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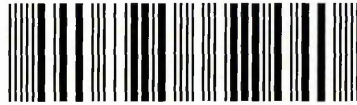
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# **URBAN CONSERVATION: A FRAMEWORK FOR COMMUNITY INVOLVEMENT IN MALAYSIA**

**ZAINAH IBRAHIM**

A thesis submitted in partial fulfilment of the requirement of  
Sheffield Hallam University  
for the degree of Doctor of Philosophy

May, 2007



## ABSTRACT

Whilst interest in conservation planning in Malaysia is growing, there is evidence that it contains several deficiencies, including the commitment and resources to support effective community involvement. This research investigates the underlying factors that contribute to these deficiencies in the system and aims to develop principles to be taken forward for application in a practice-oriented framework, drawn from a critical analysis of the relationships between best practice, as identified through the literature and contemporary practice in Malaysia, as identified through the empirical work.

The research examines various examples of community involvement practice from selected developed countries, including the United Kingdom. This suggested a framework of community involvement best practice, which would achieve sustainable conservation results. The current community involvement approach practice in Malaysia (using the Case Study of Historical City of Malacca) was compared to this suggested framework. This comparison to best practice with Malaysia's present practice demonstrates, quite clearly, the vital need for an involvement framework in Malaysia to be improved to make the current practice and provisions more effective.

The findings proved that the present process is inefficient. It lacks systematic techniques, adequate communication and awareness. Additionally, there is an imbalance of power and control which requires better coordination and collaboration between both stakeholder organisations (all levels of government, i.e. federal, state and local, as well as private and NGOs) and the communities. The summary of findings from both the authorities and communities was compared and arranged towards a concluding reconciliation of perspectives. This led to the proposed framework for community involvement based on the lessons of best practices explored for the improvement to the present conservation system.

The recommended practice-oriented framework comprises of its key principles to guide the reform process and highlights on six main elements, i.e. the emphasis on community focus; policy and approach; involvement and consultation stages; process and procedures; consultation methods; and evaluation and monitoring. The implementation of the framework requires investment in terms of resources, as well as related education and awareness programmes to help secure its success.

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Lastly, I dedicate this hard work to my loving mother in Malaysia who remains to care and pray for my success.

Thank you.

## ABBREVIATIONS

AHC	Australian Heritage Council
ACHP	American Advisory Council on Historic Preservation
Badan Warisan	Malaysia Heritage Trust
BURA	British Urban Regeneration Association
CDF	Community Development Foundation, UK
CAP 137	Town Board Enactment, 1929
CAQDAS	Computer Assisted Qualitative Data Analysis Software
CA	Conservation Area
CMP	Conservation Management Plan
DCLG	Department of Communities and Local Government
DCMS	Department of Culture, Media and Sports
DLP	Draft Local Plan
DSP	Draft Structure Plan
DETR	Department of Environment, Transport and Regions
FDTCP	Federal Department of Town and Country Planning
FG	Focus Group
ICOMOS	International Council on Monument and Sites
JICA	Japan International Cooperation Agency
JMA	Jabatan Muzium dan Antikuiti (Department of Museum and Antiquity)
LA21	Local Agenda 21
LDF	Local Development Framework (UK)
LA	Local Authority
LPA	Local Planning Authority
LP	Local Plan
MBMB	Majlis Bandaraya Melaka Bersejarah or Malacca Historical City Council.
MHLG	Ministry of Housing and Local Government (Malaysia)
MoCAH	Ministry of Culture, Arts and Heritage (Malaysia)

MHT	Malacca Heritage Trust
Monbusho	Ministry of Education, Science and Culture, Japan
NGO	Non-Governmental Organisation
NPP	National Physical Plan
NPPC	National Physical Planning Council
NPS	National Park Service, USA.
ODPM	Office of Deputy Prime Minister, UK
PCCHE	Preservation and Conservation of Cultural Heritage Enactment, 1988.
PERZIM	Malacca Museums Corporation
PPP	Publicity and Public Participation
RoS	Report of Survey
SA	State Authority Sustainability Appraisal
SAP	Special Area Plan
SCI	Statement of Community Involvement
SP	Structure Plan
SPC	State Planning Committee
SPSS	Software Programming for Social Science
SSP	State Structure Plan
TCP	Town and Country Planning
TCP Act	Town and Country Planning Act, 1976 (Act 172)
TDR	Transfer of Development Rights (TDR)
TOR	Terms of Reference
TUGI	Urban Governance Initiative
UNESCO	United Nation Education and Scientific Organisation
UNDP	United Nation Development Programmes
UK	United Kingdom
USA	United States of America
WHL	World Heritage List

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# **CHAPTER ONE**

## **1. INTRODUCTION**

### **1.1 AIMS OF THE CHAPTER**

This chapter introduces the research, its purpose and its subject area. It begins with an overview of the research topic, focusing on the subject of community involvement and its importance in the field of conservation planning. The aim, objectives and the significance of the research are also presented; together with an overview of the research methodology. It concludes by providing the reader with an overview of the research structure.

### **1.2 URBAN CONSERVATION IN MALAYSIA AND THE CURRENT STATE OF RESEARCH**

Before identifying the main elements for the research agenda, this section summarises the key issues in relation to conservation planning in Malaysia that have been identified to date by analysts and critics. This is imperative to identify the specific focus and set the context of the research.

The Malaysian land use planning system, modelled from the English and Welsh Planning Act, 1971, is embodied in the Malaysian Town and Country Planning Act, 1976 (Act 172). Since its introduction in 1976, the Malaysian Act has been the legal basis for the preparation of development plans, including structure plans and local plans and providing guidance in the planning approval process for local authorities. However, after about 30 years of its implementation, there are still apparent weaknesses in the Act. It remains relatively undeveloped, especially in terms of its procedures and guidelines (Hashim, 1994 in Zainol, 2003; Taharim, 2002). Studies carried out by Shamsuddin (1991), Taharim (2002) and Zainol (2003), which compared it to the UK planning system, found that it is only equivalent to the UK planning system in the 1970s. In terms of the level of public participation, they highlighted that the Act is still inadequate and leaves much to be desired. Whilst their research found that the public has been receptive to opportunities to participate in the planning process since the 1980s, contrary to claims by most authorities, they found that public participation is still a difficult process to implement and the public's views are often inadequately considered in the formulation of final plans. The amendments to the Act (Act 172) in

1995 and 2001 have, to some extent, provided some improvements to the provisions for public participation and enhanced the overall development plans hierarchy, as well as other related provisions.

Conservation efforts have come into prominence in Malaysia over the last three decades, as in most other countries, and are generally given consideration within the planning process, especially within the development plans preparation framework. Presently most conservation efforts are concentrated in the historical cities of Malacca and Penang. Being in a relatively early stage of development, conservation efforts are mostly undertaken through the combined efforts of NGOs and the different levels of authorities. However, studies on conservation (Grant, 1992; Ibrahim, 1995; Ho, 1996; Muhammad, 1998; Ahmad, 1994; and Mohd. Yunus, 2000) have highlighted the problem of non-specific legislation for conservation and ambiguity in conservation guidelines. This has frequently resulted in conservation practices being carried out in an ad-hoc manner, with inadequate knowledge of methods of implementation and the poor identification of the rightful parties that should be involved in the process.

Key issues that contribute to the above claims include the inadequate nature of conservation legislation, the lack of community involvement in the planning process, lack of expertise, funding and multi-culturalism issues. Malaysia's inadequate and non-specific nature of legislation within existing conservation law was identified in literature and studies researched by Grant, 1992; Ibrahim, 1995; Ho, 1996; Mohd Nor, 2002; Taharim, 2002; Abdul Hamid, 2002. Their common criticism highlighted the lack of supplementary guidelines to interpret clauses within the existing Acts related to conservation, including the TCP Act, 1976 and Antiquities Act, 1976. Left to the discretionary interpretation of the parties responsible for conservation, this has resulted in a non-standardised method of planning, implementation and monitoring amongst the various agencies in different states and ministries in Malaysia. The common issues emanating from this, as highlighted by the critics, are problems of coordination among the various parties and the absence of a single point of responsibility. In an attempt to begin to address the complexities of the system, the Government created a new ministry, the Ministry of Culture, Arts and Heritage (MoCAH) in 2004, which has enacted the new National Heritage Act and was passed by the Parliament in 2005. A discussion on the new legislation will be presented in Chapter Six (6).

Although the TCPA, Act 172 strongly incorporates an element of public participation in the planning process, it is limited to the general preparation of development plans, as in Structure and Local Plans. Separate and more in-depth public participation or community involvement in specific development, as in conservation projects, is still

non-existent within the ambit of Act 172 or any related legislation. Efforts towards garnering public participation and community involvement have been discussed in general terms by many parties but a concrete solution is still unclear and vague and without a definite framework.

Whilst it is exemplified in various countries that many successful conservation projects were carried out through the 'bottom-up' approach, i.e. from the people or the community themselves, this has not been the case for Malaysia. Conservation efforts in Malaysia have always been 'top-down', or government initiated. This was identified in the literature and studies undertaken by Shamsuddin (1991); Ibrahim (1995); Ho (1996); Shamsuddin (2000); Taharim (2002) and Isa (2003).

In terms of funding, Malaysia faces the issue of inadequate funding and poor management of funds for conservation, as identified by Mohammad (1998), Abdul Hamid (2003), Mohammed (2003) and Mahesan (2003). They identified that these have been major problems in recruiting more staff and experts, as well as providing training for carrying out conservation for heritage buildings and areas. As has been emphasised earlier, conservation is a relatively new movement in Malaysia. As a consequence, there are very few professionals and experts in this area. The dearth of conservation expertise and skilled craftsmen in Malaysia has been identified by Ahmad, 1994; Muhammad, 1998 and Abdul Hamid, 2003. This is confirmed by the need to engage foreign experts and craftsmen for the various aspects of the conservation work, as exemplified in the projects carried out in Penang and Malacca. Chapter Two (2) will further discuss this issue.

The Malaysian urban built heritage is largely regarded as the product of a colonial plural society and the legacy of the British colonialist (Ahmad, 1994; Mohd. Yunus, 2000; Isa, 2003). The similarities of many Malaysian statutes and legislation governing the conservation process with the British system have provided Malaysia with the advantage of adopting some of the practices in conservation planning. It has been a starting point, as well as preventing historical and architecturally significant buildings from damage. However, contrary views to the question of whose heritage it is and for whom it is being conserved has always been the subject of debate (Ahmad, 1994; Mohd. Yunus, 2000).

The concern for the need of a holistic approach towards conservation and the shift from conserving only what might be called the 'hardware historical components' (Ibrahim, 1995) has often been raised. The response to this has been redirecting conservation practices to include 'software historical components' by identifying or creating a national architectural identity through the traditional and urban multi-cultural built forms

(Zakaria, 1994; Mohd. Yunus 2002; Isa; 2003). This was built on the conviction that the creation of a national identity and pride is crucial in a plural society like Malaysia, unlike in the predominantly monoculture of the western developed countries. If blueprints are adopted, it should only be used as a principal or starting point which, over time, must be modified to the needs and requirements of multi-cultural Malaysia.

### **1.3 RESEARCH FOCUS**

From the above brief review of the present state of urban conservation (which will be elaborated upon in later chapters), there are clearly issues confronting conservation planning efforts in Malaysia: the ad-hoc manner in which conservation is carried out, the inadequacy of legal instruments, inadequate knowledge of methods of implementation, the poor identification of the rightful parties that should be involved and an inefficient public/community participation process. Nonetheless, the main issue identified is in relation to the lack of public and community interest and awareness that arises from the inadequate participation of the community in the process. This, then, reinforces the setting of the specific focus of the research which emphasises the need to investigate the underlying factors of this phenomenon.

The above findings indicate that poor community involvement during the planning process has frequently been cited as one of the problems that contribute to the under-achievement of urban conservation projects in Malaysia. Notwithstanding the relatively recent efforts to conserve and to model conservation practices against countries that have been successful in their conservation projects, critics have argued that a holistic understanding of community involvement is a pre-requisite for effective conservation planning and has been neglected. This has consequently led to a poor approach in decision-making during the conservation planning process and there is ample evidence to suggest that fundamental principles and practices of getting the community involved have been ignored.

Furthermore, evidence uncovered from the literature review converges to suggest weaknesses within the current community involvement practices during the planning process of conservation and the critical need for this problem to be addressed. Thus, this research is proposed in recognition of the need for an in-depth investigation of the factors that contribute to these weaknesses and the need for a knowledge-based approach to establish an effective framework for community involvement in Malaysian conservation projects. The following sections are presented to outline the context and



significance of this research study. It begins with the research aim and objectives for the research work.

## **1.4 RESEARCH AIM AND OBJECTIVES**

The aim of this research is:

To develop principles of community involvement in conservation planning in a practice-oriented framework for Malaysia, utilising both a critical reflection on the elements of best practice internationally, as drawn from the literature and an analysis of contemporary practice in Malaysia as identified through empirical work.

In line with the aim of the research, the objectives of the research are:

1. To identify and evaluate the role of community involvement in urban conservation movements in Malaysia;
2. To critically evaluate the differences between the Malaysian system to that of established community involvement best practice in other countries;
3. To corroborate the fundamental variables that are integral to an effective involvement process;
4. To propose a framework for community involvement in conservation projects in Malaysia.

## **1.5 SIGNIFICANCE OF RESEARCH**

There has been a lack of research to ascertain accurately the level of weakness within the current approach to community involvement in urban conservation projects in Malaysia. Furthermore, the literature review provides ample evidence to suggest that the current framework has been inadequate in promoting effective community involvement for urban conservation projects, which has led to under-achievements. Thus, this research posits that a critical re-evaluation of the whole process is necessary and an operational framework for community involvement is needed for Malaysia.

A particular feature of this research is that it seeks to capture the views of actual or potential participants in the process, i.e. the communities within the case study area, as well as the views of Government officials and planners which previous research has not covered adequately.

In conceiving the need for a knowledge-based approach to establish this framework, a 'best practice' approach is proposed for this research. This is drawing from the universal conviction of management thinking today (Price Waterhouse Coopers, 1999; Jarrar and Zairi, 2000) that a knowledge-based approach, underpinned by effective learning, re-learning, adopting innovation and measuring performance is an approach that ensures sustainability, competitiveness and realisation of objectives.

This research is also mindful of the uniqueness of the Malaysian cultural values characterised by its plural society. Drawing from the views of Hofstede, 1997; Barrett, 1997 and Landry, 2000, the approach to be adopted to establish this framework would entail the need to acknowledge the impact of value systems, embracing the character of the Malaysian community and identity during its design. The best practice framework proposed will be the determinant benchmark and serve as a guiding model assimilating the values unique to the multi-cultural nature of the Malaysian society.

For this research, the proposed framework for community involvement is based on an improvement to the present conservation system, as well as embedding the salient features of lessons from the consultation Best Practice explored, without tackling the planning system as a whole.

In relation to the significance of the research, it is worthwhile to note that the researcher is on study leave from the Federal Town and Country Planning Department (FDTCP). With the support from the Director-General and the Malaysian Government in general, the research is envisaged to be of value not only in its own right as a free-standing piece of research, but will also provide useful insights and offer recommendations for the Department, as well as will help to develop the researcher with the appropriate skills and experience in the subject matter.

## **1.6 OVERVIEW OF THE RESEARCH METHODOLOGY**

In identifying the most appropriate methodology for this research, the views of various scholars were considered (Nachmias and Nachmias, 1993; Denzin and Lincoln, 1994; Babbi, 1995; Fellows, R and Lui, A, 1997; Marshall and Rossman, 1999; Naoum, 2002). The conceptualisation of the research problem suggested the application of both quantitative and qualitative approaches. Evidence uncovered during the literature review was adopted to develop propositions for the factors that impact on the poor level of community involvement. This was then used to develop the research questions for this research, which provided the framework for the research design and methodology.

Given the nature of the research aim and objectives, an inductive research approach has been adopted. A qualitative research technique was largely utilised to dominate the research methodology. Following the analysis of the literature review and pilot study, a case study area was conducted in Malacca (the historical city of Malaysia). Gathering information and seeking the opinions and suggestions from various communities was achieved through the conduct of six (6) Focus Group (FG) meetings and interviews held with the communities. The FG meetings proved to be valuable avenues for discussions on community involvement issues to gauge the opinions, ideas and expectations of the communities towards their participation in conservation efforts. To triangulate the communities' findings, semi-structured questionnaire surveys and interviews were conducted at different levels of government; non-governmental bodies (NGOs), academics and the private sector, which were arranged along with the analysis of the relevant documents and reports. The conclusions from the data analysis and evaluation of both the perspectives of the communities and authorities were interfaced and reconciled, providing the basis for the formulation of the community involvement framework. The following section will give a tour of the chapters organised in this dissertation to achieve the research aim and objectives.

## **1.7 STRUCTURE OF THE THESIS**

This thesis is organised into five (5) main blocks within which lies ten (10) chapters. The five blocks are:

1. Introduction (Chapter One)
2. Literature Review (Chapters Two - Four)
3. Research Methods (Chapter Five)
4. Empirical Work (Chapters Six - Eight)
5. Conclusions (Chapters Nine and Ten)

Apart from this present Introduction chapter, a brief guide to each of the subsequent block is as follows:

### **Literature Review (Chapters Two - Four)**

Chapters Two (2), Three (3) and Four (4) elaborate on the literature review of the research subject. Chapter Two (2) presents a review of the role of urban conservation planning internationally. This includes a comparison of institutional structures,

legislative frameworks, funding and approaches to development. It also touches on community involvement, with a brief discussion of its importance. Having identified institutional and legislative frameworks in Chapter Two (2), Chapter Three (3) is able to begin to focus on the key aim of the thesis, which is community involvement within the context of urban conservation planning. The chapter elaborates on a definition of community and community involvement adopted for this research. It then proceeds to investigate critically the community involvement element within conservation planning. This is then followed by the review of the community involvement approaches to underline the setting in which the community involvement framework is engaged. The underpinning theories and concepts related to the community involvement process are then critically examined and discussed, drawing references from the earlier discussions on the concepts of community involvement and best practice. The emergent findings are then summarised to form the community involvement best practice framework for this research.

Chapter Four (4) provides the background and discussions for understanding more fully the opportunities and the validity of the current approach adopted in engaging the community in conservation planning in Malaysia based on the secondary data. It examines the background and analysis of the current community/public participation provisions within the planning system in Malaysia. The chapter offers key insights to the background of community involvement, its approaches and provisions within the planning system. The emerging findings from the literature searched on participation in urban (conservation) planning, as well as the researcher's pre-existing knowledge and experience in the public planning service are used to determine the validity of and opportunities for the current provisions in meeting the movement's needs. Chapter Four (4) concludes the literature review process by presenting the issues of the Malaysian practices of community involvement in conservation planning and its implications for this research.

#### Research Methods (Chapter Five)

Chapter Five (5) discusses the research methodology adopted for the research. It begins with the researcher's personal aim followed by the selected methodology based on the research aim and objectives, as well as the issues identified from the literature review. It discusses the research process and develops a theoretical framework for the research. The chapter then outlines the methodological framework for this research and justifies the methods selected. The research design section of the chapter follows by presenting the structure of the data collection and analysis phase of the project and covers in detail the procedures and the criteria for the various choices made. The

chapter also imparts the actual experience acquired through conducting the empirical work on the ground. The chapter ends by putting forward the limitations of the research work.

#### Empirical Work (Chapters Six - Eight)

The empirical work comprises of three (3) chapters, i.e. Chapters Six (6), Seven (7), and Eight (8). Chapter Six (6) reports on the case study area selected for the research work. It outlines the case study, i.e. Malacca Historical City in Malaysia, its physical context and profile. The chapter then examines the communities within the conservation zones. It proceeds with an elaboration on the authorities responsible for conservation; the conservation procedures and the community involvement process in conservation planning carried out in Malacca.

Chapter Seven (7) presents the first stage of the data analysis, which is mainly the quantitative analysis of the authorities and stakeholders questionnaire survey and interviews. It begins with the analysis of the primary quantitative data gathered by means of semi-structured questionnaires survey, either by face-to-face interviews, e-mail and 'send-pick-up later' technique with the authorities and other stakeholders. To complement the quantitative data, the analysis for the open-ended questions was then carried out qualitatively to investigate further and refine the conclusions.

Chapter Eight (8) explores the second stage of the data analysis which discusses the qualitative data that was mainly derived from the community primary data collection through the selected focus group (FG) meetings. The chapter presents the discussion on the main data gathered from the six (6) FG interviews/meetings conducted in the case study area. The main part of the chapter contains the presentation of different themes and patterns of issues from the perspectives of the various communities, which have emerged from the data analysis. The analysis, as categorised in various sections, covers the community involvement approaches, issues and suggestions. The chapter highlights the emergent findings of the community analysis and concludes with a summary.

#### Conclusions (Chapters Nine and Ten)

The conclusions are divided into two chapters, Chapters Nine (9) and Ten (10). Generally, these two types of conclusion are, first, the set of conclusions drawn from all the work in relation to the original aims and objectives of the research; and, secondly, from the conclusion of the empirical work itself as a result of identifying all those problems from the literature review. Following the data analysis discussed in Chapters

Seven (7) and Eight (8), Chapter Nine (9) reveals the main findings where the results of findings and the various views of the stakeholders and the communities are compared and arranged towards a concluding reconciliation of perspectives. This interfacing forms the foundation of the recommendations of a framework for improving the community involvement process based on best practice propositioned by the research. It then concludes the research work by reaffirming the research aims and objectives, the implications of the best practice community involvement framework identified and proposed by the research. The chapter further explores further research work to augment the study on community involvement. The research concludes by reaffirming its assessment on the provisions for community involvement in conservation planning process.

Accordingly, Chapter Ten (10) explores the results of the main findings from the previous empirical chapters, as well as conclusions made in the later Chapter Nine (9). It forms the main policy implications by offering the framework for improving the community involvement process in Malaysia based on best practice propositioned by the research. The research framework development is approached by setting up its principles, the introduction to the proposed framework and then discusses its implementation.

## **1.8 CHAPTER SUMMARY**

This chapter has outlined the purpose and the subject area of the research study. It took the reader through an overview the research topic of the conservation planning movements in Malaysia and briefly focused on the subject of community involvement and its importance to conservation planning. The aim, objectives and the significance of the study are also underlined together with the overview of the research methodology. The chapter ends with the structure of the thesis that has been used to report the research work carried out to achieve the research aim and objectives. The next chapter, (Chapter Two (2)) will discuss the review of the literature on the nature of urban conservation planning, and examine the community participation element of the movement.

## **CHAPTER TWO**

### **2 URBAN CONSERVATION WITHIN THE PLANNING PROCESS**

#### **2.1 AIMS OF CHAPTER**

This chapter begins with a review of the literature on the nature of urban conservation planning. It will review, examine and investigate reports and other literature pertinent to this subject and set the context of this research. It is prefaced by a definition of conservation within the context of this research and the critical review of the nature of the land use planning system; it places emphasis on the role of urban conservation in the development of cities, the problems of under achievements of conservation movements and subsequent measures to reform the sector.

The chapter then proceeds to investigate briefly community involvement in the development process. This is done through a review of community involvement in sustainable development efforts; in the UNESCO World Listing; and in conservation planning to underline the setting in which community involvement framework is engaged. This chapter concludes by establishing the views taken for this research and the variables that shape the community involvement approach in conservation planning.

#### **2.2 CONSERVATION TERMS**

Prior to delving into the literature on conservation planning, it would be appropriate to investigate the definition of conservation terms to establish the context for this study. Hence, the term 'conservation' was investigated to establish the context for this study.

The Oxford dictionary (1999) defines conservation as 'preservation especially of the natural environment', and a conservation area as 'an area containing a noteworthy environment and specifically protected by law against undesirable changes.'

The definition of conservation from the Burra Charter (Burra Charter, 1999), being the most widely accepted and referred definition, relates strongly to the physical nature of conserving and its connectivity to cultural significance. According to the Charter, "conservation means all the process of looking after a place so as to retain its cultural significance. It includes maintenance and may, according to circumstance, include

preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these" (Burra Charter, 1999).

Alternatively, the definition of the term 'conservation' is also researched from publications by Badan Warisan (Malaysia Heritage Trust); International Council on Monument and Sites (ICOMOS); and English Heritage. Generally the definitions from the above sources are all in accord with the Burra Charter in which conservation is commonly used to describe the protection of buildings from dereliction and demolition. It is worth noting that to 'conserve' was accepted to mean simply to improve upon a structure or element but retaining its original character. Looking after a place includes undertaking those activities directed to the protection of the character and special qualities of buildings and places, specifically architectural or historic. The fundamental conservation processes derived from the international charters can therefore be summarised to involve four major physical activities, which are preservation, restoration, reconstruction and adaptation.

*Preservation* stresses the maintenance of the cultural heritage in its existing state and retarding deterioration. It places a high premium on the retention of all historic fabric through conservation, maintenance and repair.

