KAJANG MUNICIPAL COUNCIL LOCAL PLAN
2020 WITH REFERENCE TO PUBLIC FACILITIES
SECTOR

BY

NUR AULIA BT ROSNI

A thesis submitted in fulfilment of the requirement for the
degree of Master of Science (Built Environment)

Kulliyyah of Architecture and Environmental Design
International Islamic University Malaysia

JULY 2015

ABSTRACT

The study examines the implementation of the Kajang Municipal Council Local Plan 2020 with reference to public facilities sector. Local plan is the document containing policies that guide the way of development planning and Local governance. It is the lowest tier of administrative authority as required by the Town and Country Planning Act 1976 (Act 172) and Local Government Act 1976 (Act 171). It forms the basis of the development plan of a locality in Malaysia. However, the efficiency of its implementation is questioned by those who have an interest in the planning practice, namely the stakeholders. The public facilities sector was chosen as the research subject, because it has been regarded by the Federal Department of Town and Country Planning Peninsular Malaysia as one of the most important indicators of sustainable development. The planning principles for public facilities provision has been categorized into four scopes, namely (i) Availability, (ii) Quantity, (iii) Location, and (iv) Condition. Data collection was conducted in three main settlement areas within Mukim Kajang - Kajang Town, Bangi Town and Bandar Baru Bangi. The research methods comprised of field survey, observation and document analysis, wherein all the data were analysed using SPSS software. The key findings of this study include (i) Lack of Stakeholders Involvement in Decision Making Process, (ii) Lack of Awareness among the Local Community, (iii) Issues in Public Facilities Monitoring and Maintenance, and (iv) Inability to implement the Public Facilities. In order to increase the efficiency of its implementation, some recommendations based on these findings have been proposed, such as (i) improving the application and implementation of the local plan by involving all planning stakeholders in the preparation process, (ii) improving awareness among the local community by improving publicity methods during public participation, (iii) creating separate bodies at the local level that act as a planning inspectorate, to ensure the implementation of the local plan, (iv) technological applications to assist the planning of public facilities.

البحث

يتناول هذا البحث عن تنفيذ خطة محلية لمجلس بلدي بمحافظة كاجنج عام 2010م بالإشارة إلى قطاع المرافق العامة. هذه الخطة المحلية هي وثيقة تتضمن فيها السياسات التي يرشد منهج التخطيط الإنمائي والحكومة المحلية. وهذه هي أدنى مستوى السلطة الإدارية كما يتطلب بموجب قانون تخطيط المدن والريف 1976م (رقم 172) وقانون الحكومة المحلية 1976م (رقم 171). وهي تشكل الأساس لخطة تنمية موقع في ماليزيا. لكن يتساءل الأشخاص الذين لديهم مصلحة في ممارسة التخطيط وهم يعرفون باسم أصحاب المصلحة عن كفاءة تنفيذها. تم اختيار قطاع المرافق العامة كموضوع للبحث لأنه يعتبر واحداً من أهم مؤشرات التنمية المستدامة من قبل القسم الفدرالي لتطوير وتخطيط المدن والريف لشبه الجزيرة الماليزية. وتم تصنيف مبادئ التخطيط لتوفير المرافق العامة إلى أربع نطاقات، وهي (أ) توافر، (ب) كمية، (ج) موقع، (د) حالة. إن جمع البيانات تم إجراءه في ثلاثة مناطق تسوية في داخل محافظة كاجنج - كاجنج تاون، وبانغي تاون، وبندر بارو بانغي. تتألفت طرق البحث من المسح الميداني، والملاحظة، وتحليل الوثيقة حيث تم تحليل جميع البيانات باستخدام برنامج SPSS. وتشمل النتائج الرئيسية لهذه الدراسة (أ) عدم مشاركة أصحاب المصلحة في عملية اتخاذ القرار، (ب) قلة الوعي بين المجتمع المحلي، (ج) قضايا في رصد المرافق العامة وصيانتها، (د) عدم القدرة على تنفيذ المرافق العامة. ومن أجل زيادة كفاءة تنفيذها، تم اقتراح بعض التوصيات بناء على هذه النتائج مثل (أ) تحسين تنفيذ الخطة المحلية من خلال مشاركة جميع أصحاب المصلحة في عملية الإعداد، (ب) تحسين الوعي لدى المجتمع المحلي من خلال تحسين أساليب الدعاية أثناء مشاركة عامة، (ج) إنشاء هيئات مستقلة في مستوى المحلي على أن تكون بمثابة تفتيش التخطيط لضمان تنفيذ الخطة المحلية، (د) التطبيقات التكنولوجية لمساعدة تخطيط المرافق العامة.