*Restoration* indicates a process of returning the existing cultural heritage to an earlier known state by removing accretions or by reassembling existing components without the introduction of new material. It focuses on the retention of materials from the most significant time in a property's history, while permitting the removal of materials from other periods.

*Reconstruction* relates to the process of returning to re-create a non-surviving cultural heritage or conservation area as nearly as possible to a known earlier state and is distinguished by the introduction of new or old materials.

*Adaptation* signifies modification to a place to suit a proposed compatible use (a use which involves no change to the culturally significant fabric, changes which are substantially reversible, or changes which require a minimal impact). Adaptation is acceptable where conservation of the place cannot otherwise be achieved and where it does not substantially detract from its cultural significance.

With all its interconnected activities and processes involved, conservation must be recognised as a continuing dynamic process of planning the development of any area or a city, which acknowledges its history including its architecture, historical buildings, monuments, living historic towns, historic areas, archaeological sites and cultural landscapes. It is also seen as a process of looking after a place so as to retain its



cultural significance. While *cultural significance* is defined as 'aesthetic, historic, scientific or social value for past, present and future generations, social elements must be equally weighted with architectural, historical elements and qualities. This indicates that conservation is all embracing, with the ultimate intention of securing the cultural significance of the site and its various elements (Edwards, 2003). Within the United Kingdom (UK) this is exemplified in current conservation policy where the integration of the human factor, which is regarded as 'dynamic communities', is central in the conservation process (ODPM, 2003 and 2004). In the United States of America (USA) the term 'historic preservation' is typically used as encompassing a wide range of strategies for dealing with existing buildings and urban setting (Catanese, 1979). In Japan, conservation and preservation has, in one way or another, a similar meaning that is conservation; where usually efforts taken to protect the whole historical *machinami*, i.e. a stretch of historical facade of a street, includes its townscape and the people living in it (Ibrahim, 1995). It is of significant interest to note how the Japanese definition of conservation extends to emphasise in the social context of the people living in the area. In this respect, it relates to a more encompassing definition with the inclusion of the community within the planning area.

Whilst being similar in its conservation definition, the Japanese conservation system is somewhat different from that of the European in protecting or conserving its historical significance. Unlike the European system, which stresses the four main activities of preservation, restoration, reconstruction and adaptation, the fundamental principle of architectural conservation in the Japanese system is to preserve buildings/*machinami* in the present state of building or by using the minimum intervention concept (Ibrahim, 1995). When repairing, the Japanese approach should be characterised by as little intervention as possible in the present structure. The Japanese do, however, carry out restoration or repair, which is essential in order to preserve buildings. This includes complete or partial dismantling of the structures in a determined period of time.

## **2.3 PLANNING SYSTEM**

### **2.3.1 Land Use Planning (Town Planning)**

The land use planning system in the UK is based on a framework of plans and a system of development control that determines the acceptability of any individual proposal for a new land use. The system is embedded in the Town and Country Planning Act, which has operated more or less in its present form since 1947 (Booth,

2002). This established a framework and procedures for the resolution of conflict over land uses between the interest of private property and the prevailing 'public' or 'community' interest, and its principles are retained in present day planning law (Coulson, 2003). It seeks to make sure that the development the country requires does not compromise the need to protect and improve the environment through restraint policies. Hence, striking the right balance is essential to the achievement of sustainable development. Conservation planning is a special case of land use planning in areas of heritage value, supplemented by a limited range of subsidies (Rydin, 1996). This is further discussed in section 2.3.2, however, it is worth noting here that Delafons (1997) has shown that the British system of conservation has evolved mainly in response to growing public concern for heritage assets.

Bryan (1996) has simplified the planning system in the UK into three (3) main elements:

- i. Planning legislation;
- ii. Principles of government planning policy; and
- iii. A process of public consultation.

Cullingworth and Nadin (2001) see the UK planning system as essentially a means for reconciling conflicting interests in land use and stress its flexibility in how it integrates the public interest. However, Healey (1997) argues that 'collaborative inclusionary planning process can ensure that all parties who can demonstrate a stake in a decision have an opportunity to challenge decisions ...', so that planning process is capable of producing good outcomes for all parties. Healey also cites Planning Aid (a system whereby participants in the planning process get assistance in presenting their cases), the value of participation in the planning process, and the benefits of mediation as seeking to find common ground or reasonable compromises.

Coulson (2003) stresses that land-use planning favours the developer who takes the initiative to propose a new use for a piece of land and can afford to hire specialist expertise to maximise the prospects of success. The British way of managing the types of use class is both centralised and political at all levels, but it does also allow a degree of local discretion (material considerations) when making a planning decision. In contrast, the planning systems in Australia and the USA give priority to the views of indigenous people in regards to land is deemed to be historically owned by them (Sandercock, 1998). In the Japanese system, under local government law, the land use zoning system is embodied in the land use master plan of its machizukuri (town planning). The local authorities/municipalities then determine their own regulations and

control in view of the standards prescribed by Cabinet order. The governor of the municipality approves the city plan after getting feedback from the communities and stakeholders involved at various levels (Ibrahim, 1995).

The Malaysian land use planning system, which was modelled from the English and Welsh Planning Act, 1971, is embodied in the Malaysian Town and Country Planning Act, 1976 (Act 172). The Act has served well in providing guidance in development through the preparation of development plans, namely the structure plan and local plans and development control in local applications. However, the Act, which was instituted in 1976, remains relatively undeveloped, especially in terms of its procedures and guidelines (Hashim, 1994 in Zainol, 2003; Taharim 2003). It could be argued, then, that the legislation has not responded to development, economic and cultural changes and, so, is outdated. This is further supported by Mahesan (2003) who assesses the Malaysian planning system as having its share of achievements and failures, but its weakness is that it has not been able to prepare a development plan for towns and cities in accordance to the Town and Country Planning Act. He sees the last 20 years as having been simply a learning experience for Malaysia about the objectives and methods of planning. Nevertheless, its latest amendment in 2001 has strengthened the hierarchy of development plans with the introduction of the National Physical Plan, being the national level land use plan for development guidance and optimal use of national resources. With the national level plan, the land use policy guidance is seen to co-ordinate national, state and local levels for more efficient decision making in planning. Another important feature is the establishment of the National Physical Planning Council, as the main Council that would coordinate and provide national guidance in terms of use of land and planning. (The discussion on the Malaysian planning system will be elaborated upon in 4.2.1).

The Malaysian structure plan has not changed in form and content since its first Seremban Structure Plan (1980) and still operates in accordance with a manual produced by the FDTCP (1984). The manual provides a list of subject matters to be studied. Despite being a guideline, it has been followed very closely, with little discretionary local testing which would have allowed the guidance to adapt to circumstances (Goh Ban Lee, 1985). However, in some later studies there is a move towards a simpler format and reducing the number of planning sectors in the draft structure plan report.

They added that the level of public participation within the planning process leaves much to be desired. Whilst their research found that the public has been receptive to opportunities to participate in the planning process since the 1980s, contrary to the

claims by the authorities, they found that public participation is still a difficult process to implement and the public's views are often inadequately considered in the formulation of final plans. It can be deduced, therefore, that there is still more that Malaysia can learn, as planning is an on-going process, always in a state of evolution.

### **2.3.2 Conservation within Land Use Planning**

Evidence from the planning system in countries including the UK, USA and Japan tends to suggest that the function of the planning system is to regulate the development and use of land and to reconcile the need for economic growth with the need to protect the historic and natural environment. It is a rational, systematic process of gathering and analysing information, and projecting land use patterns into the future. Like any land-use planning system, it is based on a framework of plans and a system of development control and the relationship between planning and conservation is mostly closely integrated with conservation areas (Rydin, 1993; Larkham, 1996; Pickard, 2001; Cohen 2001; Coulson, 2003).

English Heritage (EH) 2000; National Park Service (NPS), 2004; Rydin, 1996; Larkham, 1996; and Coulson, 2003 pointed out that the primary purpose of historic conservation planning is to ensure the protection and preservation of valued historic and cultural resources for future generations. Whether carried out at the national or local level, conservation planning is based on a careful identification and assessment of historic and cultural resources within the context of other public policy goals. This can be seen in the British legal system whereby the Town and Country Planning Act, 1990 co-existed with specialist statutes relating to conservation of the built heritage Planning (Listed Buildings and Conservation Areas) Act, 1990 (LB & CA, Act), and currently the Planning and Compulsory Purchase Act, 2004 co-exists with the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2004.

Examination of literature from various sources converge primarily towards the relevant setting of urban conservation within the perspective of the planning process, mainly through the explicit fact that land use planning is the major determinant in controlling, as well as facilitating, development and land use change. Therefore, it is also the significant determinant in what is not to be changed or to be conserved. Inter-related cohesively with other elements of government policy, financial and legislation framework and community involvement, the land use planning process provides the essential framework or platform for the setting and implementation of urban conservation efforts.

An important function of the planning system can, therefore, be seen to be the role it plays in protecting and conserving the historic built environment. It does this by the following:

- identifying those buildings and areas worthy of protection, known respectively as 'listed buildings' and 'conservation areas',
- applying special controls to development or other works affecting these buildings and areas, once designated, and
- further protection through the use of criminal sanctions to enforce controls and ensure they are maintained and conserved.

Delafons (1997) has shown in his study that the British system of conservation has evolved mainly in response to growing public concern for the country's heritage. Hence, conservation planning is really no different than any other kind of planning. In fact, conservation is at the heart of planning and is a subset of the planning system: it is with the application of a particular set of circumstances to the same set of general principles of the planning system, i.e. it is a rational, systematic process of gathering and analysing information, and projecting conservation action into the future. Effective historic conservation planning empowers informed decision-making, rather than crisis-reaction, which results in enhanced preservation of historic and cultural resources (NSP, 2003). However, mainstream planning functions have long been seen to be weakly integrated with built heritage conservation objectives (Strange & Whitney, 2003). This is evidently described by principal authors in conservation (Suddards, 1982; Nathaniel, 1996; Delafons, 1997; Pickard, 2001) who acknowledge that, compared to other countries, conservation in the British system has developed a high degree of integration with the planning system. However, arguably, there remain issues which are yet to be satisfactorily resolved. Townshend & Pendlebury (1999) have argued that conservation needs to rethink its purpose and role if it is to maintain its place in the planning system and urban policy. The growing concern over the relationship between conservation and sustainable development by English Heritage (1997, 2000); DCMS (2001); Pickard (2001) is capable of producing historic urban environments that are both socially inclusive and economically buoyant. But, as has been questioned by Delafons (1997), whether or not it is sustainable that many historic towns and cities have imposed blanket conservation policies on themselves was the right decision. Secondly, the extent of the historic environment, and the pluralistic society in which it exists, means a system which is largely expert-driven and object-focused is no longer adequate (Pickard, 2001).

The future role of conservation is seen through the opportunities for land-use planning to integrate heritage policy relative to the wider demands of sustainability. As the new Labour government's "Third Way" discourse emphasises the modernised social democracy, it is now swiftly merging with the advent of the Planning and Compulsory Purchase Act, 2004. The Act provides for the preparation of Local Development Documents (LDDs). These replace Local Plans, Unitary Development Plans and Structure Plans. Every Local Planning Authority must prepare and maintain a Local Development Scheme. Thus, the basis of this Act is to reform the Development Plan System employing Regional Spatial Strategies and Local Development Frameworks (LDF). The LDF itself is also to be subjected to a comprehensive sustainability appraisal, reinforcing the potential for integrated management of the core policies of the local planning authority, which the Act recognises, should include the historic environment and to come up with the Statement of Community Involvement in creating 'sustainable communities' (to be discussed in Chapter Three (3)). The development planning system may now incorporate the built heritage agenda and its conservation, in the district (LDF) and regional (RSS) levels.

In relation to heritage protection provision within this Act, the Department of Culture, Media and Sport (DCMS) has been engaged with for some years for a comprehensive review of the heritage protection system and subsequently published in March 2007 as a White paper (will be discussed in 2.4.2). Further to this, the British government has published a significant key planning policy guidance and clarification i.e. the *Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2004*. These regulations, which amend the Planning (Listed Buildings and Conservation Areas) Regulations 1990, introduce new publicity requirements for applications for planning permission for development which the local planning authority considers will affect the setting of a listed building, or the character or appearance of a conservation area.

In Malaysia, conservation efforts have come into prominence over the last three (3) decades and are generally given consideration within the planning process especially within the development plans preparation framework (will be elaborated upon in Chapter Four (4)). Presently, most conservation efforts are concentrated in the historical cities of Malacca and Penang which are being pursued for World Heritage Site (WHS) nomination in the cultural heritage category. Being in its relatively early stage, conservation efforts were mostly undertaken through the combined efforts of NGOs and the authorities. As pointed out by Mohd. Yunus (2000) the Malaysian urban conservation process has reached a point of conflict and dilemma, with no specific

organisation entirely responsible for its management and administration. This issue, which is a matter of concern, is reinforced by studies on conservation (Grant, 1992; Ahmad, 1994; Ibrahim, 1995; Ho, 1996; Muhammad, 1998; and Mohd. Yunus, 2000) that all converge in highlighting the problem of non-specific legislation for conservation and also ambiguity in conservation guidelines. This has frequently resulted in conservation practices being carried out in an ad-hoc manner, with inadequate knowledge of methods of implementation and the poor identification of the rightful parties that should be involved.

## **2.4 CONSERVATION PLANNING**

Before progressing to discuss critically community involvement in conservation projects, the planning system in which conservation planning system and approaches are embedded is firstly reviewed. Figure 2.1 (pp 20-22) is presented with the aim to identify practices especially relating to urban area-based conservation in selected countries, namely Australia, the UK, USA, Republic of Ireland and Japan and the pertinent points of comparison are summarised. These countries were chosen to represent different continents and also taking into account the language abilities of the author. The comparison and contrast is done to set Malaysia in the international context. Thus, in the same table, the Malaysian situation is also reviewed briefly; as the Malaysian context will be elaborated upon in Chapter Four (4). Due to the historical linkage and physical planning system similarities between the UK (England, in particular) and Malaysia, special attention shall be given to the administration and management of conservation planning within the UK. The special attention is in line with the similarities in the planning system, where the English system would be the most appropriate model to use, as the Malaysian system is adaptable to the England root system (rather than begin completely with a new system). This is important from the standpoint that the planning process sets the framework that underpins the context within which community involvement process and approaches in conservation planning take place and sets where Malaysia sits in the international context.

### **2.4.1 The International Charters**

The Venice Charter 1964 (CATHM, 1964) has remained an important reference point for the conservation and restoration of cultural property for decades. To date, there are more than 40 guidelines on conservation of cultural property adopted by international organisations, mainly by The United Nations Educational, Scientific and Cultural Organization (UNESCO) and ICOMOS that provides guidance for international communities since the adoption of the Venice Charter in 1964.

**Figure 2.1: Comparative Study of Conservation Practice in Selected Countries**

	AUSTRALIA	ENGLAND/UK	JAPAN	USA	REPUBLIC OF IRELAND	MALAYSIA
<b>Urban Planning System</b> a. Basic Planning Law  b. Master plan / Development Plan System	The Land (Planning and Environment) Act 1991 Planning Act, 1999 Territory Plan Control Plans (Town Plans, Area Plans and Community Plans)	Town and Country Planning Act, 1947 (Act, 174) and subsequent Acts.  Spatial Planning	City Planning Law, 1968 (Law. No. 100)  Local Government Law - Basic Concept - Basic Planning - Practical Planning - Land use Master Plan	Different legislations by States.  General Plan (Comprehensive Plan, Master Plan, City Plan)	Local Government (Planning & Development) Act 1963 National Spatial Strategy - Development Plans	Town and Country Planning Act, 1976 (Act 172)  Development Plan System - National Physical Structure Plan - Local Plan
<b>Legislation on Conservation (or other legislations addressing conservation concerns)</b>	<ul style="list-style-type: none"> <li>• Australian National Trust 1947</li> <li>• Historical Building Act 1974</li> <li>• Australian Heritage Commission Act 1975</li> <li>• Heritage Act 1977</li> <li>• <b>Burra Charter 1979</b></li> <li>• Environmental Planning and Assessment Act 1979</li> <li>• Environment Protection and Biodiversity Conservation Act 1999</li> <li>• Environment and Heritage legislation Amendment Act (no.1), 2003 (replaces (EPBC,1999)</li> <li>• <i>Australian Heritage Council Act 2003.</i></li> <li>• <i>Australian Heritage Council (Consequential and Transitional Provisions) Act 2003</i></li> </ul>	<ul style="list-style-type: none"> <li>• Ancient Monument Act 1882</li> <li>• Town &amp; Country Planning Act, 1944/47/62/72/90</li> <li>• Ancient Monument Act, 1913/31</li> <li>• National Trust Act 1907/37/39</li> <li>• Housing Act 1936/57/58</li> <li>• Local Government Act 1948</li> <li>• Historic Buildings &amp; Ancient Monument Act 1953</li> <li>• Local Authorities (Historic Building Act) Act 1962</li> <li>• <b>Civic Amenities Act 1967</b></li> <li>• Town &amp; Country Amenities Act 1974</li> <li>• Planning (LB&amp;CA) Act 1990, s.69(1)</li> <li>• Planning Compulsory Purchase Act, 2004</li> <li>• -Regional Spatial Strategy (RSS)</li> <li>• -Local Development Framework (LDF)</li> </ul>	<ul style="list-style-type: none"> <li>• Ancient Shrines and Temple Preservation Law, 1897</li> <li>• Law for the Preservation of Historical Sites, Places of Beauty and Natural Monuments, 1919</li> <li>• National Treasure Preservation, 1929</li> <li>• <b>Cultural Properties Protection Law 1950/54/75</b></li> <li>• Ancient Capitals Preservation Act, 1966</li> </ul>	<ul style="list-style-type: none"> <li>• <b>National Historic Preservation Act 1966</b></li> <li>• Transportation Act 1966</li> <li>• Model Cities Act 1966</li> <li>• Environmental Policy Act 1969</li> <li>• Tax Reform Act 1976</li> <li>• Economic Recovery Tax Act 1981</li> </ul>	<ul style="list-style-type: none"> <li>• <b>National Monument Act, 1930 and its subsequent amendments Acts</b></li> <li>• Architectural Heritage (National Inventory) And Historic Monuments (Miscellaneous Provisions) Act, 1999</li> <li>• <b>Heritage Act, 1995</b></li> <li>• Heritage Fund Act, 2001</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Newly passed National Heritage Act, 2000</b></li> </ul> Other related laws: <ul style="list-style-type: none"> <li>• Antiquity Act 1976</li> <li>• Town and Country Planning Act 1976</li> <li>• Street and Drainage 1974</li> <li>• Local Government Act 1976</li> </ul>



Type of area-based conservation	AUSTRALIA	ENGLAND/UK	JAPAN	USA	IRELAND	MALAYSIA
	<ul style="list-style-type: none"> <li>Gazetting of Landmarks</li> <li>Designating Areas of Historic and Cultural significance</li> </ul>	Conservation Areas – areas of architectural or historical interest which are desirable to be preserved or enhanced	Dentoteki Kenzoubutsugun Hozonchiku (Traditional Building Group Conservation Districts), Machinami Hozon (preservation of townscape)	Historic Areas Cultural Areas	Architectural Conservation Areas and Areas of Special Planning Control	Archaeological Resen Historical sites
<b>Administration</b>	<ul style="list-style-type: none"> <li>The Commonwealth or Federal Government is only responsible for issues of national importance. Control is spread across the three levels of Government.</li> <li>Australian Heritage Commission</li> <li>Department of the Environment &amp; Heritage</li> <li>The Heritage Council</li> </ul>	Designation at local level with an option at National level (Secretary of State). All designation notified at National level to Secretary of State-Circular 8/87 and PPG15	<ul style="list-style-type: none"> <li>Agency for Cultural Affairs (Bunkacho).</li> <li>Extra-Ministerial Bureau of Ministry of Education, Science &amp; Culture (Monbusho)</li> </ul>	<ul style="list-style-type: none"> <li>State Historic Preservation Office (SHPO)</li> <li>National register of Historic Places maintained by National Park Services</li> <li>Wide range of governance mechanism for planning, e.g. elected or appointed planning commissioners.</li> </ul>	<ul style="list-style-type: none"> <li>Department of Environment, Heritage and Local Government</li> <li>The Council of National Cultural Institutions</li> <li>Role of elected planning commissioners</li> </ul>	<ul style="list-style-type: none"> <li>Gazetting carried out by the Ministry of Culture, Arts and Tourism (Ministry of Culture Heritage since April 2004)</li> <li>Department of Museum</li> <li>Department of National Archive</li> <li>State Governments</li> </ul>
<b>Controlling agency</b>	<ul style="list-style-type: none"> <li>Australian Heritage Commission 1975 (AHC)</li> <li>Australian Heritage Council, 2003</li> <li>Australian National Trust</li> </ul>	<ul style="list-style-type: none"> <li>DCMS</li> <li>ODPM (presently, has transferred to DCLG)</li> <li>Historic Buildings &amp; Monuments Commission - e.g. EH, CADW (Wales) &amp; Historic Scotland, etc.</li> <li>Responsibility of listing applications given to EH in 2005.</li> </ul>	<ul style="list-style-type: none"> <li>The Japanese Agency for Cultural Affairs (Bunkacho).</li> </ul>	<ul style="list-style-type: none"> <li>Advisory Council on Historic Preservation (ACHP)</li> </ul>	<ul style="list-style-type: none"> <li>The Minister of Arts, Heritage, Gaeltacht &amp; the Islands (MAGHI)</li> <li>Department of Environment, Heritage and Local Government</li> </ul>	<ul style="list-style-type: none"> <li>Ministry of Culture, Arts and Tourism (Ministry of Culture and Heritage since April, 2004)</li> </ul>
<b>Funding System</b>	Heritage conservation rebate scheme (limited)	English Heritage Grants Architectural Heritage Fund Historic Council Grant City Council Conservation Grant Lottery Funds	Subsidised budget from the Central Government (Bunkacho)	Preservation tax incentives; credit or abatement for rehabilitation, income tax deduction, tax levies, sales tax relief & exemption (6 nos.) conservation work	Heritage Fund under the Heritage Fund Act, 2001.	No special grant allocated by the Government (before 2006), however, the National Government has created a conservation fund. State Governments do have some funds allocated specifically for conservation work.
<b>Selection Criteria</b>	Presently landmarks of culturally important	Local designation with local values	Outstanding historical or scientific value distinctive expression of school or locality. Preserving townscape	National, State & Local significance together with historic and aesthetic values.	National, Regional & Local significance together with historic and architectural values.	Areas selected are basically of National importance, basically archaeological interest



These guidelines are promulgated either as charters, regulations, standards, resolutions or recommendations.

Jokilehto (1999) is of the opinion that the World Heritage Convention 1972 has been the most effective mechanism in promoting conservation policies and management strategies in all continents and has also become 'an issue of prestige as well as an incentive, but not all without problems' (p. 28). The problems noted are those related to tourism pressures, cultural diversity and the implementation of international guidelines and policies in specific national contexts. This 1972 Convention has also spelt out the missions, among which is to encourage participation of the local population of each State in the preservation of their cultural and natural heritage. Nevertheless, there is no specific guideline on the approach to carrying out community participation efforts.

However, the landmark concept of area-based conservation was stated in the Charter for the Protection of Historic Towns and Urban Areas (ICOMOS, 1987), also known as the 'Washington Charter'. This document considers the broad principle for planning and protection of historic urban areas and is particularly useful in the process of conserving an area. Although there are international agreements on the criteria and process of area-based conservation designation, its implementation differs from country to country. These differences reflect local conditions, differing national values and aspirations and approaches to the philosophy and practice of conservation.

#### **2.4.2 Conservation Legislation and Policy - The National Context**

Various scholars of the political study of the legislative history of conservation (Lichfield, 1996; Andrae, 1996; Delafons, 1997; Larkham, 1996; Pickard, 2001) converge to suggest that the statutory system of conservation in the UK has been sustained and developed over the past fifty (50) years in quite a remarkable way. This is in terms of its achievement in promoting conservation efforts in the country. Thus, the statutory system plays an important role in the conservation practices in all of the countries studied. Unlike Malaysia, each of the countries studied has legislation directly related to the protection of their cultural heritage and conservation areas. Existing international charters and guidelines have supplemented and formed part of the guiding principle in the execution of all conservation work in these countries as well.

Landmark legislation in the protection of historic areas in the UK was the 1967 Civic Amenities Act, which gave the power to local planning authorities to designate conservation areas. Despite successive deregulatory initiatives, both the town planning system and its relationship with conservation have been strengthened rather than weakened (Delafons, 1997). This is evidenced at the local level where the unitary authorities have the opportunity to develop planning policies in their new development

frameworks that incorporate more coherent conservation objectives. Legislation setting out the basis of the land use planning system (Town and Country Planning Act, 1990) co-exists with specialist statutes relating to conservation of the built heritage (Planning (LB & CA) Act, 1990 and the Ancient Monuments and Archaeological Areas Act, 1979). In addition, Pickard (2001) highlights the need for a robust policy framework for integrating conservation objectives with the aims of sustainable development more generally in the formation of heritage management plans.

Besides the law, there are earlier policies on the historical environment; and archaeology and planning, i.e. Planning and Policy Guidelines (PPGs) 15 and 16 that were first reviewed and the two documents were combined, so to make the policy clearer in a new Planning Policy Statement - a PPS whereby the procedural advice is put elsewhere (in supporting guidance), and that the emphasis would be on planning policy.

Following the 2003 consultation paper suggesting changes to the heritage protection systems, in June 2004, the British Government published "Review of Heritage Protection: The Way Forward", which proposed reforms to the ways in which we protect our historic environment. In addition, wide ranging long term measures were put forward which require primary legislation and work is ongoing towards the preparation of a White Paper (DCMS, 2005). The white paper prepared by DCMS among others outlined key proposals of the following:

- New unified register, bringing together the systems of listed buildings, scheduled monuments, and registered parks, gardens and battlefields.
- Unifying the listed building and scheduled monument consent regimes.
- Introduction of optional heritage partnership agreements between the owners of a site, local authorities and English Heritage to be employed as alternative proactive management regimes.
- Give English Heritage statutory responsibility for designating at a national level. This responsibility currently rests with the Secretary of State for DCMS.
- Introduce a statutory right of appeal to the Secretary of State on decisions to designate or not designate a site.
- New overarching statutory definition of historic assets.

The main feature from this was a joint public consultation between DCMS and DCLG (formerly ODPM) to review and clarify the criteria used when assessing a building for listing was initiated.

Australia has numerous ways of identifying and protecting important heritage places. Decisions about managing heritage places are carried out under laws at all levels of

government. The Department of Environmental and Heritage is responsible for administering the key national heritage law, i.e. the Environment Protection and Biodiversity Conservation Act, 1999 (EPBC). The Environment and Heritage Legislation Amendment Act (no.1), 2003, is the new law which has recently been passed to replace the earlier law. There is provision in the Australian legal system for Conservation Plans to be prepared for conservation areas that has prompted the British to adopt the Conservation Plan system.

In Japan, the first conservation law was enacted in 1897, which is used to preserve the precincts of shrines and temples. Nonetheless, the landmark law in heritage matters is the Cultural Properties Protection law that has been revised several times to include new kinds of cultural properties such as 'intangible cultural properties' and 'folk-cultural properties'. In 1975, a chapter concerning the Traditional/Historical Building Group Preservation Districts was formulated and was made part of the land use zoning system in the same year. The USA National Historic Preservation Act 1966 has provided for a National Register of Historic and Cultural Places wherein undertakings executed, licensed or financially assisted by any agency of the federal government cannot be carried out except after consultation with the adversely affected properties in the Register. At the State level, different states have their respective legislations. However, having legislative powers alone to control conservation is not enough in itself as successful conservation programmes will be determined by the way in which statutes are interpreted and used (Mohd. Yunus, 2000). Therefore, on top of restriction and control, there should be elements of rewards in the legislation to encourage heritage owners to conserve their properties. This is evidenced in the USA where the preservation tax incentives and the income tax deduction are among the rewards allocation for conservation efforts.

For Malaysia, conservation is only a peripheral part of existing laws in the TCP Act, 1976 and its amendment acts, 1995 and 2001; the Local Government Act, 1976; and the Antiquities Act, 1976. The problem of inadequate and non-specific nature of legislation within the existing laws was identified in various studies (Grant, 1992; Ibrahim, 1995; Ho, 1996; Mohd Nor, 2002; Taharim, 2002; Abdul Hamid, 2002). Their common criticism was the lack of supplementary guidelines to interpret clauses within the Acts related to conservation.

The Control of Rent Act 1966<sup>1</sup> was used to provide some security of tenure for the occupants of dwelling houses and to protect them against rapacious landlords by

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<sup>1</sup> Section 4(2)(a) of the Control of Rent Act, 1966 provides that only the premises completed before 31 January 1948 are subjected to the protection of this Act. This Act was to provide some security of tenure for the occupants of the dwelling houses and to protect them against rapacious landlords by preventing an increase of their rents by more than a permitted amount above a basic figure defined in the legislation as the 'standard rent'.

preventing an increase of their rents by more than a permitted amount above a basic figure defined in the legislation as the 'standard rent'. In 1997, when this Act was repealed, causing a hue and cry, especially from pro-heritage pressure groups, the Federal Government promised that there would be legislation to protect heritage buildings and areas (Mohammed, 2003). The Ministry of Housing and Local Government (MHLG) did attempt to draft a Heritage Bill, but the draft was rejected by the Attorney General's office. The reason being that heritage matters are neither in the Federal List, State List nor in the Concurrent List<sup>2</sup> of the Federal Constitution. Therefore, under Article 77 of the Federal Constitution, residual power rests with state jurisdiction. Moreover, the Federal Government cannot even legislate for the purpose of uniformity as stated under Article 76(4) of the Federal Constitution as uniformity of law can only be done in specified certain matters.

The TCP Act 172 outlines the need for thoughtfulness and consideration to ensure that buildings of architectural and historic importance are effectively preserved as representative examples of their times (Section 21B). Left to the discretionary interpretation of the parties responsible for conservation, this has resulted in a non-standardised method of planning, implementation and monitoring practices amongst the various agencies in different states and ministries in Malaysia. Within the same context, the Antiquities Act, 1976, under the previous Ministry of Culture and Tourism (until April 2004) empowers the Museum Department to gazette any historical building to be preserved. However, their limited responsibility in implementing conservation projects, when the conservation of the buildings is considered by the jurisdiction of local authorities within the control of the fourteen (14) different states in Malaysia, complicates the planning and implementation process. Common issues emanating from this, as highlighted by the critics, are the problems of non-coordination among the various parties and the absence of a single point of responsibility.

Malacca State has its own Preservation and Conservation of Cultural Heritage Enactment, 1988 (will be discussed in Chapters Four (4) and Six (6)). However, it was found that State enactments are not effective enough, as they limit the Federal Government role in heritage conservation. The importance of federal legislation is forthcoming, for the reason that with Federal Government involvement, the policy for heritage conservation will be able:

- to use measures, including financial and technical assistance from the various agencies at federal government;

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<sup>2</sup> Concurrent list is the third legislative list as specified under Part VI (Articles 73-93) of the Malaysian Federal Constitution which underlines matters of concurrent powers between the Federation and the States in the distribution of legislative and executive powers. List 1 underlines matters under the power of the Federal Government while List 2 underlines matters under the powers of the States.

- to assist state and local governments, pressure groups and public to expand and accelerate heritage conservation programs and activities; and
- to provide leadership in heritage conservation in Malaysia and at the international level.

In light of the above shortcomings, the TCP Act (Act 172) is proposed to be amended to enhance the provisions for heritage conservation. The proposed amendment covers matters related to heritage which are not dealt with in the Federal Constitution, nor in the legislative lists of the State List or the Concurrent List. As town and country planning is in the Concurrent List of the Federal Constitution, and under the TCP Act there is provision on planning control which involves both state and federal governments, the proposed heritage matters will now be appropriately placed under Part IV of the TCP Act 172.

In relation to the protection of ancient monuments and lands; and buildings of historic or architectural interest, Section 58(2)(f) of Act 172 was to be strengthened to empower the National Physical Planning Council (NPPC) or State Authority to make rules for the protection of heritage resources. The proposed amendment was submitted to the Parliament for approval. However, with the establishment of the new Ministry of Art, Culture and Heritage in April 2004, and the passing of the new National Heritage Act, 2005, this proposed amendment to TCP Act, 1976 was overruled. The new National Heritage Act (Act 645) addresses the issue of heritage conservation and makes provision for the preservation and protection of the natural and cultural heritage as well as tangible and intangible heritage. This, however, will be discussed further in Chapter Six (6). In a nutshell, there is an urgent need for a specific legislation or the enhancement of the related existing legislations to address the insufficiency and inadequacy in heritage related provisions.

### **2.4.3 Conservation Legislation Policy - The Local Context**

At the international level, UNESCO seeks to encourage the identification, protection and preservation of cultural and natural heritage around the world, which is considered to be of outstanding value to humanity. This is embodied in an international treaty called the Convention concerning the Protection of the World Cultural and Natural Heritage, adopted by UNESCO in 1972. As of July 2004, there are 788 properties inscribed onto the World Heritage List with 611 cultural, 154 natural and 23 mixed properties in 134 States Parties (UNESCO, 2004).

In the legislative context of each of the respective 134 countries, Historic Buildings are listed as being of architectural or historical importance. As listing is, in essence, a collective preservation order, it is an offence to demolish or to alter a listed building

unless listed building consent has been obtained, as in the Australian, USA and UK systems. In addition to and different from the general position in relation to planning permission in the UK, an offence is deemed to have arisen only after the enforcement procedure has been invoked (Cullingworth, 1982; Pickard, 2001).

Conservation areas (CAs), as defined in the UK, are areas identified by Local Planning Authorities (LPAs) as being of special historic or architectural interest and form a key part of the local historic environment. CAs may or may not include listed buildings, and are significant in their own right. In many cases there will be an overlap between the controls imposed on listed buildings and those in conservation areas, as many conservation areas contain listed buildings. However, although different countries have different names and terminology for CAs, the principles used to demarcate CAs are similar, differing only in type and degree of control, and designation criteria used (Mohd. Yunus, 2000).

Conservation areas have proved to be enormously popular in Europe. In the Republic of Ireland it is called Architectural Conservation Areas and Areas of Special Planning Control. In the UK, in 1969, it was estimated that there may one day be as many as 3,000 CAs (Smith, 1969); in fact over 9,000 CAs have been designated and the numbers continue to rise (Pendlebury, 1999). The initial process of designating areas in England and Wales was seen to have 'failed' due to the failure of the 1967 Civic Amenities Act to formulate a set of criteria for the designation process (Mohd. Yunus, 2000). Delafons (1997) wrote that the Act could sometimes be used as a measure of development control in preventing undesirable new developments but, at other times, it was used as a means of asserting and protecting local neighbourhood amenity and property values. Further to that, as stressed by Larkham (1996), the British concept of a conservation area, as applied in practice through the quasi-judicial planning process, was often used as a very blunt tool of planning policy to prevent undesirable development. The earlier process and criteria of designation of CAs were left to the discretion of the local authorities and their planning officers (Worskett, 1975; Morton, 1993). These shortfalls of the process and criteria left to the discretion of the local authorities of the Civic Amenities Act have been rectified by the Planning and Policy Guidance 15 (PPG 15). PPG 15 emphasises the quality and interest of areas, rather than individual buildings as the prime consideration in determining conservation areas. It also makes clear for whose benefit proposals in historic areas should be.

In Malaysia, there is no provision for specific designated conservation areas. However, areas worthy of conservation can be selected on the basis of national importance and are zoned in the structural plans as conservation zones for controlled development purposes. In this respect, much could be learnt from the experiences of other countries,



especially in ensuring that defined conservation areas, besides being demarcated in development plans, have significance in their own right which demands special attention in their development and management. For example, the strength of the British areas designation process is its local basis as it is done at the local level and does not merit national standards. Likewise, the American preservation system considers important a sense of place, for instance in preserving hallowed ground. Unlike the lenient system practiced in the British, as compared to the Dutch and French system (Mohd. Yunus, 2000 pp. 114), the Japanese system of designating the country's best 'protected towns and villages townscape' for the Traditional Building Group Conservation Districts and preservation of Townscape covers both the 'hardware elements' or the conservation area or buildings and also the 'software elements' or the local community and the residents in the CAs (Ibrahim,1995). It is only with the presence of both hardware and software elements or the willingness of the community to participate in the conservation effort can a designation be proposed or recommended in Japan.

The Republic of Ireland is characterised by differences in the planning system in which can impact on the decision-making. One way is the role of the city or county managers; where planners report to city or county managers for decision. Secondly, Ireland has an independent third party planning appeal system (TPRA) which is operated by An Bord Pleanála: (the Planning Appeals Board).

The role of an elected member in Irish local government is seen, whereby each authority is headed by a manager and that manager has quite distinctively power in terms of planning system. The introduction of social partnership in Ireland at national level has provided the basis for social and economic progress proposals for enhanced participative democracy at local level that was set out in 1997 programme for Better Local Government (Department of Environment, 1997). These measures suggest that the legitimacy of local government as a democratic institution, enhance electoral mandate within local government and broaden community involvement in local government. The second unique characteristic of Ireland planning systems is the issue of third party rights of appeal (TPRA). TPRA provides an individual or community (is referred to as 'third party') to object to the application made by the proposer/developer of planning applications ('first party') to the planning authority ('second party'). Thus, TPRA helps to level the playing field in a planning system which is currently weighted in favour of developers over individual or communities. The Republic of Ireland has had TPRA since the 1960s and studies have shown that vast majority of appellants and local authority planners support its existence (TPRA in Scotland, 2006). It can be noted that there are two points highlighted, the first, is that there has been much debate about whether this is always in principle desirable thing. Secondly, the rights under

TPRA have symbolic values that suggest that the planning system is not entirely pro development but rather do practice heritage protection as in the conservation planning efforts.

Another important characteristic is the role of planning commissioners as exemplified in the US system. There is a wide range of governance mechanism for planning, e.g. elected or appointed planning commissioners. This is to ensure public accountability and governance in the local authority area. The planning commission main duties include assisting and advising the city council in administration of the city zoning ordinance, conducting public hearings on matters as required by provisions of the zoning/subdivisions ordinances. Following the required public hearings, the planning commission makes its reports and recommendations to the council and city managers. In larger communities, planning commissioners may be appointed by the mayor and not even be known to other elected officials. Staff has a stronger role than in smaller areas in carrying out the planning agenda. However, that should not relieve planning commissioners of their advocacy responsibilities. Although not mandated by code, most planning commissions would do themselves a huge favour if they invested the time to engage their local officials in planning. As an example, in the city of Minnetonka, the History Commission is given the responsibility for safeguarding the heritage of Minnetonka by preserving sites and structures that reflect elements of the city's cultural, social, economic, political, visual and/or architectural history; heightening community awareness and appreciation of the city's history and promote the preservation and continued use of historic sites and structures for the education and general welfare of the city (City of Minnetonka, 2007). In addition to that from the literature reviewed there are a variety of strategies a commission can use to enhance its working relationship with the governing body, including the Planning Commission Annual Report; Joint Work Sessions; Joint Visioning Exercise and Governing Body Member Serving on the Commission.

Thus, a merit standard that is based on high quality areas of national or local interest needs to be determined (Mohd. Yunus, 2000). For countries like Malaysia, since there is no specific selection process, it should establish an appropriate designation system whereby only high quality cultural areas with national and local interest are selected. This in turn will be able to control the number of the CAs in the future, so that CAs are manageable by the local authorities in terms of planning control. This is in line with the proposal made by the ICOMOS UK, 2003, whereby a mechanism is needed to designate 'areas' for cultural landscapes that demonstrate cultural qualities of national value (national conservation area).

The administration and control system of the Australian conservation system has exercised strict control of heritage development since the early 1970s and 1980s. This situation has led to Australia's development industry resorting to facadism as the solution to conservation work (Freestone, 1995). This is done through consultation with the administrative body in Australia, the Australian Heritage Council (AHC). On the other hand, in the American system, the American Advisory Council on Historic Preservation (ACHP) is the administrative body consulted. In the Japanese administration system, all policies of conservation efforts are planned and carried out by the Japanese Bunkacho or the Agency for Cultural Affairs, being an external bureau of the Ministry of Education, Science and Culture (Monbusho). In the Malaysian case, the recently established Ministry of Culture and Heritage (April, 2004) carries out all the administration of the conservation of heritage, functions which were earlier under the ambit of the Ministry of Culture, Arts and Tourism. As the name of the Ministry implies, hopefully greater emphasis will be given for conservation initiatives of the Malaysian heritage.

#### **2.4.4 Public Funding of Conservation Efforts**

Wherever in the world, the common main problem raised by property owners or practising officers in conservation movements is the lack of resources to perform heritage buildings and areas conservation activities, in particular, the funding of conservation projects. In order to support action for the conservation of the built heritage, it is a currently held belief that there should be financial support or other economic incentives (Smith, 1969; Ibrahim, 1995; Ho, 1996; Larkham, 1997; Pickard, 2001). For some countries the development of such mechanisms is now well advanced (Pickard, 2001), especially in Western Europe and North America. In the UK, there are many forms of financial aid, such as the English Heritage Grant, City Council Conservation Grant, Historic Building Council Grant, Heritage Lottery Fund and also the Architectural Heritage Fund. Countries like Japan have a centralised subsidised budget, while the Americans and the Australians have rebate schemes in the form of tax incentives that ease the owner's burden of the cost of conserving their properties. The system of transferring development rights (TDR) in the USA (and also in Canada) by which a property owner may sell or transfer a right to develop land on which a certified Historic Structure is located, is another encouraging incentive that has worked well in these countries. In this concept of selling rights to develop, the owner acquires funding and is then committed to maintain and preserve the protected building (Pickard, 2002). TDR has its merit in terms of raising finance for owners of heritage property to assist in the conservation or rehabilitation of their properties. This system

has somehow enhanced more local communities to become actively involved in conserving their heritage properties.

Based on studies carried out (Pickard and Pickerill, 2002) compared with other European countries, the main difference in public support measures is that the UK and Ireland rely heavily on grant aid whilst other countries allow income tax relief as well. However, tax relief measures will only benefit taxpayers. On the other hand, the tax credit system in the USA is arguably more generous than tax relief as it lowers the amount of tax owed. Other forms of assistance, such as VAT relief or relief from property taxes, can also be advantageous to the historic property owner. Another consideration is that different categories or grades of protection, such as the case as in the UK (and even in France), may mean that more preferential treatment is given to the best assets to the disadvantage of other assets, but prioritising assistance according to the need is more likely to lead to a sustainable conservation policy.

Undeniably, for developing countries such as Malaysia, financial assistance is very important. Conversely, inadequate funding and poor management of funds for conservation in Malaysia are problems identified by Mohammad (1998), Abdul Hamid (2003), Mohammed (2003) and Mahesan (2003). They identified that this has been a major problem in carrying out conservation for heritage buildings and areas. It is found that Government-owned buildings which have been gazetted under the Antiquities Act, 1976 may have no problem of financing. However, problems arise for historical buildings which are privately owned by ordinary people who are usually more concerned with basic economic needs rather than the conservation of the cultural values of their property. Although there are moves towards providing financial backing, it is observed to be insufficient or is yet to be firmly established. It can be seen that there is less commitment on the part of the fund providers and even from the public authorities. The Malaysian Heritage Trust (Badan Warisan), being a non-governmental organisation, is actively promoting the heritage conservation activities, however its funds are limited. It is admitted that, in this early stage, the Malaysian government or the public sector will need to play a leading role in setting up the conservation policy and providing the necessary financial support. The need to establish funding through revolving funds, as was initially proposed in the amendment of TCP Act 172, is vital as this will ensure that conservation be self-sufficient and economically viable. However, as the amendment to the TCP Act is shelved by the passing of the new Heritage Act, the proposal for the revolving funds remains unaddressed. The common recommendation by Mohammad (1998), Abdul Hamid (2003), Mohammed (2003) to moderate this problem is to set up a Heritage Fund that will provide loan capital to assist property owners to repair and renovate their properties.

#### **2.4.5 Conservation Professional and Experts**

Successful conservation efforts will require the necessary professionals and experts to identify, plan, implement and maintain conservation areas and projects; and involve the community. Pendlebury (1999) stresses that the drive for conservation of the historic environment has been an inexorable upward trend in the UK over a period of 120 years, since the establishment of the Society for the Protection of Ancient Buildings (SPAB) and its publication called the "Manifesto" in 1877 (Morris, 1877).

Unlike the developed nations discussed, the dearth of conservation expertise and skilled craftsmen in Malaysia is apparent (Ahmad, 1994; Muhammad, 1998 and Abdul Hamid, 2003). This was noted from the need to engage foreign experts and craftsmen for the various aspects of the conservation work as exemplified in the projects carried out in Penang and Malacca. This is further supported by Badan Warisan and research studies (Isa, 2003; Mohammed, 2003; Mohd. Yunus, 2000; Muhammad 1999) that warned of the shortage of planners, architects, buildings surveyors, heritage property managers, contractors and artisans familiar with the nature of the materials needed for the repair or restoration of heritage buildings.

As has been discussed earlier, having the legislative powers to control conservation is not enough in itself, as on top of restriction and control there should be a rewards element in the legislation to advocate and support voluntary initiatives in heritage conservation. Further to that, successful conservation programmes will be determined by the way in which statutes are interpreted and used. Thus, it is important to have qualified people who are to be made responsible for interpreting the laws accordingly. This calls for a specific and dedicated institution and a group of experts in the field of conservation.

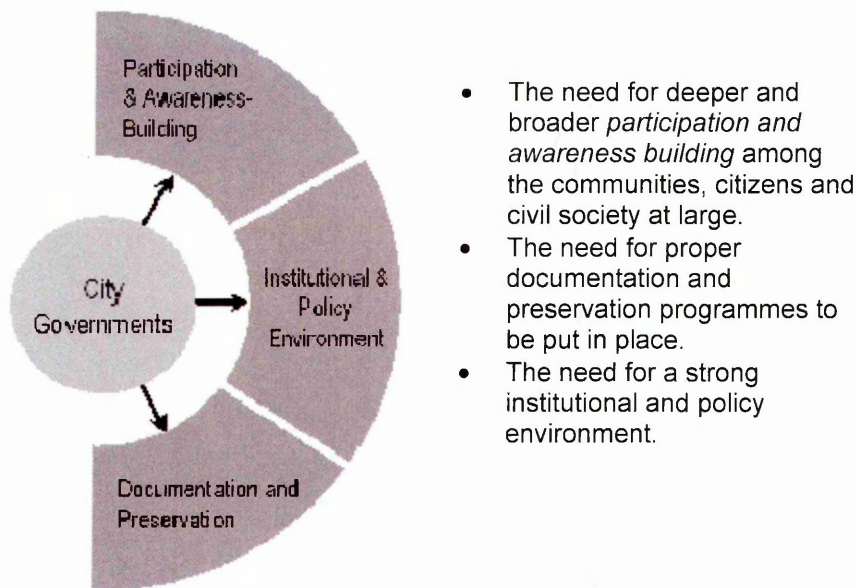
#### **2.4.6 Post Colonial and Multi-Culturalism Issues**

The requirement for conservation to connect with a policy agenda that encourages the creation of more socially cohesive and inclusive communities is something that the conservation sector is now beginning to address (English Heritage, 2000, 2002; DCMS, 2001, 2002). Conservation efforts should target the enhancement of a city's image and identity (hence leading to its residents' pride in the city), and integration into day-to-day living and development of value systems for the community (Srinivas, 1999). It is a known fact that compared to the mainly homogenous western society or the Japanese society, designating areas in multi-cultural urban societies or cities is always a difficult task (Kong and Yeoh, 1994; Mohd. Yunus, 2000; Sandercock, 2003). Sandercock (2003) identifies the 21st century as the century of multicultural cities, of the struggle for equality and diversity and the struggle against fundamentalism. Hankley (2003)

emphasises that publicity about value, significance, opportunities, and benefits associated with the social culture and with the physical heritage is essential for support to be widely based. Therefore, for conservation to be successful, the designating process should be undertaken with most stringent criteria with national importance to foster national unity, identity and culture.

Srinivias (1999) suggests that the criticality of cultural heritage for cities, especially in developing countries, stems from three sets of factors, i.e. the social factors that include enhancement of a city's image and identity; and integration into the living and development of value systems for the community, politico-economic factors that involves the role of heritage in tourism (the local economy) and the planning factors particularly applicable to architectural heritage - involves the reuse, redevelopment and regeneration of heritage objects to preserve and integrate them into the larger developmental process of the city as a whole. He points out the important lessons learnt for cultural heritage conservation and the role of city governments in developing countries including Malaysia. These lessons are presented as a 'three pronged approach' to heritage conservation as shown in Figure. 2.2:

**Figure 2.2: A Three-Pronged Approach to Conservation in Developing Countries**



Source: Hari Srinivias, 1999

Malaysian urban heritage conservation is largely regarded as the product of colonial plural society and has been the legacy of the British colonist (Ahmad, 1994; Mohd. Yunus, 2000; Isa, 2003). The similarities of many Malaysian statutes and legislations governing the conservation process with the British system, has provided Malaysia with the advantage of adopting some of the practices.