APPROVAL PAGE

I certify that I have supervised and read this study and that in my opinion, it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a thesis for the degree of Master of Science (Built Environment)

.....
Azila Ahmad Sarkawi
Supervisor

.....
Mohd Zin Mohamed
Co-Supervisor

I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a thesis for the degree of Master of Science (Built Environment)

.....
M. Zainora Asmawi
Internal Examiner

.....
Azhar Harun
External Examiner

This thesis was submitted to the Department of Urban and Regional Planning and is accepted as a fulfilment of the requirement for the degree of Master of Science (Built Environment)

.....
Norzailawati Mohd Noor
Head, Department of Urban and
Regional Planning

This thesis was submitted to the Kulliyyah of Architecture and Environmental Design and is accepted as a fulfilment of the requirement for the degree of Master of Science (Built Environment)

.....
Alias Abdullah
Dean, Kulliyyah of Architecture
and Environmental Design

DECLARATION

I hereby declare that this thesis is the result of my own investigation, except where otherwise stated. I also declare that it has not been previously or concurrently submitted as a whole for any other degrees at IIUM or other institutions.

Nur Aulia Bt Rosni

Signature.....

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**THE PERCEPTION OF PLANNING STAKEHOLDERS IN THE
IMPLEMENTATION OF KAJANG MUNICIPAL COUNCIL LOCAL PLAN
2020 WITH REFERENCE TO PUBLIC FACILITIES SECTOR**

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ACKNOWLEDGEMENTS

Alhamdulillah. I am very grateful to ALLAH the Almighty for His guidance, blessings, and protection throughout my entire journey in completing this thesis. My first appreciations goes to my parents, Mr. Rosni Omar and Mrs. Sofia Ahmad whom without their *du'a* and blessing, I am nothing in this world for Allah blessing come from these great people. All of my hardship and pain vanish with just hearing their voice when they were comforting me. Their support is like my 'backbone' and their love is a true blessing for me. Not forgetting my brothers and other family members especially my late grandmother whom throughout my study has always wishing me the best even though deep in her heart, she wish for me to stay near her. Until her last moment I am not able to be with her even she said that she missed me. I am sorry for that and hope my journey in gaining knowledge may grant Allah's reward for your soul too. Thank you for being a patience grandmother. Al-Fatihah.

Then I would like to thank my supervisor, Dr. Azila Ahmad Sarkawi for teaching and guiding me throughout my study. My deepest gratitude is towards the best co-supervisor ever, Dr. Mohd Zin Mohamed for your guidance. Though my knowledge is limited, your patience and sincerity have taught me a lot. Not to forget one person that I regarded as my best employer, teacher, supervisor, travel mate and a friend who always help me to improve myself, guiding me to be a better person, and always caring, Dr. Norzailawati Hj. Mohd Noor. Knowing you is like the best opportunity given by Allah because I am like a blunt knife before and you help to make me "sharp" and useful. To Dr. Mariana Osman, thanks a lot for your motherly concern, helps, encouragement and acceptance even though I am just a friend of your supervisee. I will forever be indebted towards these amazing lecturers. This thesis would have not been possible without supports from another great woman in KAED office, Fazilla Abdul Jalil. Thank you so much for your help and concern. Your sincerity in managing our matters will never be forgotten. May Allah rewards you with the best things in *dunya* and *akhirah*.

I would like to thank all my colleagues in MSBE (Aida, Nuraihan, Zakiah, Nurul Izzati, Adiba, Aqila, Tuminah, Alyani, Farah, Shazwani Shahrir, Syazwani Rosli, Azza, Azizi, Aisyah, Ainaa), who share all the knowledge, smiles, tears, sweat and blood in completing our study. Other lecturers and staffs of KAED especially Dr. Faris and Dr. Zainora that had given valuable information, suggestions and guidance in the compilation and preparation of this thesis. Last but not least, thanks to my best friends Nurfadila Ramli and Azlin Syuhada and all of my friends, Majlis Perbandaran Kajang and other agencies that provide me valuable data, Kementerian Pendidikan Malaysia (MyBrain Scholarship) and those who have contributed directly and indirectly by supporting my work and help me during the thesis progress till it is fully completed.