However, contrary views to the question of whose heritage it is and for whom it is being conserved has long been the subject of debate. The common belief is that owing to the differences in the social system, history and culture of the diverse Malaysian society, the creation of a national architectural identity through the traditional and urban multi-cultural forms is crucial unlike the predominantly monoculture of the western developed countries. In carrying out the designation of area based conservation, it should be done locally and should be seen through the eyes of the locals rather than being dictated by foreign experts or blindly adopting foreign values, practices and norms (Menon, 1989 & 1993). In addition, in trans-national comparison, it is inappropriate to introduce directly these Western conservation practices. If blueprints are adopted, it should only be used as a principal or starting point which over time, must be modified to the needs and requirements of the multi-cultural Malaysia. As the culture of people in different countries is very complex, therefore, the systems, practices and processes operate by locations. Consequently, the transplant or transfer from one place to another is definitely an issue that needs to be confronted. Examples of how this issue has been taken into account will be given in Chapter Ten (10) (section 10.3.1).

This serious issue has been addressed by the Malaysian Government with the creation of a new ministry, i.e. the Ministry of Arts, Culture and Heritage (MoCAH) in the government's latest Cabinet reshuffle in April, 2004. As the name represents, MoCAH now shoulders the responsibility in addressing the whole sector on arts, culture and heritage conservation.

## **2.5 COMMUNITY INVOLVEMENT IN DEVELOPMENT**

### **2.5.1 Community Involvement in Sustainable Development**

The World Commission on Environment and Development has drawn up a widely used definition of sustainable development: 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs.' Since the Rio Summit in 1992, many local authorities and Local Agenda 21 (LA21) groups throughout the USA and the UK have been developing local sets of sustainable development indicators as part of their efforts to raise awareness about sustainability issues in their communities and organisations. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. Strange and Whitney (2003) highlight that this activity of sustainable development seeks to improve the quality of that environment by making it a better place to live and work, and empower community action, inclusiveness and ownership. They further advocate conservation as being consistent with the concerns

of sustainable development. However, the key issues identified facing community involvement in sustainable development, is how to ensure that the heritage environment is made sustainable. In the UK, English Heritage has taken up significant steps in this direction by developing a set of sustainability indicators and targets that allows monitoring of the historic environment with the community input. Pickard (2001) has argued that more analysis is required before the formation of a robust heritage management methodology that relates to a clear framework development. He then, suggests the following principles should be the starting point for any framework adaptation:

- Reflect local life.
- Improve quality of life.
- Maintain local identity, diversity and vitality.
- Minimise the depletion of non-renewable heritage assets.
- Develop collective responsibility for heritage assets.
- Empower community action and involvement.
- Provide a robust policy framework for integrating conservation objectives with the aims of sustainable development more generally.
- Define the capacity by which historic centres can permit change.

Strange and Whitney (2003) also reinforce that the challenge here is that of translating such general principles into operation, at a range of spatial scales and in a variety of historic environments.

This will be elaborated on in the discussion on community involvement best practice in section 3.7. Yet, it is worth mentioning that under the UK's PPS1: Delivering Sustainable Development, the Government set out its view on planning as a means of encouraging sustainable communities. Three (3) main themes for planners to use when planning for sustainable communities should include the following:

1. Sustainable Development - that integrate economic development, social inclusion, environmental protection and prudent use of resources. Planning should operate alongside other programmes to deliver regeneration;
2. Spatial Planning – plans should take account of the many facets to regenerating areas and providing new housing and think more widely than just land use; and
3. Community Involvement in Planning - to work with communities affected by planning decisions; build capacity for communities to govern themselves; and be open and honest about planning.



### **2.5.2 Community Involvement in the UNESCO Efforts for the World Heritage Listing**

UNESCO seeks to encourage the identification, protection and preservation of cultural and natural heritage around the world considered to be of outstanding value to humanity. This is embodied in an international treaty called the Convention concerning the Protection of the World Cultural and Natural Heritage, adopted by UNESCO in 1972. Community involvement aspect is well among the mission set. They are spelt out as follows:

- support States Parties' public awareness-building activities for World Heritage conservation;
- encourage participation of the local population in the preservation of their cultural and natural heritage;

On the other hand, the World Heritage Cities Management Guide issued in 1991, was the first attempt taken by the Organisations to help expose the managers of heritage cities to the different management methods practiced in several countries and the guide specifically provides explanations and recommendations as related to community involvement as follows:

- Integration of conservation within the planning process;
- Achieving community objectives;
- Organisational strategy;
- Documentation and evaluation;
- Principles and Standard;
- Incentives;
- Controls;
- Education and Public Participation; and
- Environmental Control.

On matters relating to management or organisational strategy, the Guide recommends the city managers to focus on three levels: development of conservation teams that include and integrate the contributions of individuals from a variety of disciplines, utilisation of a conservation process to define the city's character, as well as understanding and realisation of conservation plans.

### **2.5.3 Community Involvement and Conservation planning**

As stressed in 2.5.2 above, community involvement in planning can be achieved by working with communities affected by planning decisions, as well as to assist them to build capacity for communities to govern themselves. Thus, community involvement in

decision-making in conservation projects (which will be thoroughly reviewed in section 3.4) is not only based on the belief that it is right for the public to be involved in decisions which affect them but also on the objective of making planning system more effective and work better in practice (Arnstein, 1969; Wilcox, 1994; Rosli, 1996; Hall, 1998; DETR, 1998; 2000; CDF, 2002; ODPM, 2003; Taylor, 2003). In the UK, DCMS sets out a vision of a unified and simpler heritage protection system in its White Paper and subsequently published early 2007, which have more opportunities for public involvement and community engagement. The proposed system will be more open, accountable and transparent. It will offer all those with an interest in the historic environment a clearer record of what is protected and why; it will enable people who own or manage historic buildings and sites to have a better understanding of what features are important; it will streamline the consent procedures and create a more consultative and collaborative protection system (DCMS, 2005).

The present political system in Malaysia is that in the local authority system the local councils are political appointees and not elected. Notwithstanding the above discussion, what Malaysia needs is much development in its public consultation provision. Malaysia is not ready for a radical change like having the TPRA system because what is needed is the basic development in the present system. Thus, third party rights would be a very big step if public consultation itself is not well developed. This clearly is one possibility of the long term feature once Malaysian public consultation initiatives have been developed but for now the chance also raised issues about what the role of elected members is in making planning decisions and there are various models of that which has been discussed earlier.

The nature of community participation is multi-faceted, with many variants depending on: histories and stage of development, ideological, political, economic and cultural context; institutional arrangements and so forth. A practical framework is necessary, spelling out what the conservation is about, who needs to join in, how it is to be set up, what techniques to be employed followed by monitoring and modification exercises.

Early findings from the literature research converge to suggest that successful involvement is more likely when the community develops clear strategies as early as possible and is prepared to invest time and resources in building the capacity of local organisations. Strategies should be comprehensive, although their shape and content will vary according to local circumstances, values and requirements. Hence, the decisions made are likely to be of a better quality and are also likely to be better implemented and respected. Detailed assessment of community involvement definitions, concepts, processes and approaches will be elaborated on in the following Chapter Three (3).

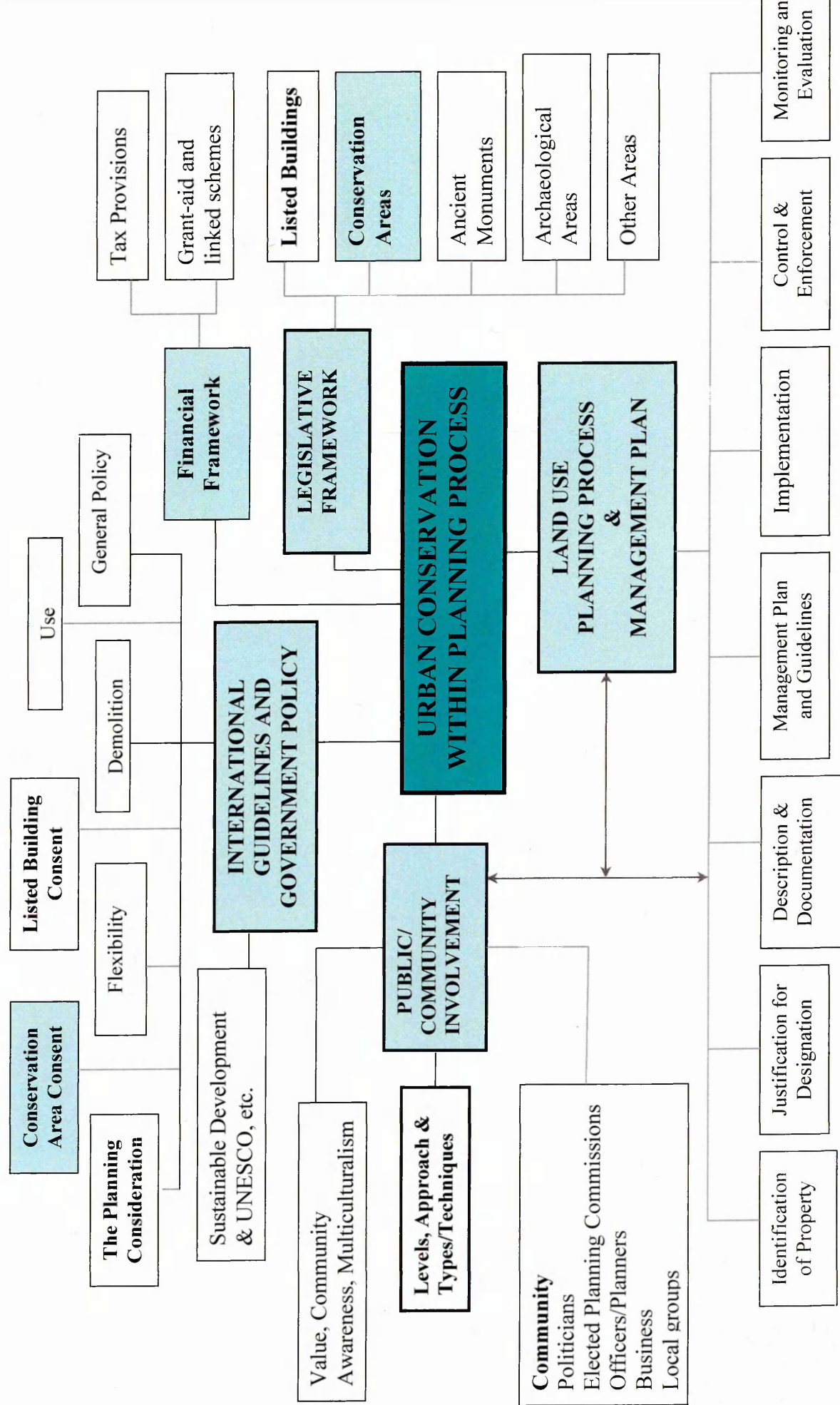
In conclusion, conservation planning is a special sub-set of the planning process with some broadly common features and some features that appear to vary from society to society and between political cultures. Common features might include factors such as the fact that conservation is largely spatially defined (it relates to specific areas or buildings), that such areas/buildings sit within broader development plans for wider areas which usually acknowledge this special status, that the planning system puts in place various methods for controlling development, as well as having plans, and that to one degree or another, conservation activity is seen as a relatively specialist one within the overall planning process. Important differences seem to include the different perspectives societies seem to place on the importance of historic conservation (including whether it is just about buildings and spaces or whether it is about broader concepts such as culture and historic significance), the balance between positive processes of conservation, which are driven by some sort of plan, and negative processes, which are essentially driven through the process of controlling development, the funding available for conservation activities, and the amount of specialist skill and the right for third party in conservation available to the planning system. This sets the views taken for this research, and the variables that shape the overall urban conservation within the planning process (see Figure 2.3). Figure 2.3 (on p.41) shows the kind of contextual ground this chapter has covered and helps to set the context in determining where Malaysia sits in the international context of this research. Further discussion about the Malaysian situation will be discussed in Chapter Four (4).

## **2.6 CHAPTER SUMMARY**

This chapter has presented the review and examination of pertinent literature on the nature of urban conservation planning. This was done to assist in setting the context of this research. It began with the definition of conservation adopted for this research. It was then followed by the critical review of the nature of land use planning systems and placed emphasis on the role of urban conservation in the development of cities, the problems of under achievements of conservation movements and subsequent measures to reform the sector. This sets the views taken for this research, and the variables that shape urban conservation within the planning process. The discussions have touched on how the variables, namely the international guidelines and government policy, legislative and financial framework, land use and management process, as well as public and community involvement intermingle to form the larger conservation planning system.

The last part of the Chapter then briefly investigated community involvement in development. This review of community involvement in sustainable development; in the UNESCO WHL; and followed by the review of community involvement in conservation planning was carried out concisely to underline the setting in which community involvement framework is engaged. The next chapter, Chapter Three (3), will discuss the significant concepts of community involvement and the essence of its best practice within the context of urban conservation planning.

Figure 2.3: Literature Review of Urban Conservation within the Planning Process



## CHAPTER THREE

### 3 TOWARDS BEST PRACTICE IN COMMUNITY INVOLVEMENT IN CONSERVATION PLANNING

*Community implies three things.....that there is something to work towards, that the process of working towards it is ongoing and that there is no finishing point.*

*Diane Warburton, 1998*

#### 3.1 AIMS OF CHAPTER

Chapter Two (2) discussed the significance of conservation planning to city development and land use planning. It highlighted the interconnectivity between land use planning, the legislation, government policy and community involvement that are needed for successful conservation planning.

This chapter discusses and highlights the important concepts of community involvement and the essence of its best practice within the context of urban conservation planning. It begins with the definition of community and community involvement adopted for this research. It then proceeds to investigate critically community involvement in conservation planning and is followed by a review of different approaches to community involvement.

The discussion on community involvement best practice is approached by outlining the community involvement process. The related underpinning theories and concepts are then critically examined and discussed, drawing on references from the earlier discussions on the concepts of community involvement and best practice. The emergent findings are then summarised to form the community involvement best practice framework for this research.

The last part of the Chapter concentrates on the identification of best practice as the most appropriate approach in managing community involvement and is consequently proposed as the approach for this research. This Chapter concludes by establishing the views taken for this research, and the variables that shape the community involvement approach in conservation planning.

## 3.2 COMMUNITY AND COMMUNITY INVOLVEMENT TERMS

The similarities and differences between the terms 'community' and 'community involvement' were investigated to establish the context for this study. Therefore, it is necessary to discuss the context from which the terms community and community involvement are adopted to provide a foundation for this research.

### 3.2.1 Community

Defining 'community' has been an issue of ambiguity amongst scholars and various sources of research. Earlier, 'public' was identified in the UK to include almost everyone by the Skeffington Report, 1969 (Lee and Newby, 1983; Hillery, 1995; and Creed, 2003), but more recent views (Rosli, 1996; Wilcox, 1994, 2003; DETR, 2003; Taylor, 2003) identify community as all the people who live in a particular area and sharing characteristics in terms of cultural heritage. Although the meaning of community is relative to purpose or need (Atkinson and Cope, 1998); defining community refers to people who have something in common (Hill, 1994). It includes social, economic and spatial dimensions. This encompasses social relationships in terms of locality, a sense of belonging and shared cultural and ethnic values; common economic interest; or the basis for political power.

Communities are said to be both inclusive as well as exclusive. The concepts of community, social capital, mutuality, networks and informality are frequently associated with integration and social cohesion, trust and reciprocity, autonomy and plurality and with the flexibility to negotiate the enormously complex tensions of post-modern society (Taylor, 2003). Hence, in places where the historic fabric is becoming devalued and is disappearing, it is as important to rekindle the community, as it is to the fabric. This change reflects a cultural shift from recognising public as general, to recognising people as individuals with distinctive related values, which must be acknowledged, understood and worked with co-operatively. In advocating this view, the UK's Office of Deputy Prime Minister (ODPM), 2003 and Community Development Foundation (CDF), 2002 has defined *community* as to include:

- The whole population of the whole local authority area. This includes local residents and those coming into the area to work or make use of it.
- The residents living in the whole local authority area.
- The population of smaller areas, or people who associate in communities of interest, i.e. on a non-geographical basis.

From the Egan Review of Skills for Sustainable Communities (April, 2004), the UK government considered a sustainable community to be a place that includes elements of 'a sense of belonging, vibrant, harmonious and inclusive communities' as well as 'an effective and inclusive participation in political life and strong community leadership' besides five other factors of high quality housing and built environment; good public transport to daily activities; good quality education and training; efficient use of natural resources; and wide range of jobs and business community.

Drawing from the above, this research suggests that community can be defined as the landowners, local people or residents who are directly related to the project. This forms the key component of the community. This is from the standpoint that landowners are the legal proprietors of their land and property, while the residents or the local people are those living in the area, or in close proximity to the project, who share characteristics in terms of cultural heritage, social relationships, common economic interest, or the basis for political power. There are also groups that are identified as a secondary component to a community. These are organised groups that have financial and professional resources who may concentrate on only certain aspects of the development and of gaining recognition or political points or national publicity on their philosophy. However, it is worth noting that these people do not relate to one community but to a complex personal package or portfolio of community groups, e.g. religion, hobbies, interests, jobs, schools and so on.

### **3.2.2 Community Involvement**

Community involvement is recognised chiefly as a process of decision-making that involves the community through either consultation or participation (Arnstein, 1969; World Bank, 1993; Wilcox, 1994; Rosli, 1996; DETR, 1998 and CDF, 2002). It is the process of influencing, sharing, or controlling the decision-making, which seeks more representative and responsive participative approaches. Within the planning process, the emphasis stipulated in the statutory requirements of developed countries, including the UK, require public participation to be considered as a process led by the planning authority where the planners try to anticipate the needs of public. This is to synthesise the public's views into a plan that meets the needs of everyone, while conforming to national policy, all within a set timetable. More recent views (Wilcox, 1994; Vanclay, 1995; Hall, 1998; DETR, 2000; ODPM, 2003; Taylor, 2003) suggest an expansion of this definition. They advocate the belief that participatory planning can be initiated by any party, take any form; timetables can be negotiated and agreed amongst participants. This rationale is founded on the conviction that the pluralist nature of



society must be recognised and there are legitimate conflicts of interest that have to be addressed by the application of consensus-building methods. Mead (2004) stresses that engaging the community means ensuring that everyone in their local area is given the opportunity to comment on all services provided for them. This means that by involving the community in major decisions, this helps in improving their quality of life. The involvement is meant to be a two-way process, with organisations benefiting from the imagination and views of local citizens. Community engagement can involve individuals, voluntary and community organisations and public sector bodies working together to address local issues (Mead, 2004).

The study of conservation planning in Britain shows that there is a long history of public consultation, with people's views contributing and shaping the outcome of development. Today, all development of other than small scale is consulted upon and, increasingly, people's expectations are not merely that their views will be sought but also that they will be given substantial weight in the eventual decision. Community expectations are not merely in terms of involvement but also in terms of shaping outcomes or decisions. Therefore, community involvement is not a single concept, rather it is something that will need to be taken into account in a particular set of circumstances at a particular point of time and at a certain particular cultural frame of reference. This is contrary to that of the American system, which is deemed to be universally applicable.

The British system presently emphasises community engagement in development efforts. Under the UK's Planning and Compulsory Purchase Bill, which was passed in 2004 (and the subsequent Act), local authorities (LAs) are required to draw up a Statement of Community Involvement (SCI) explaining how they will consult their communities on development plans. It is found that the definition of community is wide and authorities are encouraged to actively engage with hard to reach groups. Consultations are to take place before plans are finalised. The preparation of SCI puts equal importance on LAs encouraging applicants on major schemes to consult communities in advance, before the submission of planning applications. However, for the purpose of this research, it is the involvement of the people, getting the people to understand that planning is about their future, their children's future, about the future of the area in which they are living that is key. Planning is the tool that engages them in the process to achieve a better quality of life. As will be discussed in the Arnstein ladder (section 3.3.1 p.47), different kinds of engagement produce a different kind of involvement to different people. Ultimately, the legitimate way is in the democratic

system. Another recent term recommended by the RTPI (2004) takes community or public involvement as effective interactions between planners, decision-makers, individual and representative stakeholders to identify issues and exchange views on a continuous basis as compared to 'public participation', which is the extent and nature of activities undertaken by those who take part in public or community involvement.

The evidence gathered suggests that since communities are likely to encompass a wide range of views, their views cannot necessarily be expected to be homogenous. This is one of the big practice issues, because greater levels of community engagement do not necessarily lead to greater levels of community agreement. What they do achieve is a greater understanding of the range of community views, which means that decision-makers can operate with the best available understanding of this.

### **3.2.3 Defining Community Involvement in Conservation Planning**

In the absence of a specific definition of 'Community Involvement in Conservation Planning' in the literature reviewed, the research suggests the following definition aiming at setting the context and perspective for the research. Scrutinising the above definitions of conservation, community and community involvement, it can be deduced that 'Community Involvement in Conservation Planning' is a continuous process of decision-making that involves active participation of the community towards enhancing heritage and cultural values in conservation planning. It is a process that depends on the framework set for the approaches taken to integrate the views from all who are affected by the project or scheme. This process is essential to build coalitions and reach consensus about conservation values, issues, and goals. The decision made from the process will determine the plan's success as wide support for the plan indicates higher probability it being accepted and implemented. Hence, community involvement in conservation planning is essentially a continuous process and effort to involve the community in conservation, from informing people of what is planned and what decisions have been made, through to delegating decision-making powers and responsibility to a community organisation to deliver some element of a conservation projects.

## **3.3 COMMUNITY INVOLVEMENT IN PLANNING**

The UK's ODPM (2004) (presently the Department for Communities and Local Government or DCLG) regarded participation as active involvement of the community

in the development of options and proposals, and that the community must be able to put forward and debate options and help mould proposals. Consequently, the UK's simplest model of community involvement process is to ensure that people:

- Have access to information.
- Can put forward their own ideas and feel confident that there is a process for considering their ideas.
- Can take an active part in developing proposals and options.
- Can comment on formal proposals.
- Get feedback and information about progress and outcomes.

The following sections will continue discussing on the background of community involvement; its principles and reasons; its theoretical perspectives; and its related models and framework.

### **3.3.1 Background and Reasons for Community Involvement**

Community involvement is rooted in public participation, which was introduced into the British planning system in the late 1960s with the consensus emphasis. It can be traced from the publication of two significant documents. The first was the report of the Skeffington Committee on Public Participation in Planning (Skeffington, 1969): *People and Planning* that made far-reaching recommendations and which influenced subsequent legislation (Hampton, 1977; Warbuton, 1997; Illsley, 2000). In fact, participation in planning is generally recognised to have been formally incorporated into the mainstream planning practice following the report of the Skeffington Committee that advocated a number of mechanisms for increasing public involvement in the planning process, including community development techniques to increase participation in areas where there was little knowledge and experience of the planning process. The second was Arnstein's *Ladder of Citizen Participation* (1969) that has been the basis for debate on the purpose and practice of citizen participation in decision-making. Both of these reports are influential in their own ways. The report of the Skeffington Committee and Arnstein's ladder more or less appeared in parallel, but one was a government report about how to embed community engagement (public participation) in the specific context of the British planning system, whereas the other was a piece of polemic offering a useful framework but taking the normative stance that the ladder should be climbed (Arnstein's model will be further discussed in 3.3.2 and 3.3.3). As

such, their influence was very different. But, both are considered as the starting point for greater public input in decision-making.

The difference between these two can be described as follows: The Arnstein's model is a normative model (rather than descriptive one) that says this is what we should do. Arnstein uses the ladder analogy, simply because that it is something that we can climb and progress higher to achieve the aims. The spectrum of different kinds of engagement means different things to different people at different times, and really has different parts in the process. Arnstein's approach introduces the idea of power within policy process; an important component of the politics of planning (Darke, 2000). This is from the perspective that public participation was intended to secure public approval for political and professional proposals, hence public participation was considered as a means for publicity and public relations. Following public protest in late 1960s an extension of public participation idea and processes led to legislation requiring local authorities to engage the public in the planning process. Following this typology, some other models are developing from the idea by moving away from just one point of the ladder at one point of time. The Arnstein's model however, has its weaknesses that includes its failure to distinguish between politics and government; whereby the public participation initiated by government can include public relations and manipulation with no release of power to the public. This helps us to understand the idea of power within the policy process (an important component of the politics of planning) (Darke, 2000).

On the other hand, the Skeffington report has taken an instrumental view of participation as a means of securing greater community support for plans i.e. it saw public participation as a vehicle for generating improved levels of public support for plan proposals that has led to securing of rights statutory to public participation in planning processes in Britain (Kitchen, 2007). Skeffington report distinguished between members of action groups, preservation trusts and the like - 'joiners' and those who are not members of any local organisation - 'non-joiners'. The Skeffington Committee concluded that planning authorities need to be pro-active when seeking the views of non-joiners and it suggested using community workers to engage the majority of people in their own neighbourhoods.

It is evident that, although the early British system of decision-making has been criticised for its limited input from the public (McCormick, 1991), there have been recent moves towards greater public participation in decision-making due to pressure, as well as the realisation that this makes good sense in minimising public controversies over both public and private development projects which are on the increase.