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LIST OF ABBREVIATIONS

MPKJ	Majlis Perbandaran Kajang (Kajang Municipal Council)
TCPD	Town and Country Planning Department
TCPA	Town and Country Planning Act
KEMAS	Jabatan Kemajuan Masyarakat
SPSS	Statistical Package of Social Sciences

CHAPTER ONE

INTRODUCTION

1.0 INTRODUCTION

This study discussed the implementation of the local plan in the district of Kajang with specific references to the public facilities sector from the perspective of the planning stakeholders. Mukim Kajang is a district capital and therefore is also the most populated town in the district of Hulu Langat (300,775 people in 2007), as compared to other Mukim's (Kajang Municipal Council Local Plan 2020). Mukim Kajang is further referred to as "Kajang" in this research. Kajang is under the jurisdiction of the Kajang Municipal Council. The development plan for Kajang Municipal Council, known as Kajang Municipal Council Local Plan 2020, consists of ten different land use sectors. The public facilities sector is selected as a research topic because it is one of the essential components of the planning process in Malaysia. Moreover, the policies and strategies set out in the public facilities sector are not only standardized and applicable in all districts and states, but act as an indicator to achieve sustainable development (JPBDSM, 2012).

Therefore, this chapter will explain the (i) Planning System in Malaysia, (ii) Problem statement regarding the implementation of the local plan, (iii) Research questions as well as Research goal and objectives. Moreover, research methodology will also be briefly explained in this chapter in order to give a general idea of how the research process is conducted. Lastly, this chapter will further expound on the significance of this research and its structure.

1.1 PLANNING SYSTEM IN MALAYSIA: AN OVERVIEW

The orderly and systematic development of towns and cities in Malaysia relies upon proper planning and efficient implementation. Town planning activities are being delivered in many ways. According to Goh (1991), “Planning” is a process to determine future appropriate actions that can be implemented in order to achieve a goal or a series of objectives through a sequence of actions. It is the process of arranging and managing resources in appropriate ways for particular reasons in order to benefit the right people at the right time. Meanwhile, “Physical Planning”, which is also referred to as “Urban Planning” or “Town Planning”, is a mixture of science and art in shaping the development of physical, economic and social growth of an area (JPBD Selangor, 2004).

The American Planning Association (2014) has stated that “Planning” is a dynamic process. Planning improves the well-being of a community by generating more appropriate, justifiable, healthy, useful and attractive places for the present as well as future generations. Since “Planning” is one of the statutory governmental activities in Malaysia, all local authorities are required to prepare development plans to control and regulate the development practice under their jurisdiction (Goh, 1991).

Physical planning was officially enforced in Malaysia after the application of the Town and Country Planning Act 1976 (Act 172) in 1976, where it acts as a tool to monitor the development process within Peninsular Malaysia (Malaysia Law, 2002). TCPA 1976 is further referred to as Act 172 for the purpose of this research. Part 3 (Development Plan) of Act 172 requires the function of development plans as planning instruments that must be prepared by the local authority.

A development plan is a vital reference for any planning and management for the city as it is spatial in term of strategies, policies and even physical environment. Section 2 (Interpretation) of Act 172 also stated that “local authority” functions as a party that bears the responsibility of ensuring that a development process is being implemented. Hence, physical planning in Malaysia is closely related to the implementation of development plans prepared by the responsible authorities. The effectiveness of the implementation of development plans is highly reliant on the relevance of the functions of the development plans itself as the principal instrument for the planning process.

Development plans consist of National Physical Plan and Regional Development Plan (Federal Level), State Structure Plan (State Level) and District Local Plan, as well as Special Area Plan (Local Level). The lower level development plans translate the policies and strategies from higher level development plans in a detailed manner. According to Kasmin (1999), in the 1980s, a Development Plan System is defined as a two-tier development system consisting the Structure Plan and the Local Plan, that both relate to each other. For current scenarios, Section 2 (Interpretation) of Act 172 has defined the development plan of the area as the local plan. However, if the local plan is not available; the structure plan can be used in its stead as the development plan for the area. The Local Plan Preparation Manual (JPBDSM, 2009) has outlined the preparation of the local plan by the local authority in their respective areas. The Development Plan System has encouraged the planning practice in Malaysia to shift from zoning and determining land usage towards more comprehensive aspects, such as the development of the social, physical and economic growth of the community.