The British 1968 and 1971 Town and Country Planning Acts contained the requirement that the public be given an opportunity both in the development plan process and development control process. For example in the first process, the public participation provision are first, to indicate the matters they felt should be included in the development plan and secondly have an opportunity to make representations on any matters contained in the draft plan prior to its submission to the Secretary of State for the Environment for scrutiny, review and public inquiry (Darke, 2000). It is worth noting that there has been some recent discussion about third parties' rights in relation to applications for planning permission (TPRA in Scotland, 2006).

Local Agenda 21 (an action plan with policy initiatives aimed at encouraging local authorities to promote environmentally, socially and economically sustainable communities) sees participation at the top most level as has been proposed in Arnstein's ladder of participation. Roseland (1998) is of the opinion that, based on the *Principle of Democratic Change*, a participatory democratic process is fundamental in a collective shift towards sustainability. The findings lead on to suggest the *Politics of Inclusion*, i.e. those affected by the decision should participate in the decision-making process. Further to that, Beidler (2002) builds on it for the participatory evaluation study within a paradigm of sustainability whereby the findings can be summarised and viewed as an interactive participation within a context of sustainability, i.e.:

- Bottom-up methods of participation promote dialogue and information diffusion (level of participation);
- Participatory communication is interpreted as the means towards collective action (type of participation); and
- Citizen participation takes place throughout the entire planning process (degree of participation throughout the stages).

From literature reviewed, it is not possible to identify one single reason for involving the community, nonetheless in brief; the purposes are as listed below. They are to:

- collect information about people's needs and attitudes;
- inform people about what you intend to do;
- increase the quality of planning;
- reduce the likelihood of conflict;
- conserve time and costs;

- ensure that sound plans remain intact over time;
- enhance a general sense of community;
- increase community's ownership of its heritage; and
- enhance the community's trust in heritage management.

### 3.3.2 Theoretical Perspectives of Community Participation

There are various classifications with various interpretations of participation or involvement in practice. Some belong to classical theories, political theories, social theories or communication theories relating to participation, including participation in planning (Shamsuddin, 1991; Rosli, 1996; Taharim 2002). These can be simplified and generally divided into two areas, as follows:

Political, social and communication theories of participation, includes

- Classical theories of participation
- Political theories of participation
- Social theories of participation
- Communication theory relating to participation

Typology/Framework of public participation practice:

- Arnstein's *Ladder of Participation*
- Hampton's models of participation
- Thornley's framework of participation
- Benwell's typology of different styles of participatory practice.

Based on literature reviewed the political, social and communication theories of participation act as the foundation to discussing public participation within the planning process. Styles (1971) stresses that participation is very central to political science and it is one of the oldest and hardest arguments in traditional political theory. Fagence (1977); Thornley (1978); Bruton and Lightbody (1981) suggested participation be examined within the political context. The most popularly referred theory however, is that of Arnstein (1969) which provide a typology of citizen participation which will further be discussed in this later section.

Descriptions relating to the Athenian experiment (Fagence, 1977) and Rousseau (Thornley, 1989) would be the most referred about theories of democracy in relation to planning. It provides a background to participation before describing other political and social theories of participation. The essential features of democracy are (a) equality

before the law, (b) popular deliberation and the development of a popular consensus, and (c) public accountability of the officials, and later (d) equality of speech. Although this Athenian experiment is referred to as 'direct democracy' with its central principle of the role of citizen in the planning process that includes the assembly of citizens, the council and the courts, it has excluded the majority of the population. However, there is weakness of the classical theory, whereby it no longer reflects the reality of modern society, and the high ideals of classical theory are not easily achieved by human nature.

Discussion of the earlier theoretical perspective of participation within the political context was carried out by among others: Fageance (1977); Thornley (1978); McConnell (1981); Bruton and Lightbody (1981). Their approach was to describing participation within a continuum to indicate various situations or types of democracy. McConnell describes participation within the following types of democracies i.e. representative democracy, pluralist democracy and populist democracy; Thornley emphasised within the perspective of social order or rational planning, consensual planning and participatory planning. Bruton and Lightbody noted that there are different forms of democracy, ranging from little or no participation (elitist) to a high level of participation i.e. participatory democracy. The elitist concept works on the basis of a few taking decisions on behalf of the many, as this reflects the reality of the organisation of contemporary society. In contrast to the elitist concept, the participatory form of democracy is marked by wide discussion and consultation so that the whole people know the reasons for taking part directly or indirectly in policy formulation (Bruton and Lightbody, 1981). Based upon the balance between a generally responsive elite and usually passive populace, it is found that the elitist concept seemed to be workable rather than the participatory democracy.

Thronley (1977); Bruton and Lightbody (1981) also emphasised three perspectives i.e. consensus; pluralist; and conflict within the social theories of participation. Society is seen as a stable system, held together by a common acceptance of culture, values and political organisation. Social and other problems are argued to arise from a breakdown in communication between decision-makers and the public. Public participation is identified as a remedy in communication and lead to consensus. The plural perspective is based on the assumption that society consists of diverse groups with different interests and values, and that social and other problems arise because of imbalances on the democratic system whereby certain interest are under-represented (Bruton and Lightbody, 1981). Thus, participation is seen as a way in which traditionally under-represented groups can influence the decision-makers. This aspect may be applied to

the situation of the Malaysian mix-ethnic society which will be discussed in subsequent chapters.

Communication theory relating to participation as noted by Bruton and Lightbody (1981) is based on the Skeffington report (1969), which focuses on techniques of giving information to the public that was more concerned with communication as a one-way process. They maintain that using elementary communication theory provides two (2) models of the communication process as basic guidelines to aid planners in undertaking participation exercise. They are (1) the simple of two-way communication process and (2) model where communication is diffuse. Two-way communication is vitally important in any participation programme even if the aims are limited to informing the public about the authority's policies. Communication is diffuse, where messages go from the communication source to a member of the public (receiver) who in turn passes it on to other members of the public. It is suggested that a range of channels of communication with multiple entry points into communication system be used to reduce messages not reaching certain targeted receivers due to intermediaries not passing the message.

Political theorists including Stewart (1996) and Stoker (1997) have interpreted ideas of deliberative participation structures such as citizen's juries, deliberative opinion polls, consensus conferences and standing citizen' panels can provide antidote to subjective, 'instrumental' participation characteristic of competitive elitism. This aims to restore an element of deliberation to the democratic process by citizen giving information, heard evidence and had discussion on the issue in question. These ideas have also been influential in land-use planning, both in the UK and the USA, where they have come to dominate planning theory. For example Healey (1992) outlines the 'Communicative Turn in Planning Theory' in which 'communicative rationality' supplants instrumental rationality as the vehicle for planning decision-making. These ideas have been subsequently developed into advocacy of 'Collaborative Planning in a Stakeholder Society' (Healy, 1997 and 1998), in which different people with different epistemologies can play an active role in deciding and acting together and greater political equality can be achieved by communicative processes. Accordingly, it is evidence that from the perspective of deliberative democracy, empowerment is not just a matter of 'level' of participation, but rather a pre-requisite of political equality for different forms of knowledge to enter and debate on future action or policy on equal terms.

Based on the above discussions, it clearly indicates the important factors in public participation which includes 1) Social context and structure, and 2) Political context of



participation. It also demonstrates that they have particular implications in the way the Malaysian system is because of the different mix-cultural and political scene of the different ethnic groups, as compared to the predominantly developed systems like the British or American. Oakley (1991) and Warbuton (1997) stress that the over-riding principle of good practice in participatory initiatives is that participation is promoted as an objective in itself and not just as a means to an end. Much of the literature reviewed converges to propound the link between groups or race with class and power struggle. It further points that there are limits to opportunities within the representative democracy and those underlying tensions between planners and decision-makers and the difference class, race and culture of the people.

The typology of public participation practice, serves as a framework in describing the practice of participation in the Malaysian context is discussed briefly in 3.3.3 (refer also to Appendix A). Based on the above theories and typologies and their associated roles, it is found that there is no clear-cut distinction between them (Shamsuddin, 1994; Taharim, 2002) and that some characteristics of participation may feature in any of the perspectives or styles. However, while Arnstein's typology has been the basis for debate on the theory, in terms of purpose and practice of citizen participation in decision-making areas in urban planning, the typologies by Thornley (1977) and Benwell (1979) appear useful in describing many of the features of developing countries' participation practice, including Malaysia (see discussion in 4.2.4). Thornley and Benwell note the role given to the planner in society depends on the particular theory of social order used. It appears that many of the theories studied converge to suggest that different people (with different views of social change, structure and democracy) will have different views of the purpose of the participation.

Therefore, before embarking on a participation exercise by the stakeholders whether in the role of a councillor, officer, or member of the public, it is important to begin by considering what the purpose of the exercise is. Once this is clear, then it is possible to select the right techniques or approaches. Further, it is an indication that the central aspect of these typologies is the relative balance of power and control between the participants and the initiators.

### **3.3.3 Models and Framework**

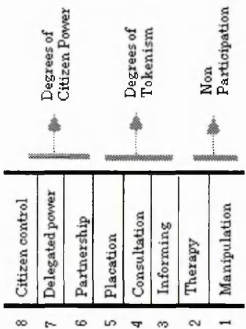
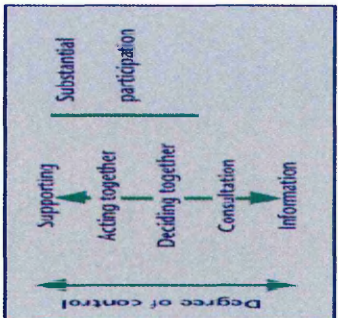
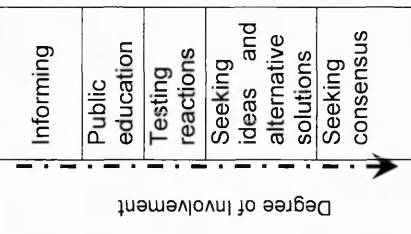
As discussed above, there are many theoretical frameworks/typologies and models that have helped to shape the decision-making process within the planning system. As has been discussed in 3.3.1 that the Arnstein typology is a normative model the spectrum of different kinds of engagement means different things to different people at

different times, and really has different parts in the process. Its approach focuses on the idea of power within policy process; an important component of the politics of planning. Following the Arnstein model, which still dominates writing about levels of empowerment, a number of researchers in the field have used a similar approach to distinguish the different levels of partnership, moving from less to more community control (Taylor, 2003) (see Figure 3.1). With regards to the models by Arnstein (1969); Wilcox (1994); White (1996) and Hall (2000), it is clear that there is an assumption that the top of the ladder is the place to which actors need to strive. However, this assumes that control is what participants want, that this is always appropriate and that those participants who will control will then empower others (Taylor, 2003 p.117).

A comprehensive framework for involvement, empowerment and partnership can be taken from Wilcox (1994, 2003) 'Guide to Effective Participation' where it provides more detailed guidance on the planning participation process and techniques to use. It emphasises the different nature and types of involvement, the objectives of involving the community and who are to use the framework. Likewise, White (1996) and Hall (2000) have similar approaches. However, an alternative model by Jackson (2001) is conceived not as a ladder in which higher rungs are superior, but as a spectrum of involvement where the ultimate level of stakeholder involvement is collaborative, shared decision-making. Another distinctive element about this model is the need to take into account different levels of knowledge within communities, the public or service users. The defining characteristics of the principal models are summarised overleaf in Figure 3.1.

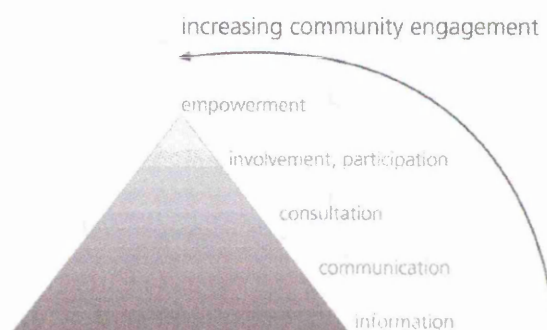
Another improvement to the route towards community empowerment is 'the wheel of participation' (Planner, 1998). It is advocated as a useful tool in the planning system in Scotland, and it appears to be widely used throughout the UK. It emphasises four (4) main key factors i.e. Information (Minimal Communication, Limited Information and Good Quality Information); Consultation (Limited Consultation, Customer Care, Genuine Consultation); Participation (Limited Decentralised Decision Making, Partnership, Effective Advisory Body); and Empowerment (Delegated Control, Independent Control, and Entrusted Control).

Figure 3.1: Community Involvement Models and Framework

Models/ Framework	ARNSTEIN (1969)	WILCOX (1994)	WHITE (1996)	HALL (2000)	JACKSON (2001)
	<p><b>Ladder of Citizen Participation</b></p>  <p>The diagram shows a ladder with 8 rungs. From bottom to top: 1. Manipulation, 2. Therapy, 3. Informing, 4. Consultation, 5. Placement, 6. Partnership, 7. Delegated power, 8. Citizen control. To the right, three levels are marked: 'Degrees of Citizen Power' at the top, 'Degrees of Tokenism' in the middle, and 'Non Participation' at the bottom.</p>	<p><b>Guide to Effective Participation</b></p>  <p>The diagram shows a cycle of five stages: Supporting, Acting together, Deciding together, Consultation, and Information. A vertical axis on the left is labeled 'Degree of control' with an upward arrow.</p>	<p><b>Types of Partnership</b></p> <ul style="list-style-type: none"> <li>Transformative – to facilitate empowerment of communities</li> <li>Representative (voice) – to build sustainable organizational capacity, communities may join to gain leverage</li> <li>Instrumental (means) – to tap community resources and knowledge against a background of cuts in public spending</li> <li>Nominal (display) – legitimating, communities may join to 'get in the loop'</li> </ul>	<p><b>Types of Partnership</b></p> <ul style="list-style-type: none"> <li>Autonomous– mechanisms to ensure sustained involvement</li> <li>Participatory– equal access and frequently shaped policy priorities</li> <li>Consultative– other partners can make change at the margins</li> <li>Shell– nominal and tokenistic</li> </ul>	<p><b>Spectrum of Public Involvement</b></p>  <p>The diagram shows a progression of stages: Informing, Public education, Testing reactions, Seeking ideas and alternative solutions, and Seeking consensus. An arrow at the bottom indicates the 'Degree of Involvement' increasing from left to right.</p>
<p><b>Model Focus And Comments</b></p>	<ul style="list-style-type: none"> <li>A number of authors have used similar approach to distinguish different levels of partnership, moving from less to more community control, it is However, it is <ul style="list-style-type: none"> <li>A static model</li> <li>Oversimplify the distinction between participants and outsiders</li> <li>Assume an ideal form of participation treat communities as a homogenous group</li> </ul> </li> <li>Assume that control is what participants want and participants who win control will then empower others</li> </ul>	<ul style="list-style-type: none"> <li>A comprehensive framework for thinking about involvement, empowerment and partnership</li> <li>It provides a more detailed guidance on planning participation process and techniques to use.</li> <li>It emphasises the multiple and diverse issues surrounding and affecting community involvement from different nature and types of involvement, the outlying objectives of involving the community, who are to use the framework and who will decide.</li> <li>Highlighted the importance of how ready the people of the organisation towards participating or getting involved in the decision-making process.</li> </ul>	<ul style="list-style-type: none"> <li>Based on Arnstein's model</li> <li>The levels of stakeholder involvement showing different levels of partnership moving from less to more community control</li> </ul>	<ul style="list-style-type: none"> <li>Based on Arnstein's model</li> <li>The levels of stakeholder involvement showing different levels of partnership moving from less to more community control</li> </ul>	<ul style="list-style-type: none"> <li>The ultimate level of stakeholder involvement is collaborative, shared decision-making</li> <li>Different kinds of involvement be appropriate at different stages for different stakeholders</li> <li>Need to take into account the different levels of knowledge with communities.</li> </ul>

Another recent framework about levels of empowerment is the pyramid of community engagement. This model (see Figure 3.2) shows a pyramid, in which community engagement increases from information at the bottom through communication, rising through consultation, involvement, participation and empowerment. The higher up the pyramid you go, the less people would be likely to be there. Thus, in order to engage the community, it is vital to be able to understand the type of engagement that particular communities prefer and be able to benefit both the community, as well as the initiator. This model is a useful model of public involvement, in which, the distillation of ideas is put into the context of modern governance without some of the normative connotations of some of the other work discussed as in the Arnstein's ladder.

**Figure 3.2: The Pyramid of Community Involvement**



The findings of the above models advocate that participation or involvement can be seen as a cycle and/or by levels, with different kinds of involvement appropriate at different stages, for different purposes, and for different communities in terms of social class and ethnicity, and that the fundamental point is that the extent to which one can become involved is determined by the power one holds. In addition, these models acknowledge the importance of levels of knowledge within communities. These findings will set the context of the approach towards community involvement of this research.

The critical dimension of the discussion of plans is concerning what is the right of the citizen in the democratic society. This can be found in the Green Paper, 2001 about public engagement, as this is really the right of a citizen in the early years of the 21<sup>st</sup> century in a democratic society. The Planning Green Paper has introduced both that planning needs to engage the public and at the same time, planning system need to be speeded up. The Green Paper has not, however, indicated the extend on how to strike the balance between these two. Whilst the public involvement in planning ought to be extended, the planning system needs to be speeded up. Most people who look at the operational of the planning system have said more public engagement means more

time involved in doing things. Thus, it is crucial to think about how in the democratic society at one and the same time that we both provide more public engagement and speed the system up. Many people would argue that at the end of the day, it is about making up some choices there. And the choices might be how much more public engagement as against how important to speed up the system. And each society makes its choices about that. The Malaysian choice would be different from the choice of another country because what would seem to be accepted in Malaysia is different.

### **3.3.4 Concept of Best Practice**

Drawing from the universal conviction of recent management thinking (Price Waterhouse Coopers, 1999; Jarrar and Zairi, 2000) the concept of best practice is one in which a knowledge-based approach is underpinned by effective learning, re-learning, adopting innovation and measuring performance to ensure sustainability, competitiveness and realisation of objectives. Best practice has been adopted over the last decade as a means of developing a culture of excellence within cities (Badshah, 1996). Best practice is a systematic and continuous process of the evaluation of services, products and work processes of organisations that are recognised as representing best practices to improve an organisation to gain information which will help drive continuous improvements (Sharp 1994; Landry, 2000). Best practice in the built environment, especially in urban regeneration projects, is essentially a product of and relate to a time and place. They can, and indeed should, be continuously monitored and reviewed to maintain their currency.

Jarrar and Zairi (2000) observe that there is no single best practice, because 'best' can only be a subjective measurement. They stress that what is meant by 'best' are those practices that have produced superior results; selected by a systematic process; and judged to be exemplary, good or successfully demonstrated. The best practice is then adapted to fit a particular organisation. As a consequence, best practice can also be seen as inspirational to others to move forward and become leaders in the field.

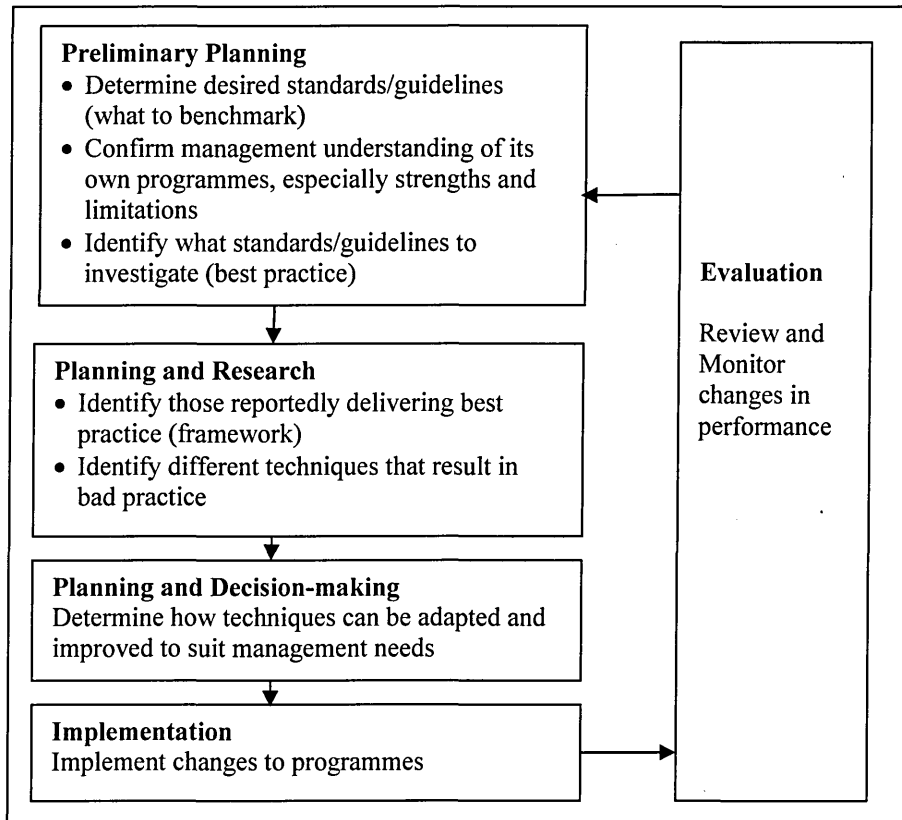
Benchmarking and best value are other concepts that have been spawned, not only in management, but also in planning and architecture. Benchmarking traces its roots to the strategic planning movement, which gained momentum in the 1960s in developed countries. As one of the popular strategic planning tools that provide frameworks for managers to think about the issues and challenges facing their organisations, benchmarking facilitated the search for best practices that lead to superior performance (Landry, 2000).

Benchmarking in the planning process of a city can take various forms as described as follows:

- Co-operative: a city might contact another, seen as representing best practice in a particular activity and seek to share its knowledge.
- Competitive: a city compares what a competitor is doing and how well. The objective is to arrive at a sense of the competitor city's practices and their advantages and without sharing a more developed understanding of its own practices.
- Collaborative: the city makes a self-conscious effort to share knowledge through active joint learning.
- Internal: used by large organisations, such as urban authorities, to identify best in-house practices and to disseminate the knowledge about these practices to others in the organization. (Adapted from Spendolini, 1992)

Landry (2000) emphasises five (5) key steps in benchmarking in the planning process which can be applied to the involvement of the community in conservation planning to help achieve best practice. The key steps involved are pre-planning (in determining, identifying guidelines or even framework of what to benchmark), research (identify those best practice projects), decision-making (determining the techniques to be used), implementation and evaluation of the performances, as illustrated in Figure 3.3 below. Evaluation (includes review and monitoring activities) is imperative as one of the main steps in benchmarking (Landry, 2000). It is the process of checking (after the project or changes have been implemented), to see how far the aims and objectives have been achieved, what resources have been used and what outputs have been produced. In benchmarking community involvement best practice projects, it also helps to identify good or even bad or poor practice and to isolate what lessons can be learnt for the future.

**Figure 3.3: Key Steps in Benchmarking of Community Involvement in Conservation Planning Best Practice**



Adapted from: Hall and McArthur, 1988 p.207

A city needs a 'best and worst practice observatory' (Landry, 2000) in which to gather the best ideas from elsewhere and to assess how they can be appropriately adapted to their city. In this way, it can evolve its benchmarking process, maintain its competitive advantage through close contact with best practice models and become a learning city. Jarrar and Zairi, 2000; Landry, 2000; Hall and McArthur, 2000 conclude that best practice is only a starting point and always contextual, is situation-specific and constantly attempts to get beyond other people's best practices and to develop its own. Whilst having the best practice model to aspire to, the worst or bad practice can also be a good reference point; as one should learn from them and not make or repeat the same mistakes elsewhere. Considered as a sub-set of benchmarking by many researchers, 'best value' is widely used to indicate the performance level achieved by the produce or service against the standard set usually by best performers.

Whilst much discussion revolves around the concept of best practice, 'good practice', is also a useful system of identifying practice in schemes/projects that have achieved significant level of performance, from which others will be able to learn valuable lessons. In this case 'good' can be 'good enough' as a starting point towards 'best' practice. However, good practice is something that all organisations can achieve



whereas best practice will always lead the way. Hence, while good practice can be about the many, best practice will always be about the few. Almost as a statistical point, it is not possible for everyone to be performing at a level described as 'best practice', because 'best' literally means the top of the pile; so if everyone was at the best level, it would be the norm. In practice, this is not the reality. Some organisations in the UK, like the Beacons Council Schemes (government-run) and other organisations, which are completely independent, were established with the main aim of identifying successful schemes from which other practitioners would be able to learn valuable lessons.

Therefore, the research aspired to:

- a. identify what is good practice and hope that all the authorities (LAs) would put into practice; so best practice is the standard; and
- b. anticipate that some authorities are prepared to do more than that standard, so that investigation can be carried out consistently to see where some of that, constitute practice that can be said best to the others, and that practice will be a feedback to help others to improve.

To represent projects that are appropriate as models of best practice for this research, a few of the examples are taken from the British Urban Regeneration Association (BURA) urban regeneration projects. BURA, on behalf of the ODPM, administers the process of awarding prizes to projects that represent best, rather than good, practice with the aim of promoting best practice in urban regeneration. Above all, the projects must demonstrate active involvement with the community including business and/or residents, to create vibrant, harmonious and inclusive communities whilst creating effective and inclusive participation, representation and leadership. This is closely parallel to the concept of community involvement in the conservation planning process, as conservation forms part of many urban regeneration projects.

For example, in the UK, two (2) main case studies that won 'Best Practice in Community Regeneration' awards are the Maerdy Community Centre (in 1996) and Moelfre (Isle of Anglesey) Community Project (in 2000). Whilst lessons learned from these case studies centred on building trust and confidence for sustaining community capacity, the factors that led to their success are as follows:

- From the outset, local people must enjoy a sense of ownership with regard to regeneration projects in order to attain lasting success.



- The long-term revenue implications of providing community oriented facilities must be considered from day one of a project. Realistic options for future funding must be identified at an early stage.
- There is no quick fix for turning round a demoralised community. Improvements and initiatives have to be introduced at the pace dictated by the community itself.
- Projects must be sufficiently staffed to ensure that the community can make the greatest possible use of the facilities provided. The value of volunteers cannot be underestimated.
- Local Authority support is essential both in terms of funding and in maintaining wider community support for a project. (Source: Burwood and Roberts, 2002)

There are also lessons to be learnt from Tipton's Health Park which was a winner of the BURA award. It shows how health can act as a major force for community regeneration. Another category in the award criteria is 'Training Communities'. Dingle Opportunities, Liverpool (1999) and Gatehouse Centre, Bristol (2000) are among the case studies that have won the award for Best Practice in Regeneration, under this category. The experiences learned from the success are (BURA, 2003):

- Training must be provided to allow people to take up jobs in the contemporary economy. Disadvantaged communities must be targeted in particular. Training must be tailored to suit specific community needs and the requirements of potential employers.
- There must be the prospect of jobs at the end of training schemes in order to motivate those undertaking the programmes.
- Patience and persistence are required when dealing with funding bodies that may not always appreciate the intricacies and complexities of the local issues involved.
- Dedicated staff are required to run community capacity building schemes. Locally sourced personnel help to inspire confidence in the project within the community it serves.
- There must be sufficient local and affordable child-care provision to enable parents to re-enter the workplace or return to education.

In summary, every situation needs to be dealt with on its merits and with its own unique circumstances taken into consideration, as maintained by Burwood and Roberts (2002); Richards, et al (2004). However, despite the infinite variety of case studies, each with its own variables, influences and history, there are tenets that can be applied

to all community strategies, including conservation planning strategies. They are discussed briefly as follows:

- ❑ Timescales for regeneration projects must be realistic.
- ❑ Viable funding sources must be consulted with the time frame in mind. Furthermore, clear aims and objectives need to be defined at the outset of a project so as to give the management a clear direction and vision to which it is striving. Regeneration should be flexible and able to adjust to changing circumstances.
- ❑ Initiatives that are unable to adapt to unforeseen events tend to fail in the long run. In this connection, every regeneration project must aim to achieve critical mass at the earliest possible point in its evolution. This will help projects engage with their surroundings and act as catalyst for broader area regeneration.
- ❑ Consulting the local community is of particular importance. Local people must be actively engaged and their opinion seen to make a difference. Too often communities are consulted but their observations ignored. In most situations, it is the local people that best understand the issues that require attention.
- ❑ Equally, all regeneration projects need to develop at atmosphere of 'can-do'. Often this is dependent on the hard work, persistence and endeavour of a few dedicated and talented individuals. Regrettably, this is something that cannot be replicated if not naturally in place. Put simply, communities must perceive a sense of ownership over regeneration projects that affect their lives. This will encourage greater involvement and enthusiasm for the initiative's work and lasting change will be achieved as a result.
- ❑ Feelings of trust and confidence must be built both with-in the communities and with the organisations concerned with implementing the initiative.
- ❑ Whilst effective partnerships will involve all relevant stakeholders, they must not be allowed to grow too unwieldy, as this will affect their decision-making capabilities. Furthermore, those working together in the partnerships must be flexible, open-minded and prepared to share responsibility.

The challenge, therefore, is to address the demand for best practice guidance whilst illustrating how simply following recommendations, without considering the wider institutional and political context, is insufficient to consistently achieve satisfactory processes and outcomes.

The lessons learned from the above-mentioned successful case studies will help to build the framework of research into the best practice model of community involvement in conservation planning in Malaysia. Additionally, the following sections will discuss further literature of community involvement in conservation planning in search for pertinent elements for the best practice factors for the research.

### **3.4 COMMUNITY INVOLVEMENT IN CONSERVATION PLANNING**

Community involvement has become an integral component of planning and decision-making within the urban conservation fraternity. This is the common view expressed by scholars and practitioners (Dobby, 1977; Hampton, 1977; Rydin, 1993; Kennedy, 1993; Wilcox, 1994; Thomas, 1996, Environment Protection Agency, 1996; Lichfield, 1996; Hall and McArthur, 1998; Cohen, 2000; Illsley, 2002; Kitchen, 2003). They are unified in pointing out that consulting the community is now central to most public sector management practices, especially in planning activities in developed countries. The UK's ODPM (2004) affirmed that planning must work as partnership and involve the community to deliver sustainable development in the right place and at the right time.

In looking at ways of how community involvement policy and practice have engaged with community and empowerment, this research focuses on area-based policies and initiatives.

The conservation planning system has a significant role to play in the planning system in delivering sustainable development. Community Strategies (CS) were introduced in the Local Government Act, 2000, and were intended to be overarching strategies for an area which encompass planning and many other considerations, including conservation. In this Act, the new duty on local authorities (LAs) is to produce Community Strategies (building on Local Agenda 21). Community strategies aim to identify local actions that will improve the quality of life for all sections of the community, based on a long-term vision. Local Strategic Partnerships will need to be pro-active in ensuring communities are involved in the planning process and that the capacity for effective involvement and partnership working is assessed. To achieve

lasting impact, this will need to be based on the reality of the baseline starting point for communities in each district. The link with new style development plans (Local Development Framework) introduced in The Planning and Compulsory Purchase Act, 2004, is that they are supposed to sit within the framework provided by the Community Strategy, but also to help develop and extend it, since the LDF will typically have a longer time-frame than the CS. Local Strategic Partnerships were also established by the 2000 Act, and initially only those LAs in receipt of funding from the Neighbourhood Renewal Unit had to have them - but in fact most LAs have now gone down this road.

As discussed in Chapter Two (2) in relation to heritage protection provision within this Act, there are regulations under the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2004 that introduce new publicity requirements for applications for planning permission for development which the local planning authority consider will affect the setting of a listed building, or the character or appearance of a conservation area.

Thus, the LDF as required by the 2004 Act must include a Statement of Community Involvement (SCI), either as a part of or accompanying it. The aim of the SCI is to help ensure community ownership of the LDF and strengthen community involvement in planning over time. It also aims to improve overall representation and involvement across all sections of the community. The SCI must set out the following:

- ❑ arrangements and standards for involving the community in continuing review of the LDF and significant development control decisions;
- ❑ standards of good practice of engaging those with an interest in a proposed development;
- ❑ guidelines that will enable the community to know when and how it will be consulted; and
- ❑ a benchmark for applicants for planning permission about what is expected of them.

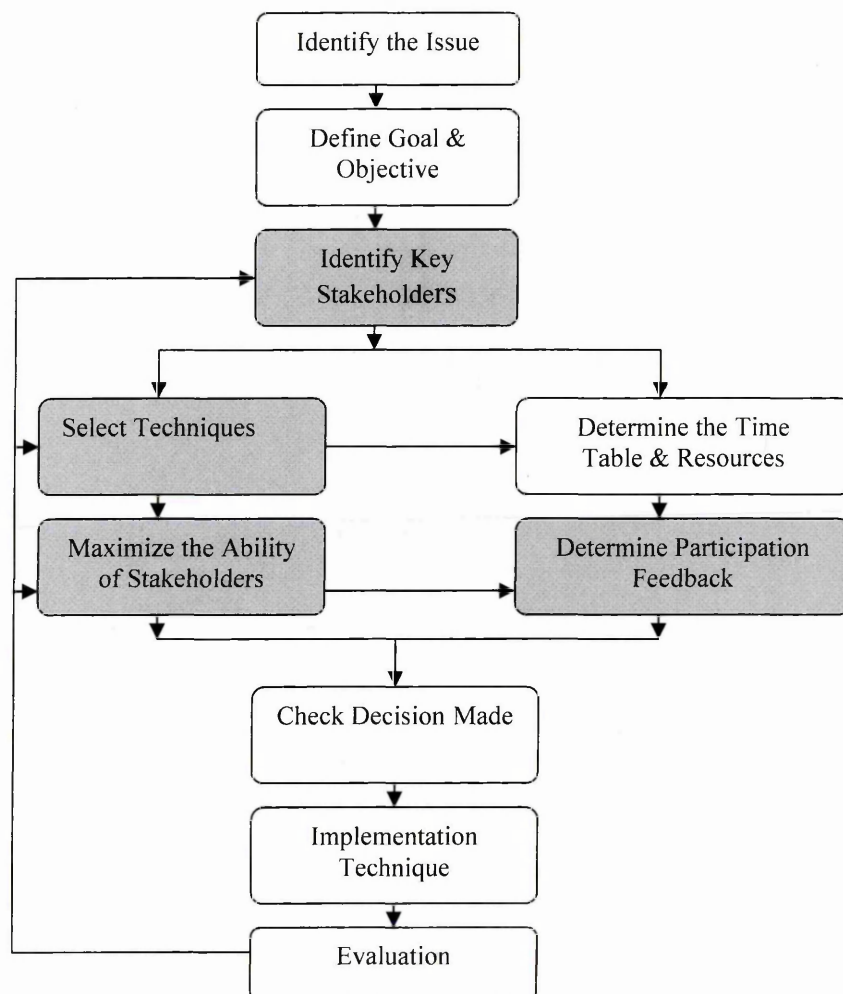
In view of the enhanced role of community involvement in conservation planning, discussions on the following issues are essential. They include the planning steps required to generate community involvement initiatives; involvement techniques and levels of involvement.

### **3.4.1 Planning Steps to Generating an Initiative for Community Involvement**

It is noted from the literature reviewed that the public and the community are much more likely to participate effectively in local rather than in strategic planning (Lock, 1978; Shamsuddin, 1994 and Taharim, 2002). There is plenty of evidence to show that most people are only likely to get involved when they feel that something affects or could affect them directly and, secondly, that the area to which most people feel they belong is usually no more than just a few streets (Hampton, 1969). The evidence of most structure plan participation response rates shows quite clearly the lack of interest people have in strategic matters (Lock, 1978). Taylor (2003) stresses that another factor which influences people's participation rates is their expectations of achieving something through participating. Most models of the planning process comprise of a two-stage process, i.e. an early stage devoted to identifying problems in the plan area and a later stage devoted to policy generation and evaluation (Hall, 1975), and local communities are frequently involved in both of these stages.

In brief, the steps involved in involving the community in conservation projects, as identified by Kennedy (1996); Hall and McArthur (1998), are similar in that they include the activities as summarised in Figure 3.4 overleaf. They are in accord in highlighting the community's or stakeholders' input into the conservation planning process as an important aspect of linking aspirations to development of heritage management strategies over the short and long terms. One of the ways in which this is done is through the proper identification of the community/stakeholders involved; the proper techniques selected that best reflect the objectives of the initiatives that will work well with the community; the need to maximise their abilities by determining the constraints, e.g. timing, cultural and language impediments and ways to overcome them. The analysis of strategic conservation planning implies the management philosophy that is responsive to stakeholders/community needs, values and interest that will further increase the likelihood of ownership of the plan and, hence, its effective implementation.

**Figure 3.4: Planning Steps to Generating an Initiative for Community Involvement**



Source: Hall and McArthur, 1996 and 1998

### **3.4.2 Community Involvement Techniques**

There are many established techniques to engage the community to be involved in the planning process of conservation projects. As highlighted by Wilcox (1994) and Hall and McArthur (1998), within each technique, there should be specific messages targeted to specific audiences in order to achieve clear goals and objectives. This may involve using different communication approaches and techniques for different stakeholders.

Hampton (1977), Thornley (1977); Benwell (1979); NPS, USA (1991); Wilcox (1994) (2003); Hall and McArthur (1998); White (1996), Hall (2000), Jackson (2001) tend to suggest that the techniques employed should be tailored to the needs of each planning proposal and the relevant groups. As pointed by the deliberative participation structures, there is that no single technique or format for public participation will be

appropriate in all situations throughout plan development, implementation and revision. Nor will a single set of techniques be appropriate for all types of planning activities, which can vary according to the situation. A variety of strategies and techniques will provide the maximum opportunity for the public to learn about the issues, share its views, and help shape the outcome (See Appendix B). Strategies could include, but are not limited to, combinations of the following:

- ❑ Discussion and working meetings, such as forums, workshops, focus groups, retreats;
- ❑ Advisory committees, task forces, study groups;
- ❑ Questionnaire surveys, opinion polls, interviews;
- ❑ Public hearings;
- ❑ Special events, open houses, speeches, exhibits;
- ❑ Media coverage, public relations;
- ❑ Newsletters, posters, flyers;
- ❑ Volunteer opportunities.

In the UK, there are other innovative consultation techniques such as vision exercises and participatory appraisal. 'Planning for Real' developed by the Neighbourhood Initiatives Foundation over 18 years ago has proved valuable as a consultative technique in the planning field. It uses a 3D-model and locally customised option cards; is inclusive in approach and allows the community to discuss and prioritise proposals in a free and open forum. Researchers in the field highlight that more varied and appropriate techniques should be employed in different types of consultation exercises carried out in the planning process to obtain more involvement of the community/public. Since different methods suit different situations, this may call for a combination of methods, if broad ranges of participants are to be involved.

As a consequence, the appropriateness of any one of these techniques will depend upon the type of community involvement needed at any particular stage of the planning process. The following table (Figure 3.5) illustrates some strengths and weaknesses of various community/public participation techniques that a country like Malaysia could learn from. Generally, the three (3) most effective techniques are the 'Workshop and Focus Groups'; 'the Advisory Committees'; and 'Contacts with key persons in

neighbourhood and community' as they provide and receive information well, can encourage interaction and give assurance to the community while getting broad cross-section of opinion. Eventually, the results of the exercise need to be relayed to the participants involved to inform them that their opinions were heard and considered in the development of the plan. From the techniques shown in Figure 3.5, if to be adopted else where, as in Malaysia, it is best to keep in mind, however, that the techniques may well take into account the significant cross-cultural difference of one country to another.

It should be acknowledged, however, that past experience in many countries shows that any method can potentially exacerbate conflict, if handled insensitively. The collapse of a process is often attributed to top-down implementation, e.g. not allowing enough time to build a consensus. An example of such failure is in the legally required participation methods in the US, particularly public hearings, review and comment procedures. Innes and Booher (2004) emphasise that these methods not only do not meet most basic goals for public participation, but they are counterproductive, causing anger and mistrust. These methods often pit citizens against each other, as they feel compelled to speak of the issues in polarising terms to get their views across; discourage individuals from taking time to go through what appear to satisfy legal requirements and increase the burden of officials (planners) about hearing from the public at all. In their research, Innes and Booher propose authentic dialogue, networks and institutional capacity as the key elements of collaborative participation and that participation should be understood as a multiplicity, complex set of interactions among citizens and other players who together help in making decisions or produce outcomes.

Therefore, the outcomes of participatory approaches are extremely sensitive to the way the process is conducted. Each process generally uses a range of different individual methods, each with its own strengths and weaknesses. Good practice dictates that methods should be tailored to the specific context, especially the level of engagement required. Other significant factors include the aims and objectives of the process, the resources available, and the constraints on implementing possible outcomes. The stage of the process at which a method is used is also an important consideration. For example, encouraging engagement in the process is likely to require different methods compared to evaluating the outcome.



**Figure 3.5: Effectiveness of Selected Community Involvement Techniques**

<b>EFFECTIVENESS OF SELECTED PUBLIC/COMMUNITY PARTICIPATION TECHNIQUES</b>					
<b>Participation Technique</b>	<b>Providing Information</b>	<b>Receiving Information</b>	<b>Interaction with Public</b>	<b>Giving Assurance to Public</b>	<b>Broad Cross- Section of Opinions?</b>
Public Hearings, Meetings	Good	Poor	Poor	Fair	Poor
Workshops, Focus Groups	Excellent	Excellent	Excellent	Fair	Potentially Good
Presentations to Clubs & Groups	Good	Fair	Fair	Fair	No Assurance
Advisory Committees	Good	Good	Excellent	Excellent	Chancy to Good
Contacts with key persons in neighbourhood, community	Excellent	Excellent	Excellent	Excellent	No Assurance
Mail Solicitation	Excellent	Poor	Fair	Fair	Very Chancy
Questionnaire Surveys	Poor to Fair	Excellent	Poor	Poor	Potentially Good (depends on follow- up)
Radio/TV Talk Shows & Community Cable	Good way to alert people to other opportunities	Fair (if call-ins allowed)	Fair	Fair	No Assurance
News Releases Media Presentations	Good	Poor	Poor	Poor	Poor

Source: National Park Service (NPS), USA, 2003

### 3.4.3 Levels of Involvement

NPS, USA (1991); Wilcox (1994); Hall and McArthur (1998); Hall (2000) affirm that participation works best for all concerned when each of the key interests, i.e. the stakeholders, are satisfied with the level of participation in which they are involved. The principle here is that different interests seek a different level of participation. From the discussion of literature on involvement it may be determined that, generally, there are five levels of involvement offering increasing degrees of control to the others involved.

- Information
- Consultation
- Deciding together
- Acting together
- Supporting independent community initiatives

'To inform' is simply to tell people what is planned, while 'consultation' is to offer a number of options and listen to the feedback. 'Deciding together' is to encourage others to provide some additional ideas and options, and join in deciding the best way forward. Not only do different interests decide together what is best, but also they form a partnership to carry it out or by 'acting together'. 'Supporting independent community initiatives' is to help others do what they want for example within a framework of grants, advice and support provided by the resource holder.

From the above, the emerging issues affecting community involvement can be summarised as:

- Differing natures, types and stages of involvement;
- The reason for involving the community;
- Who are to use the framework;
- Who will make the decisions; and
- How ready would the community be to get involved in the decision-making process.

Further to that, the literature reviewed supports the notion that several factors need to be included in deciding the level of involvement. In so doing, it is necessary to determine the role the community should play for different types and stages of conservation planning. The role can be summarised as follows:

- a. Involving in the formulation of goals and aims of the projects; and
- b. Providing information and opinions;

- Receiving information;
- Making decisions;
- Approving decisions; and
- Reviewing decisions.

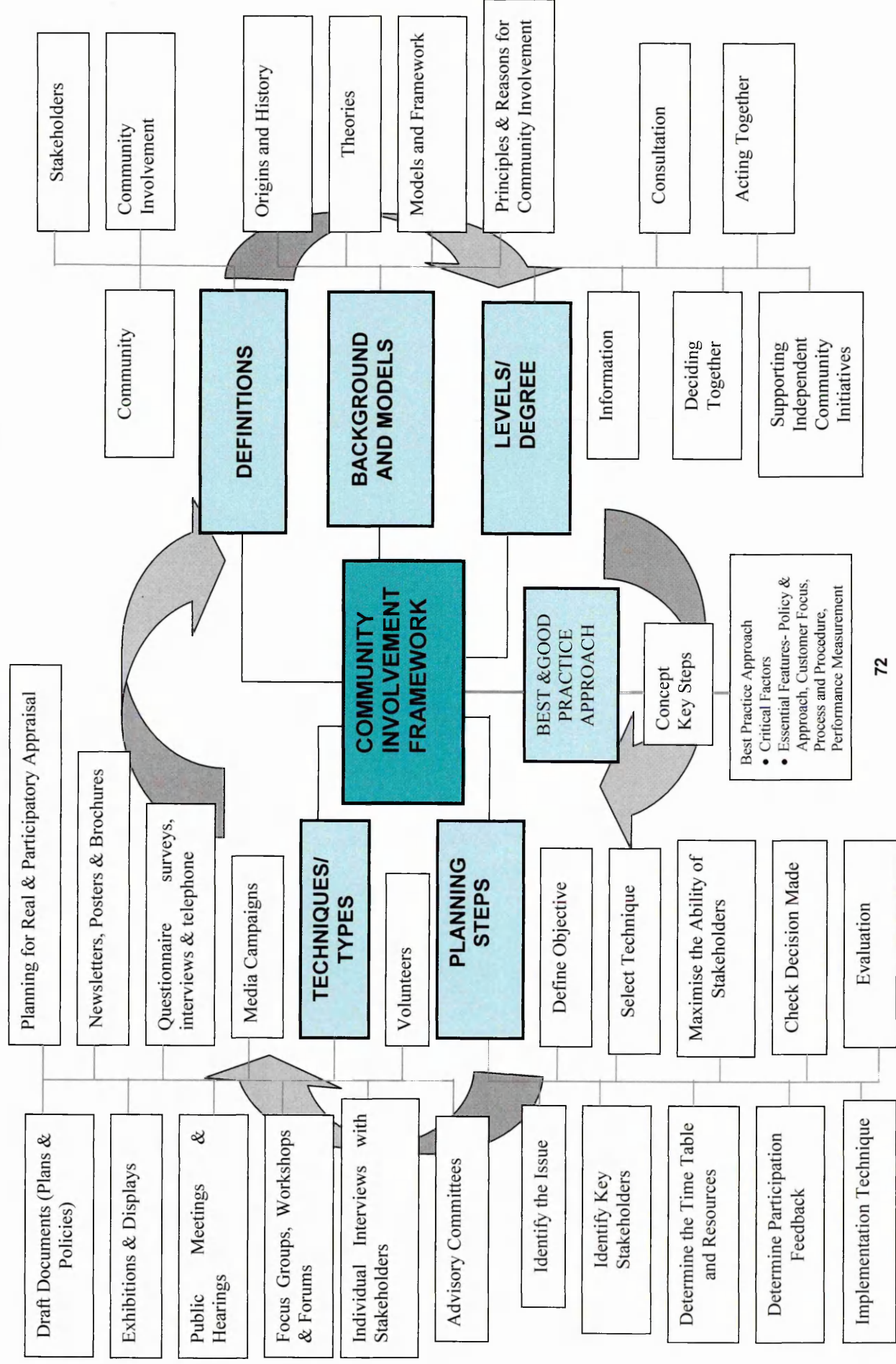
It is worth noting that in carrying out the involvement activities, it is vital that the variables respond to the following queries:

What?	A short definition of the practice
Who?	Target audience or participants
When?	Appropriate timing in the planning or decision process
Where?	Appropriate venues for the practice
How?	Elements or procedures used in implementing the tool
Strengths:	Potential value of the tool including what can be gained.
Limitations:	The shortcomings of the tool.
Cases:	Links to cases in the Cases Section of the Tutorial that use the tool, or to cases available elsewhere on the internet.
Links:	Links to Internet sites that contain additional information about the tool.
References:	References and sources of additional information about the tool.

Source: NPS, USA, 2003.

In summary, the above analysis on the typology/framework, techniques and levels of community involvement forms the relevant variables that are likely to shape the community involvement approach within the conservation planning. The challenge is to look at how collaborative planning can be achieved in the Malaysian situation, in which different people with different ethnicity and background can play an active role in deciding and acting together whilst greater political equality can be attained by communicative processes. It is evidence that from the political theory of deliberative democracy, empowerment is not just a matter of level of participation, but rather a pre-requisite of political equality for different forms of penetration and diffusion of knowledge and debate on future action or policy. The overall literature reviewed on community involvement is summarised in Figure 3.6 overleaf.

Figure 3.6: Literature Framework for Community Involvement



### **3.5 COMMUNITY INVOLVEMENT IN CONSERVATION PLANNING BEST PRACTICE**

#### **3.5.1 Best Practice Approach for Community Involvement**

The elements for best practice include the holistic approach towards the Community Involvement Process and Community Involvement Positive Practices, as discussed below. The UK's policies since May 1999 have been put in place to support community participation in decision-making and include: the National Strategy for Neighbourhood Renewal; the new duty on local authorities to produce Community Strategies (building on Local Agenda 21 (LA21)); the new guidance on local transport plans and the new compact between government and the voluntary sector. Through best value, local authorities are required to consult with their communities during the review of all their functions and services over a rolling 5-year programme. Many local authorities are using Citizens' Panels and other means of engaging their communities to find out what people think of the services they use. This shows that the community involvement exercises are central to the planning agenda.