This research attempts to examine issues and problems of the local plan implementation using Kajang Municipal Council Local Plan 2020 with specific references to the implementation of the public facilities sector. The Local Plan was selected because it is considered the most vital in translating the town and country's planning vision and mission in a detailed and practical physical form based on proposed land use activities and types.

1.2 LOCAL PLAN AND ITS IMPORTANCE IN MALAYSIA'S DEVELOPMENT PLANNING SYSTEM

The principal objective of the local plan is to produce a detailed land use plan following requirements envisaged in Act 172 and other planning documents. The function of a local plan is to translate representative policies in the development plans, from national to state level, into implementable policies without neglecting the social development and economic aspects of a local planning area.

The Local Plan is a statutory document consisting detailed proposals and written statements for the practice of physical planning, such as land use, environment, infrastructure and utilities, landscape, as well as the road network. The local plan is principally seen as an instrument that guides future development wherein it translates government policies into action (Taib & Ho, 2008). The local plan acts as a tool to boost socio-economic development through physical planning. In addition, the local plan deals with more precise development proposals and control over a timeframe of ten to fifteen years.

Act 172 requires each ‘local planning authority’ to provide a ‘structure plan’ (Section 8 (1)) and ‘local plan’ (Section 12 (1)) for their respective area. The local planning authority is responsible for ensuring that the content of the submitted development proposals are in line with the requirements within the local plan.

Section 12 (3) (a) of Act 172 has stated that the content of the local plan must consist of a map of the proposed plan and a written statement. The maps would contain details of the local planning authority. The written statements would elaborate on the improvement and protection of the physical environment and landscape, preservation and enhancement of the natural topography, provision of open space, preservation and enhancement of building character, improvement of the communication system, and operations of the traffic system within the local plan area.

Section 18 of Act 172 forbids any developments that are inconsistent with policies in the local plan. These developments include land use or erection of a building. The local plan was also seen as an opportunity for citizens to express their opinions and needs regarding their living environment. A local plan can help to reduce conflict between the community and the authority. Furthermore, the local plan is known as one of the tools for sustainable planning. Without a local plan, many planning problems will occur such as urban sprawl, lack of infrastructure and utilities, as well as environmental degradation. There are a few conditions for the local plan to be prepared according to Section 12 of Act 172, which includes:

- a. The Local Planning Authority thinks Draft Local Plan is desirable for any part of its area during the Draft Structure Plan preparation or before the State Planning Committee approves/rejects the Draft Structure Plan.

- b. State Director of TCPD has prepared a draft local plan for the respective area as the appointed Local planning authority according to Subsection 5 (2) Act 172 (for the area that is not under local authority jurisdiction.
- c. The Local Planning Authority has prepared the Draft Local Plan after the structure plan for the area has come to force;
- d. The Local Planning Authority has prepared the Draft Local Plan after having been directed to do so by the State Planning Committee; and
- e. State Director of TCPD has prepared a draft local plan after having been directed to do so by the State Planning Committee as a result of the Local Planning Authority's failure in preparing a local plan.

Table 1.1: Stakeholders in Local Plan Implementation according to One Stop Centre

Categories	Agencies that can use and Implement Local Plan
Local Authorities	Land Office Planning Department Of Local Authority Health And Building Department Of Local Authority Engineering Department Of Local Authority Landscape Department Of Local Authority Internal Technical Department
Government agency in the federal and state level	State Town And Country Planning Department; Department Of Valuation And Property (JPPH); Department Of Agriculture State Land And Mines Department/District Land Office; Public Works Department; Department Of Drainage And Irrigation; Tenaga Nasional Berhad; Department Of Environment; Department Of Sewerage Services; Department Of Fire And Rescue Services; Water Supply Corporation; Department Of Sewerage Services;
Others	Private Agencies Private Investor Land Developer Community Landowner

(Sources: Portal One Stop Centre 2007, <http://www.epbt.gov.my/osc/index.cfm> retrieved May 2012)

A local plan is useful for stakeholders involved in development planning. Table 1.1 shows the stakeholders who participated in the implementation of the local plan according to One Stop Centre.