The development of a comprehensive Community Strategy is inextricably linked to the delivery of a local authority's duty of Best Value. Best Value and Best Value Performance Indicators reflect largely the services and activities that are under the direct control of the authority. Sustainable development indicators, like the Community Strategy, reflect the wider perspective of the long-term economic, social and environmental well-being of the community, and are focused on outcomes, rather than service provision. They include indicators where the influence of the local authority may be indirect or shared with other partners in the community. Strengthening the democratic legitimacy of local government makes it more open and responsive to local people.

The UK Government's commitment to the principles of sustainable development has been set out in '*A better quality of life, a strategy for sustainable development in the UK*' (UK DEFRA, 2000). The strategy sets out principles and approaches that reflect key sustainable development themes and among these are 'putting people at the centre' and 'taking a long term perspective', both of which are particularly relevant to planning (see Appendix C). There are 29 indicators, as listed in Appendix C, which are considered the framework and indicators of best practice in achieving a sustainable society or local community. They cover all aspects of life including environment, social and economic factors. However, what is directly significant for this research, is that the three main local quality of life indicators, i.e. social participation, community well-being and tenant satisfaction/participation, are the most important indicators in battling the issue of empowerment and participation. The characteristic of a sustainable society is the empowerment of all sections of the community to participate in decision-making. The details of the indicators are shown in Figure 3.7 overleaf, from which, it is apparent that voluntary and community activity can promote social inclusion and cohesion as it is the core national indicator of sustainable development. Moreover, people usually need access to independent and impartial advice to participate effectively in conservation planning process. For this, the *Planning Aid*, where individual planners give their time on a voluntary basis, provides one possible model and *Community Technical Aid*, an independent group employing specialists in planning and architecture, provides an alternative avenue to which community and local people can turn for advice. In Malaysia, such voluntary individuals, groups or organisations (other than that of the heritage trusts) are still lacking.

**Figure 3.7: Empowerment and Participation Framework/Indicators**

	Quality of Life Counts	Indicator	Compilation of Data/Indicator and its Frequency	Other Initiatives Using This or Similar Indicators	Comments
<b>Social participation</b>	Voluntary and community activity can promote social inclusion and cohesion	Percentage of all respondents who are actively involved with at least one local community or voluntary organisation	Data is collected via a local survey <i>Question: Have you been actively involved with at least one local community or voluntary organisation in the last 12 months? (Here 'involved' is taken to mean attended events or helped in an activity at least 3 times in the last year).</i> Yes or No  Every 2-3 years	Voluntary activity is a core national indicator of sustainable development. Social participation is recommended as an indicator in the 'Local Community Involvement Handbook for Good Practice', European Foundation for the Improvement of Living and Working Conditions.	The definition for involvement carries with it a degree of subjectivity. 'Social participation' can mean different things to different people - giving back to their community through voluntary work or levels of social interaction or community spirit. An indicator for social interaction/ community spirit would also be useful.
<b>Community well being</b>	Help build a sense of community by encouraging and supporting all forms of community involvement.	Percentage of respondents satisfied with their local area as a place to live.	Data is collected via a local survey <i>How satisfied are you with this neighbourhood as a place to live? (Very satisfied; Fairly satisfied; Neither satisfied nor dissatisfied; Slightly dissatisfied; Very dissatisfied)</i>  Every 2-3 years	'Community spirit' and 'Quality of surroundings' are core national sustainable development indicators.	The indicator does not establish why people are satisfied or dissatisfied with their local area. Pilot authorities found the indicator useful though not necessarily action-orientated because of its breadth. It was suggested that follow up questions could be asked to establish the cause(s) of the satisfaction/ dissatisfaction.
<b>Tenant satisfaction/ participation</b>	Two (2) Options are given:  Option 1: Tenants' satisfaction  Option 2: Focuses on the related issues of participation	Option 1: Proportion of council tenants who are very or fairly satisfied with the opportunities for participation in management and decision-making.  Option 2: Proportion of tenants currently represented by recognised tenants' associations.	Option 1: local survey of tenants of council housing. It is Best Value Performance Indicator (BVPI75), specified in 'Performance Indicators for 2000/2001', DETR/AC/HO, 1999.  LAs are required to carry out a survey and report the results at least once every three years.  Option 2: The numbers of formal and informal tenant participation structures and organisations are collected through the Housing Investment Programme Operational Information Form. This does not give the number of people belonging to each organisation but those in the local authority completing the form may have access to such information.  Annually	Option 1: Best Value requirement for local housing authorities and RSLs.  Option 2: 'Voluntary activity' is a core national sustainable development indicator	This indicator is an important signal of community involvement. The indicator has many limitations that improved indicators of local participation should be a priority. <b>Limitations:</b> The indicator does not pick up alternative means of tenant participation, which are being actively encouraged under new policies, such as the Tenant Participation Compacts introduced from April 2000. Measuring the number of tenant associations may be less suitable in rural areas or where stock is scattered. Owing to different interpretations of the percentage of tenants covered by tenant organisations, comparisons between authorities would not be advised. Only the number of organisations are being taken into account while the status of the organisations (e.g. how active they are) may be more important.

Source: Indicators for Sustainable Development in the UK - UK Defra (2000) website <http://www.sustainable-development.gov.uk/indicators/local/localind>

Parallel to the principles of sustainable development, whilst linked specifically to best practice and performance management and improvement, the Excellence Matrix in *Moving Towards Excellence in Planning* (the Planning Officer's Society, 2003; 2004) provides the basis for a framework of any initiatives used in the conservation planning. It also form the basis for review of the service aimed at improving the quality of its processes, its effectiveness and its outcomes. The Matrix on the following page (Figure 3.8) has been drawn up using two dimensions, i.e. the Critical Factors and Essential Features. The essential features are the 'how' to achieve elements. In short, the critical factors can be explained briefly as follows:

1. There is clear integration between planning policy and the community strategy and other high level strategies.
2. The planning policy framework is up-to-date, relevant and an effective basis for decision-making.
3. The community is effectively kept informed and involved in the process of policy making, monitoring, and review
4. Policy planning follows current best practice and seeks to improve continually

Aiming towards excellence in planning service covers many aspects including planning policy, development control and design and building conservation. The critical factor includes stewardship, clarity of expectations, consistency of decisions, ensuring compliance; integrated service; resourced service; managed service; influential service; accessible service and user focused service.

Figure 3.8 elaborates on the matrix and its essential features towards achieving excellence in community involvement in conservation planning. Principally, the essential features stress on policy and approach, customer focus, process and procedures, performance management towards achieving the desired outcomes.



**Figure 3.8: Essential Features for Community Involvement Framework**

CRITICAL FACTORS Criteria	ESSENTIAL FEATURE FOR COMMUNITY INVOLVEMENT FRAMEWORK				
	POLICY & APPROACH	CUSTOMER FOCUS	PROCESS & PROCEDURES	PERFORMANCE MEASUREMENT	OUTCOMES
<b>Community Focused</b>	<ul style="list-style-type: none"> <li>Engages support of all community/stakeholders when addressing historic environment issues</li> <li>Engages and involves traditionally hard to reach groups</li> <li>Deals openly with probity with applicants, third parties, special interests groups and the wider community</li> </ul>	<ul style="list-style-type: none"> <li>Undertakes effective public participation and collaboration where relevant at an early stage in the design process, to identify potential conflicts and opportunities.</li> <li>Provides advice at reasonable cost, or free where possible.</li> <li>Provides information to all stakeholders.</li> <li>Communicates process through which decisions are made in a clear and accessible way.</li> </ul>	<ul style="list-style-type: none"> <li>Uses expert facilitation to involve all stakeholders, from outside organisation if necessary, and make use of innovative techniques such as design workshops, Planning for Real, Future Search and Open Space.</li> <li>Uses conflict mediation in an attempt to resolve issues before applications are submitted.</li> <li>Ensures that pre-application discussions are inclusive, especially in regards to expert organisations</li> <li>Uses advisory panels to inform decision-making process.</li> <li>Holds regular stakeholder meetings to inform generic and site-specific decisions.</li> <li>Implements procedures to ensure consultation is taken into account and consultees/complainants are given constructive feedback on how their comments were addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Regular monitors involvement and participation of all sectors of the community in issues affecting local design and the historic environment</li> <li>Maintains audit trails initial advice through to decision and outcome.</li> <li>Post completion reviews of new development by members, peers/outside experts, amenity/resident groups and users.</li> </ul>	<ul style="list-style-type: none"> <li>High levels of participation and involvement</li> <li>Low level of complaints</li> </ul> <p>-Continued overleaf-</p>

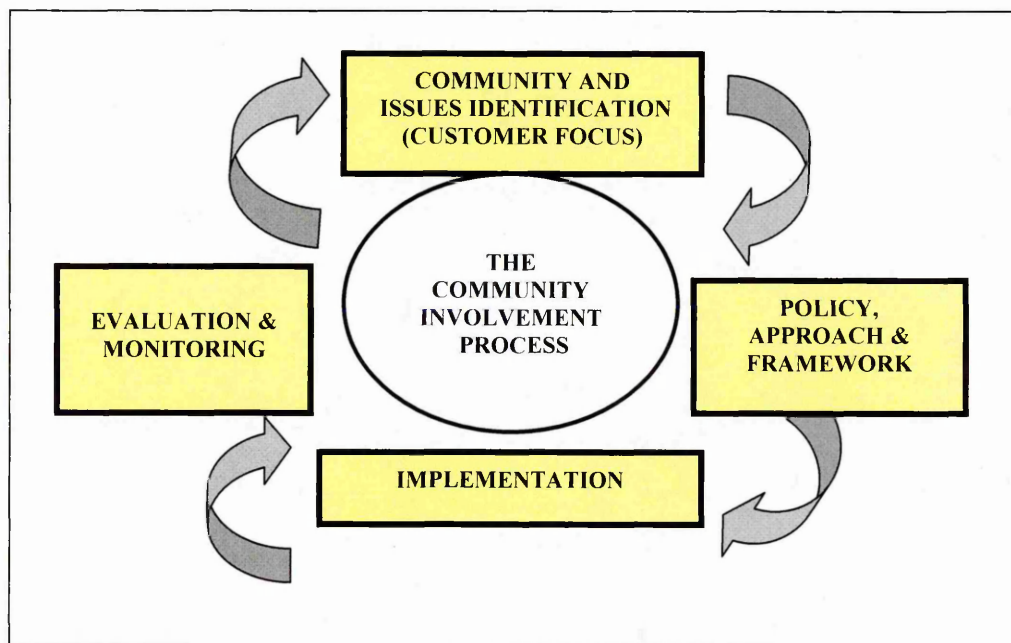
<p><b>Support Capacity Building to ensure comprehensive community involvement</b></p>	<ul style="list-style-type: none"> <li>• Ensure the Vision is understood and pursued within the planning context</li> <li>• Implement effective and integrated strategies to engage all communities early in the process of regeneration</li> <li>• Support communities in need to influence conservation work and sustain long term engagement that supports sustainable conservation</li> <li>• Build the capacity in the community to act – develop community entrepreneurs and increase social capital</li> <li>• Spatial policies and strategies promote sustainable communities – through infrastructure, places, buildings, social networks &amp; community facilities</li> <li>• Recognise and build on community skills and contributions</li> </ul>	<ul style="list-style-type: none"> <li>• Positive promotion of areas for living/working as deficiencies are overcome</li> <li>• Prepare strategies for community involvement</li> <li>• Inclusive, imaginative and sensitive involvement of communities &amp; users throughout the regeneration process e.g. through local groups; trusts; schools; Planning for Real</li> <li>• Seek out 'hard-to-reach and usually excluded' groups and communities</li> <li>• Support the community to understand, influence monitor and manage some aspects</li> <li>• Encourage regeneration agencies to be 'listening &amp; learning' organisations'</li> <li>• Facilitate convenient customer access to information and services</li> <li>• Make available advice and skills training</li> <li>• Develop community empowerment projects and/or education programmes</li> </ul>	<ul style="list-style-type: none"> <li>• Develops understanding of the factors that build capacity and sustainable communities</li> <li>• Operate area &amp; neighbourhood management systems to focus strategy &amp; funds and develop stakeholder involvement</li> <li>• Establish community partnerships and trusts; see community as a resource</li> <li>• Continually review mechanism for involving the community with stakeholders to evaluate their effectiveness</li> <li>• Participate in community safety initiatives</li> <li>• Build in long-term approach to capacity building and community engagement</li> <li>• Establish mechanism for identifying implications/needs of new (attracted) resource, &amp; how to balance these against needs of current efforts</li> </ul>	<ul style="list-style-type: none"> <li>• Levels of awareness and satisfaction with the local environment and community</li> <li>• Regular effective member/officer/ community liaison</li> <li>• Proportion of local services failing under community control or direct influence</li> <li>• Local participation in projects and initiatives</li> <li>• Number of people voting, volunteering and becoming engaged in the conservation planning process</li> <li>• Changes in participation rates for community involvement over time</li> </ul>	<ul style="list-style-type: none"> <li>• Engages support of all community/stake</li> <li>• Greater local pride and sense of community and place</li> <li>• Improved awareness and satisfaction</li> <li>• Higher participation rates including levels of voting, volunteering and community action</li> <li>• Increase in community developed and owned projects</li> </ul>
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Source: 'Moving towards excellence in planning', the Planning Officer's Society, 2003; 2004.

### 3.5.2 The Holistic Approach towards Community Involvement Best Practice

Parallel to the findings of the literature discussed earlier in 3.5.1, it is believed that the process of community involvement in conservation planning best practice is a cyclic and evolutionary process. It is, therefore, a holistic approach towards a process of community involvement, as it comprises four major steps, i.e. the community and issues identification (which is essentially customer focus), policy, approach and framework selection, the implementation stage and the evaluation and monitoring stage. Figure 3.9 below demonstrates diagrammatically the holistic approach of community involvement best practice.

**Figure 3.9: The Community Involvement Holistic Process**



### 3.5.3 Determining the Role of the Community

The holistic process in conservation planning community involvement begins with the identification of community and the issues to be addressed. Relevantly, defining the roles to be played by the community, or what is expected of the community, is pertinent in designing the overall approach, procedures and mechanism for their involvement.

In such an instance, once the relevant segments of the public have been identified, it is important to determine how they will be involved in the planning process. The ways in which we want the public involved, and who they are, will affect the techniques,

formats, and scheduling of specific public participation activities. The following questions may help in determining the role for the community/public.

- a. What do we want from the community/public?
  - Technical expertise, information?
  - Opinions, attitudes?
  - Financial support?
  - Political support, commitment?
  - Volunteers, action?
- b. What will we give to the community/public?
  - Information?
  - Technical, financial assistance?
  - The power to advise, make suggestions?
  - A real voice in the development of the plan?
  - Some responsibility for undertaking conservation activities?
- c. What level of community involvement do we want/need?
- d. What role should the community/public play?
  - Make decisions?
  - Approve decisions?
  - Review decisions?
  - Receive information?
  - Provide information, opinions?
- e. How much is "too much" community/public involvement?
- f. When is community involvement appropriate, most effective?
- g. What kind of involvement at what times?
- h. Are there any conflicts in scheduling meetings, release of reports, events?

Adapted from: NPS, USA, 2003.

As a result, for community involvement to be effective, active involvement is vital. It is characterised by the community's involvement from the beginning and, ultimately, being seen to make meaningful contributions to the outcome.

### **3.5.4 The Four Steps to Positive Involvement Practices**

The experience of some countries, including the USA approach of community involvement in conservation planning, can be benchmarked and learnt, i.e. that it is most meaningful when it is used to assist in defining values of properties and conservation planning issues, rather than when it is limited to the review of decisions already made. Further to that, early and continuing community involvement is essential to the broad acceptance of conservation planning decisions (Hall and McArthur, 1998). Once the circumstances and goals for participation have been identified, in order to assist in the selection of tools, the array of available methods could be organised into broad categories, as outlined below. The outcome of the literature reviewed reveals that there are four steps to positive involvement practices that can be benchmarked and they are as follows:

- 1) Prepare for Participation: Develop Basic Communication Skills
- 2) Involve Stakeholders in Planning, Problem Solving and Decision-Making
- 3) Build Grassroots Capacity for Community Involvement
- 4) Optimise communication and the flow of information

#### **1) Prepare for Participation: Develop Basic Communication Skills.**

This could be carried out through:

- One-on-one (interpersonal) skills
- Writing skills
- Presentation skills
- Facilitation skills

#### **2) Involve Stakeholders in Planning, Problem Solving and Decision-Making**

- Identify stakeholders
- Organise stakeholder groups
  - advisory committee
  - task force
  - policy board
  - study circle
  - focus group
- Create opportunities for involvement
  - public hearing
  - workshop
  - retreat
  - running an effective meeting
- Provide the most appropriate forum for input

- brainstorming
- visioning
- design/planning charrette
- Resolve conflicts
  - negotiation
  - mediation
  - arbitration

### **3) Build Grassroots Capacity Building<sup>3</sup> for Community Involvement**

- Create the organisation
- Identify, research and respond to issues
  - plan
  - research
  - recruit
  - publicise
- Work to maintain the organisation over the long term
  - strong leadership
  - member renewal
  - financial and other resources
  - effective partnering

### **4) Optimise Communication and the Flow of Information**

- Public input and opinions
  - surveys
  - interviews
  - plan review
  - public review and comment
- Public presentations
  - briefings
  - conferences
- Public information materials
  - fact sheets
  - brochures and pamphlets
  - newsletters
- Use of the news media
  - public notices and announcements
  - press releases
  - news conferences
  - feature stories
- Electronic networking and use of the internet
  - electronic networking
  - internet websites

In the real Malaysian situation, it has fallen short in terms of the four steps discussed above. The limitations of involving and building capacity of stakeholders and communities in planning, as well as the limited use of techniques to optimise communication are among the weaknesses uncovered (further discussion on the

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<sup>3</sup> Capacity building is a process that enhances the empowerment of communities; the ability to create structures and network to assist the process; and the skills to enable local community/people to take charge of their futures (Planning Officer's Society, 2003; 2004).

Malaysian condition will be discussed in Chapter Four). Summarising the above outcome of the literature reviewed reveals that there are four steps that are imperative to involving stakeholders in conservation planning. The process involves integrating the life of general people, as tradition and social culture are represented mainly by life of the different groups or community. The implementation of the conservation projects demands frequent dialogue and negotiation among beneficiaries and communities, as there are considerable differences between needs and aspirations of different stakeholders. Furthermore, politics and value judgments influence conservation decisions. In addition to legal provision, individual as well as group efforts and commitment are required for successful community involvement. Since not all forms of public participation techniques and approaches are appropriate for all levels of planning and all groups of community, skills of communication, conflict resolution, negotiation, etc. are essential for successful participation.

### **3.5.5 Key Elements in Constructing the Framework for Community Involvement in Conservation Planning**

Underpinning community involvement in conservation planning best practice is the principle that the planning system responds to the people's needs in a democratic political system, with the public, private and community and voluntary sectors working together towards a single aim, i.e. to improve the quality of life for all. Good practice dictates that methods should be tailored to the specific context and aims of the process, especially the level of engagement required. Other significant factors include the resources available and the constraints on implementing possible outcomes. Therefore, to achieve satisfactory processes and outcomes, the challenge is actually to address the demand for best practice guidance whilst considering the wider institutional and political situation.

The prevailing themes from the research to date have been identified from various best practice projects in the UK (as discussed earlier in 3.3.4); including the examples of SCI of City of London and Huntingdon; the Joseph Rowntree Foundation (JRF) studies; local authorities' best value initiatives, as well as the matrix/framework for the strategy of sustainable development. These form the key elements employed in constructing the framework for community involvement best practice for the research. In essence, the incorporation of characteristics of best practice approach and the holistic approach drawn for the application of community involvement best practice adapted by this

research shall be categorised into four main factors as demonstrated in Figure 3.9 on p.79, i.e.:

1. Community Focus;
2. Policy and Approach;
3. Process and Procedures; and
4. Evaluation and Monitoring.

These broad factors are then characterised by the following elements:

a. **Community Focus** - empower all sections of the community to participate in decision-making and consider the social and community impacts of decisions (involve community in planning, problem solving and decision-making).

1. Develop and prepare strategies for community involvement and education programmes;
2. Undertake effective community involvement and collaboration where relevant at an early stage in the planning and design process, to identify potential conflicts and opportunities. Community focus involves an inclusive, imaginative and sensitive involvement of communities and users throughout the conservation planning process, e.g. through local groups; trusts; schools;
3. Support the community to understand, influence monitor and manage some aspects by providing advice and information to all stakeholders at reasonable cost, or free where possible and communicates process through which decisions are made in a clear and accessible way.

b. **Policy and Approach** - community involvement is a dynamic cyclic process and the approaches within each involvement activity are continually evolving.

1. Engages support of all community/stakeholders when addressing heritage/historic conservation issues and seek out 'hard to reach' group by ensuring the *Vision* is understood and pursued;
2. Build and recognise the capacity in the community to develop community entrepreneurs, and support communities in need to influence conservation work and sustain long term engagement that supports sustainable conservation;
3. Implement effective and integrated strategies to engage all communities early in the process with a structured approach and framework for regular involvement process;



4. Inter-linked historic and heritage conservation data bases in relevant authorities. and
5. Viable funding sources must be consulted with the time-frame set

c. **Process and Procedures (Implementation)** - the holistic conceptualisation of whole community involvement is fundamental for understanding an effective community involvement process.

1. Establish community partnerships and trusts; continually review mechanism for involving the community with stakeholders to evaluate their effectiveness;
2. Establish mechanism for identifying implications/needs of new (attracted) resources, and how to balance these against the needs of current efforts;
3. Implement procedures to ensure consultation is taken into account and consultees/complainants are given constructive feedback on how their comments were addressed and that the stakeholder meetings to site-specific decisions be held regularly;
4. Build in and support a long-term approach to capacity building to ensure comprehensive community involvement; and
5. Continuous public awareness programme and training is key to the whole involvement process.

d. **Evaluation and Monitoring** - although evaluation of the involvement effectiveness can be relative, the holistic evaluation based on its outcome to the organisation and the individual is recommended. Therefore, a scheduled evaluation and monitoring system (database) is vital.

1. Regular monitoring of the involvement and participation of all sectors of the community in issues affecting local design and the historic environment and maintain audit trails initial from advice through to decision and outcome;
2. Regular and effective monitoring of member/officer/community liaison and the number of people volunteering and becoming engaged in the conservation planning process; and
3. Tracking levels of awareness and satisfaction with the local environment and community

- A database is important to establish 'performance indicators' to measure performance within each involvement activity.

In applying the above elements, to use the framework, one needs to consider that:

- Every situation needs to be dealt with on its merits and with its own unique circumstances taken into consideration, as values and cultures of each place can be very different in nature.
- Best and good practice must be applied within the context of the organisation/movement and no one approach is dominant.
- Best practice guidance must consider the institutional and political context.

The understanding of the above discussion of the characteristics of Best Practice in the international stage in relation to conservation planning converge to suggest the potential of applying the framework in the contemporary Malaysian system and in particular in relation to Malaysian conservation planning. It is of the author's opinion that in terms of trying to apply these to the current practice in Malaysia however, there are barriers that would need to be overcome. This is especially true in terms of its plural society with different political, social and economic circumstances. These factors therefore form a basis in choosing the types of method of empirical work to be convened for the research process.