As a whole, they were considered as planning stakeholders during the implementation of the local plan. The stakeholders highlighted in Table 1.1 mainly focused on Departments within Local Authorities, Government Agencies in the Federal and State level and other stakeholders such as Developers, Investors and the Local Community.

However, at the Local level, more specific stakeholders have been highlighted, who not only use and implement a local plan but also are involved in the local plan preparation process. Local level stakeholders are listed in Table 2.9 and further explained in Chapter Two. The stakeholders include all departments involved in the preparation of a local plan for all land use sectors (called Technical Working Group (TWG), stakeholders who specifically involved in the provision of public facilities but not in the TWG, as well as the Kajang Local Community.

1.3 PROBLEM STATEMENT OF LOCAL PLAN IMPLEMENTATION

The implementation of development plans as a tool to control, monitor and manage the physical, social and economic growth of the city is yet to be considered effective (Goh, 1991; Heng, 1978; Ponrahono, 2011; Zainol, 2000). Issues of economic and social disparity, as well as environmental degradation, still occur even though the development plan system has been implemented since 1976 (Goh, 1991; Heng, 1978; Ponrahono, 2011; Zainol, 2000). The local plan contents supposedly need to be understood and implemented thoroughly by the planning stakeholders.

However, after the local plan had come into force during the Third Malaysia Plan (1976-1980), many issues and problems were still faced by the community as well as the local authorities and stakeholders who implemented it.

Talha (2012) highlighted the weaknesses of the implementation of the Malaysia development plan based on (i) Constant complaints of inefficient local plan implementation as a development blueprint, (ii) Lack of awareness of other government agencies, and (iii) The local plan review is timely in order to make a plan as a strategic plan. In addition, a deficiency in the local plan implementation will cause unsustainable development to flourish where the town and city grow uncontrollably and cause inefficient use of land and the occurrence of land use conflict. These deficiencies will result from the existence of discord living environment for the citizens (JPBDSM, 2006; Fernandez, 2008). In line with the weaknesses of development plan implementation highlighted above, Mohammed (2008) noted that the development plans prepared by the government have not been fully utilised by the local planning authorities in the decision-making process due to numerous factors.

One of the factors is the time needed in the local plan preparation as well as the implementation process (Thomas, 2001). Most of these problems are due to out-dated local plans. Malaysia is one of the rapid growth nations where in the Tenth Malaysia Plan 2011-2015, RM 230 billion has been allocated for physical development. Therefore, the local plan must be made relevant and reviewed occasionally in order to cope with the current growth and changes experienced by the country.

According to Townsend (2011), a clearer definition of an 'up-to-date' plan should be provided, allowing more recent 'old style' unitary development plans to be in conformity with the National Planning Policy Framework. If this leeway is not afforded, most local authorities will have 'out-of-date' plans, and the plan-led system could be significantly undermined.

As mentioned earlier, the the local plan is prepared over a long period of time, which has contributed to the out-dated local plan. Supposedly, Townsend (2011) has suggested that there must be a separate organisation in each local government to act as a medium for handling the local plan preparation process and review so that policies and strategies in the local plan are in line with the growth and changes in their area of jurisdiction.

According to TCPD Annual Report 2012, since the local plan came into force in the year 1976, 83 local plans (91%) in Malaysia have been gazetted from a total of 91 local plans (www.townplan.gov.my retrieved on 25 September 2013). To date, there are still issues and problems faced by affected parties regarding its execution and implementation. Ponrahono (2011) and Zainol (2000) argued that development plans, including local plans, are supposed to provide adequate planning measures to avoid incompatible land use, environmental degradation and community imbalance.

However, the contents of development plan and the implementation process sometimes happen to be inadequate to provide the best planning measures. The development vision is therefore considered as unsuccessful and creates more planning issues for the development of local areas. In addition, studies regarding the development plan are found to focus on the preparation stage, especially on the public participation process, while studies on the function and content of development plans are still at its infancy stage (Abdul Hadi, Shaharudin, and Abdul Samad, 2007).