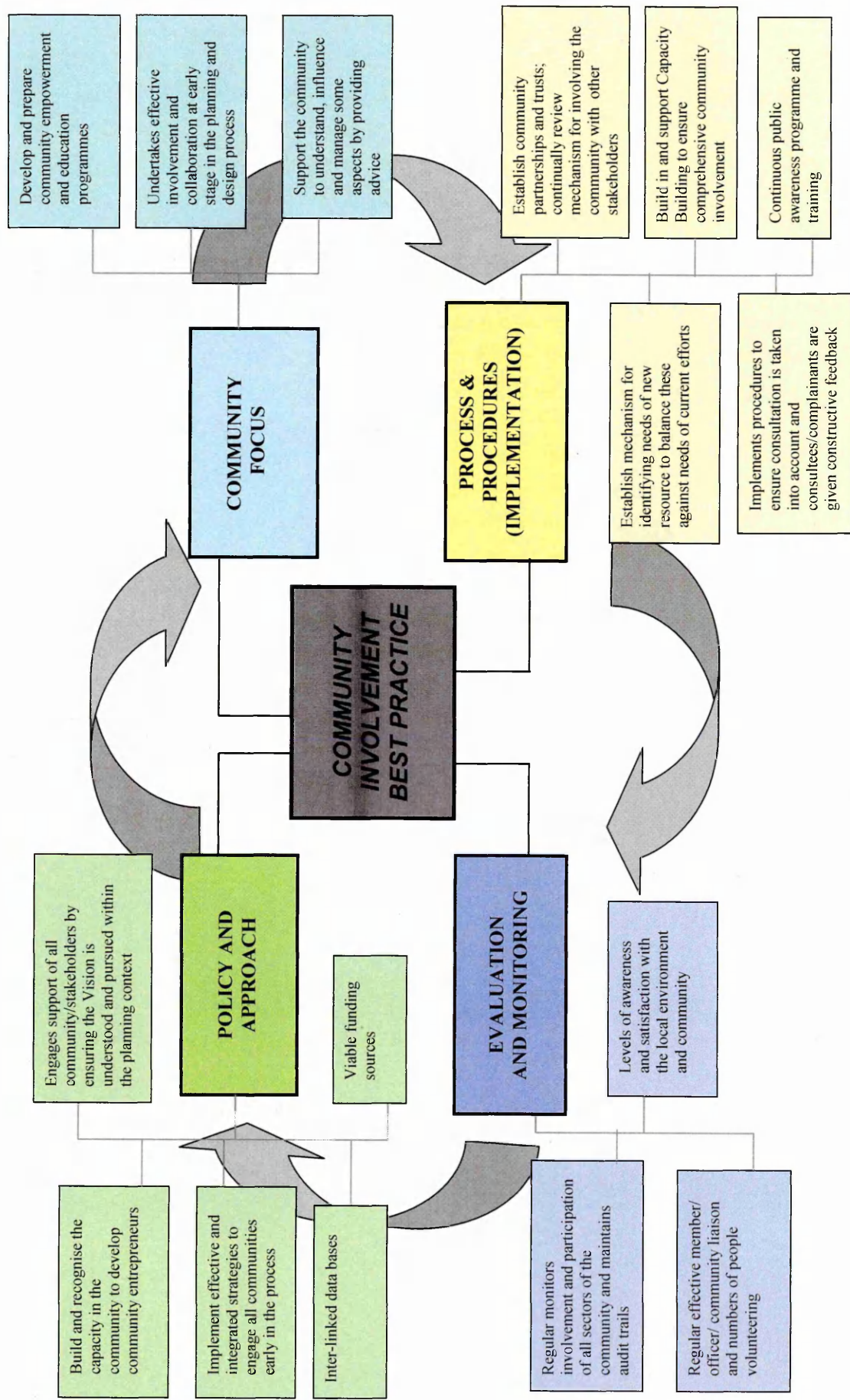
To conclude, in considering the need to approach this research with an established and operational framework, these four (4) main factors and its subsequent key elements discussed above will form the underlying basis for this research, as summarised in Figure 3.10 on page 88. The understanding of the political, economic and social framework in Malaysia is imperative and how they relate to this discussion about the potential of applying the framework in the contemporary Malaysian system and in particular in relation to conservation Malaysian planning. This is supported by the consensus that best practice is the most appropriate approach for the planning system in achieving sustainable development. However, it is worth noting that, for a scheme or project that does not comply with the whole proposed best practice framework (as it is quite impossible that every project will be performing at the best level), it can qualify as good practice as long as it adheres to the important features that are identified as good practice and to strive continuously for improvement. Whilst one should always aim to be the best, being good is an achievement in itself – one which should not be underrated, especially in an area that struggles to allocate resources to the strategy; the community can always continue to aspire to being the best.

Briefly, learning from best practice is effective if the involvement process is clear, with agreed objectives and it begins from a consensus on the problem driven by a strong mandate from all stakeholders, who have a commitment to the process and to implementing the outcomes. Importantly, the process needs enough time to develop mutual respect and trust, compatible ways of working, good communication and agreed

processes for collaborative decision-making. It also requires good leadership and effective management.

In this context, the model will be used as a basis for application to the Malaysian situation and to test the levels of best or good practice being achieved in the case study situation against this framework. Since good practice is something that all organisations can achieve, best practice will always lead the way. As discussed in 3.3.4, what is learnt from international best practice will be adopted for Malaysia in which most authorities would aspire for good practice. For some authorities that are prepared to do more than that standard, these could provide feedback for others to improve further. As pointed out earlier, theories and practices cannot just be transplanted from one society to another, but need to be adapted to take account of cultural norms and expectations. Hence, the key cultural norms and expectations in Malaysia might be that it would require adaptations of this nature to suit the local needs. In particular, the issue that need to be taken into account in thinking of community engagement in the Malaysian society is the ethnic mix. At the same time, it is imperative to find the balance between both providing more public engagement and speeding the planning system up. This will be executed as a qualitative form of assessment that will be later discussed in Chapter Six (6) and also in the empirical data analysis in Chapters Seven (7) and Eight (8). This will then be followed by recommendations in Chapter Nine (9) and the proposed framework in Chapter Ten (10), based on the discussion on best and good practice discussed above.

**Figure 3.10: Community Involvement in Conservation Planning Best Practice**



### **3.6 CHAPTER SUMMARY**

This chapter has focused on providing a comprehensive examination and understanding of the current approach to community involvement and community involvement best practice. The chapter has recommended a definition of community involvement in conservation planning, acknowledged the relevance of community involvement and its unequivocal role as one of the determining factors in conservation planning. The complexity of the role of community involvement emanating from the impact of variables shaping their role has led to the use of differing terms used to describe the approaches of community involvement within the conservation movements.

It then reviewed the concepts of community involvement and community involvement best practice. The key elements of community involvement best practice and good practice have been identified and this will be adopted in the investigations on the establishing the framework for community involvement in conservation projects for this research.

The next chapter will continue to provide the background and discussions for understanding more fully the opportunities and the validity of the current approach adopted by the conservation movement in Malaysia in engaging the community. The gap between the Malaysian practices of community involvement in conservation planning will be examined to that of the best practice adopted framework, as discussed earlier in this chapter and will then be discussed in detail in the data analysis of Chapters Seven (7) and Eight (8).

## CHAPTER FOUR

# 4. COMMUNITY INVOLVEMENT IN URBAN CONSERVATION PLANNING IN MALAYSIA

## 4.1 AIMS OF THE CHAPTER

The underpinning concepts and literature relating to community involvement and community involvement best practice have been thoroughly reviewed in Chapter Three (3). The key elements of community involvement in conservation planning best practice have been identified to help construct a framework for community involvement in conservation projects for this research. This chapter will continue to explore the background and discussions to help understand more fully the opportunities and the validity of the adopted approach, especially in the UK, in engaging the community in conservation planning in Malaysia.

This chapter begins by presenting the background to and an analysis of the current community/public participation provisions within the planning system in Malaysia. It aims to provide key insights into the background of community involvement and, its approaches and provisions within Malaysia's planning system. The emerging findings, together with views taken from reports and written documents related to public participation in urban (conservation) planning, as well as the researcher's pre-existing knowledge and experience of the public planning service in Malaysia, are used to determine the validity and opportunities of the current provisions in meeting the movements' needs in the country. The chapter ends by presenting the issues of the Malaysian practices of community involvement in conservation planning that forms the conclusion for the literature review stage of the research.

## 4.2 MALAYSIA'S PUBLIC PARTICIPATION IN PLANNING

### 4.2.1 The Malaysian Planning System

#### The Town and Country Planning Act 1976, Act 172

The Malaysian land use planning system is embodied in the Town and Country Planning (TCP) Act, 1976 (Act 172), which covers the whole of Peninsular Malaysia,

except the Federal Territory of Kuala Lumpur<sup>4</sup>. The Act provides the primary legal authority and provisions for the uniform regulation and control of town and country planning in Peninsular Malaysia and purposes connected therewith.

Since its inception, the Act has undergone two major amendments in Act A933, 1995 and Act A1129, 2001 to keep abreast with new developments and requirements. The Act now creates concurrent planning roles for both the Federal and State Governments, as prescribed in the Federal Constitution of Malaysia.

#### The three-tiered planning hierarchy

In ensuring uniformity of laws and regulations relating to town and country planning, and in line with the Malaysian Government system, the Act provides for physical planning roles in a three-tiered hierarchy, namely the Federal, State and Local levels (TCP Act 172). At the Federal level, the Ministry of Housing and Local Government (MHLG) through the Federal Town and Country Planning Department (FDTCP) is responsible for formulating and administering all national land use policies relating to town and country planning. At the State level, the State Departments of Town and Country Planning (TCPD) act as advisory bodies to the State Governments and discharge their roles in the preparation and implementation of the State Structure Plans, as prescribed under the Act. At the lowest level, the local authorities are responsible for executing and monitoring town and country planning functions, as prescribed in the local plans prepared under the Act (TCP Act, Act 172).

In line with these three levels, the amendments of Act 172, as in Act A1129, have reinforced the structured hierarchy of statutory development plans to be the following:

1. National level: The National Physical Plan
2. State level: State Structure Plans
3. Local/District level: Local Plans and Special Area Plans

In discharging planning functions at the Federal level, Act A1129 incorporates the establishment of the National Physical Planning Council (NPPC), which is the national council for deliberating national land use policies and physical environment issues to ensure optimal land use allocation and the achievement of sustainable development in the country. The National Physical Plan, prepared by the Director General of FDTCP

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<sup>4</sup> Kuala Lumpur has its own planning Act called the Federal Territory (Planning) Act, 1982 (Act 267).

and approved by the NPPC, forms the national land use policy that shapes strategic policies for the purpose of determining directions and trends of the national physical development. This Plan is reviewed every five (5) years in tandem with the review of the National Five-Year Development Plans.

At State level, each State discharges its planning obligation through a State Planning Committee (SPC) and the Local Planning Authorities (LPAs) in the State, and must do so within the framework supplied by the National Development Plan. The State Authorities, through the respective State Planning Committees (SPCs), are responsible for general policy in respect of the planning of development and use of all lands within the States. The main function of the SPCs is to promote in the States, within the framework of the national policy, the conservation, use, and development of all lands in each respective State. The State TCPD Directors are responsible for the preparation of the State Structure Plans, which formulate the policy and general proposals of the State Authorities in respect of the development and use of lands within the States. The State Structure Plans include measures for the improvement of the physical living environment, communications, traffic, socio-economic well-being, promotion of economic growth and for facilitating sustainable development.

At local level, Act 172 defines every local authority (LA) as the Local Planning Authority (LPA) for its area and requires each one to regulate, plan and develop the use of all land and buildings within its own particular area of jurisdiction. This Act details the planning powers of the local authority and enables it to be a local planning authority as well as a development agent authorised with the role of catalyst for development of the area under its jurisdiction. The preparation of Local Plans and Special Area Plans (newly added provision replacing the Action Area Plans in 2001) are the responsibilities of the LPAs. Local Plans are detailed development plans of the areas within the jurisdiction of the LPAs, detailing proposals for the development and use of lands, protection of the environment, natural topography, preservation and enhancement of building appearance, improvement of communications and management of traffic of the respective Local Plan areas. While Local Plans are statutorily required to be prepared by the LPAs, the Special Area Plans (SAPs), which are plans that are more detailed than Local Plans, may be prepared for a whole, or partly of the special area as defined by the LPAs. These are highly localised, neighbourhood area development plans for areas of special and specific interests, such as a heritage conservation area. Within the local planning authority, the SAP may be useful for the purposes of protecting buildings and sites of special architectural, historic or other heritage interest. As this proposal gives special treatment, either by development, redevelopment or conservation practice, it helps to control land use development by balancing the



demands for the new to protect the old developments. As such, conservation planning of a specific heritage area (within the Local Plan) can be recognised as a SAP. This new provision is quite similar to the British system where, under the British Planning and Compulsory Purchase Act, 2004, Area Action Plans are to be treated as the detailed site specific part of the Local Development Framework (LDF), which gives greater and further opportunity to reinforce the potential for integrated management of core policies for urban heritage conservation of the LPAs.

Further amendments to Act 172 were also proposed to strengthen the elements of heritage conservation as a separate part of the Act. However, with the establishment of the new Ministry of Arts, Culture and Heritage in April 2004, and the newly passed National Heritage Act, 2005, the proposed amendments on Act 172 were overruled.

In preparing the local development plans, the TCP Act mandates public participation as an integral part of the planning process. The following sections will discuss public participation in the current planning practice in Malaysia.

#### **4.2.2 Public Participation in Planning Practice**

The British system of decision-making in the planning process is characterised by its extensive public involvement, especially since the Skeffington Report (1969). More recently, there has been greater emphasis on community involvement in decision-making like the SCI preparation in the LDF (refer to discussion in 3.4). In Malaysia, however, there is no comparative publication to provide the rationale for public participation in decision-making (Shamsuddin, 1994). The increased emphasis on application of participation could be assumed to be derived from the perceived notion of 'modernity' of the British Town and Country Planning Act, 1968, which was adopted and modified to the Malaysian context (Lee, et al, 1990). Nevertheless, the practice of involving the public in the formulation of town plans can be said to be as old as the introduction of urban planning. Prior to the TCP Act 172, the CAP 137 Part IX (Town Board Enactment, 1929) provided for general town plans to be displayed for the public to make objections and to respond to recommendations on how to overcome the objections (Lee et al, 1990). However, during those times the number of public participants was considered very low (Shamsuddin, 1994).

In brief, as far as the law is concerned, in Peninsular Malaysia, public participation is provided under the planning process: in Sections 9, 12A, 13 and 14 of the TCP Act, 1976. s9 deals with 'publicity in connection with the preparation of draft SPs'. Whilst s12A and s13 provide 'publicity in connection with draft LPs'; s14 makes provisions for 'inquiries and hearing in respect of draft LPs'; s12A is introduced in the 2001

amendment to Act 172, i.e. Act A1129 with the provision for publicity before the commencement of draft local plans preparation. Under s9(2)(a) of the draft SP and s13(2) of draft LP, LPAs are required to publish, in three (3) issues of at least two (2) local newspapers, a notice announcing the date on which copies of those drafts will be available for inspection and the places and times within which the public can make their representations<sup>5</sup>. Under s14, inquiries and hearings are held to consider representations from the public by a committee of three persons appointed by the State Planning Committee (SPC). After these hearings and inquiries have come to an end, the LPA can, under s15 of the Act, adopt the plan in its original form, or it can adopt it in a modified form after consideration of objections made by the public. The adopted plan (original or modified) is then published in the State Gazette and in at least two local newspapers. The flow charts explaining the process of public participation in SP and LP are shown in Figures 4.1 and 4.2 (on pages 86 and 87 respectively). Consequently, the State Planning Director and LPAs are required under the Act to publicise drafts of structure and local plans and seek public comments before gazetting<sup>6</sup> them.

The TCP Act 172 is now thirty (30) years old. As far as development plans are concerned, there are one hundred and sixteen (116) SPs and one hundred and sixty-four (164) LPs that have been prepared for the ninety-seven (97) LPAs in Malaysia as of May 2006 (FDTCP, Development Plans Division, 2006). Of the one hundred and sixteen (116) SPs, ninety-eight (98) have been gazetted and the remaining eighteen (18) are at the publicity and draft stage. For LPs, sixty-one (61) have been gazetted and are in the process of gazetting and another ten (10) are under various stages of preparation. Between 1980 up until the end of 2002, there was an absence of any evidence of research to evaluate the actual effectiveness of community involvement in the planning system, except for those carried out by Shamsuddin (1994) and Taharim (2002). Nonetheless, the FDTCP has recently, taken a positive effort to produce a guideline on enhancing public participation in development plan preparations (FDTCP, Northern Branch, 2005).

Through the experience of the researcher and from findings of studies carried out by Shamsuddin (1994) and Taharim (1995, 2002), the development plan system, as

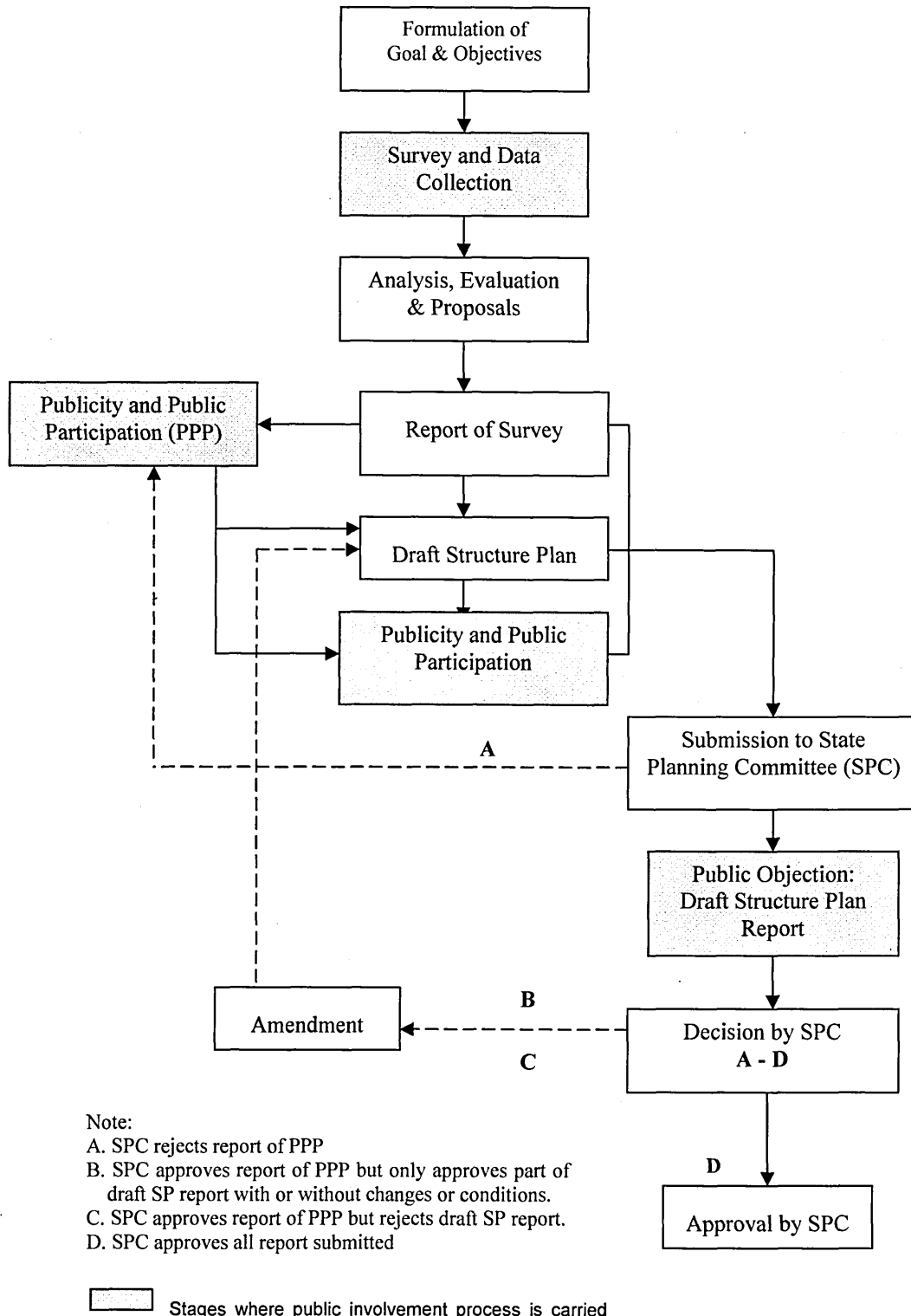
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<sup>5</sup> Representation - formal statements made by any person/persons to LPA regarding any opinion or objections in respect of the contents of the draft structure plans or draft local plans, in the process of publicity and public participation on development plans as provided in the TCPA, 1976 (Act 172).

<sup>6</sup> Gazetting is the process of officially announcing the decision of the government on a plan or legislation through publishing it in a government gazette.

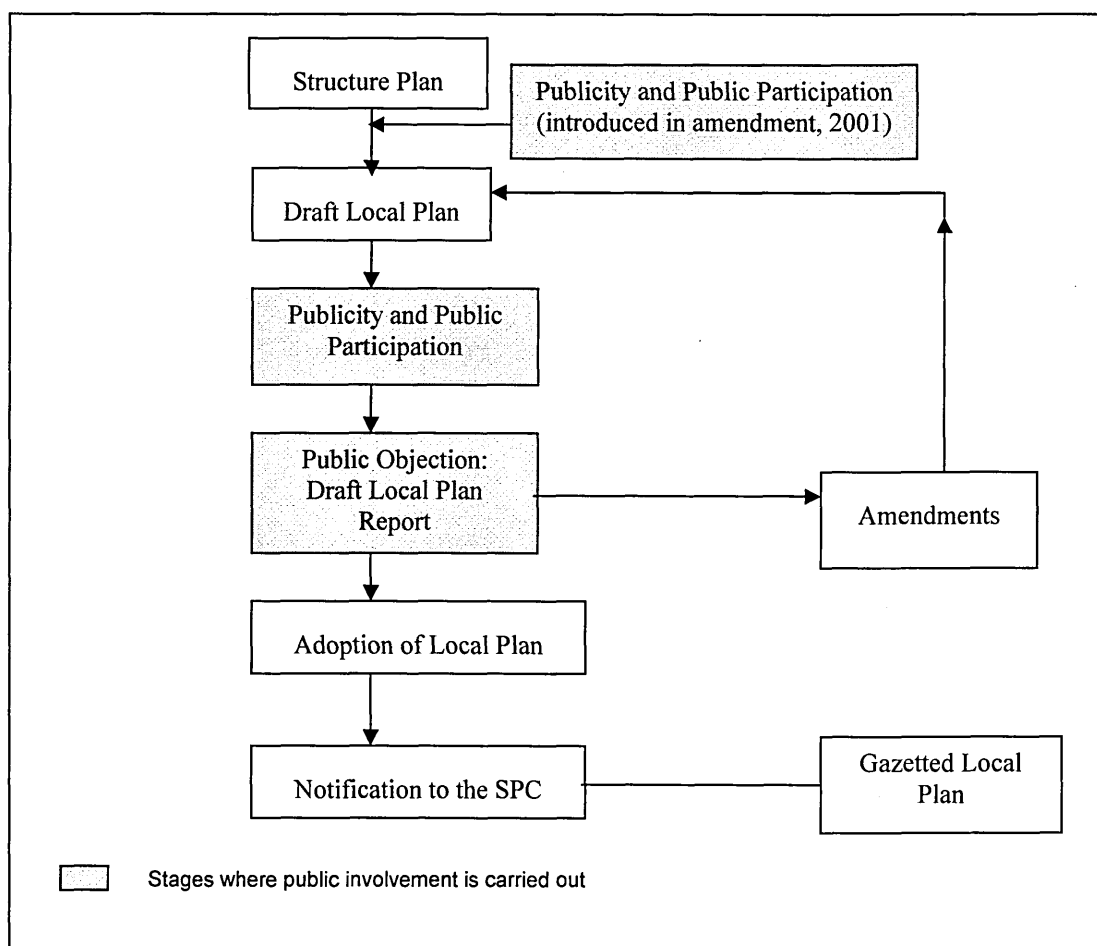
practiced under the TCP Act in Malaysia, is commendably, the first development plan system to incorporate any element of public participation in its process. Nevertheless, it has experienced many weaknesses and constraints with regard to its preparation, public participation process and function in guiding and promoting urban development.

**Figure 4.1: Public Involvement in the Structure Plan Process**



Source: Adapted from Report of Survey, Malacca Structure Plans, 2003.

**Figure 4.2: Public Involvement in the Local Plan Process**



Source: Adapted from Malacca Structure Plan, 2003

Some of the problems identified are actually weaknesses within the planning process and procedure, which is beyond the scope of this research. However, efforts and initiatives taken by the FDTCP to overcome these problems include various improvements. For example, studies should be limited to only strategic issues and by discarding redundant committees; preparation of joint development plans; and shortened time frame of plan preparation. Nonetheless, in relation to achieving participation by the public, Taharim, (2002) found that the situation is still far from perfect and there are still weaknesses in conducting programmes of public participation.

Since 1980, the number of public participants in many exhibitions and meetings held were considered very low, which is surprising, as the public is generally receptive to participating in the planning process (Shamsuddin, 1994). The view of LAs is that low participation is due to the process of providing opportunities for public involvement in decision-making, which are actually counterproductive, as they are time consuming

and bureaucratic. These weaknesses will be discussed further in 4.3.5.

Taharim (2002) maintains that, while Malaysia is still busy preparing the SPs and LPs, the urban planning system in the UK has evolved over the past two decades, as discussed in Chapter Three (3). The DTLR (now renamed DCLG) Planning Green Paper: Delivering a Fundamental Change, has suggested the need to simplify the plan hierarchy, reducing the number of tiers and clarifying the relationships between them, deliver shorter, better focused plans at the local level which can be adopted and revised. The Planning and Compulsory Purchase Act, 2004, has had far-reaching implications for integrated conservation planning, as well as putting community involvement at the centre of the decision making process. By comparison, the amendments to the Malaysian TCP Act 172 have not put any significance emphasis on the active involvement of the community.

### **4.2.3 Other initiatives in Community Involvement**

Shamduddin (1994); Taharim (2002) and Goh (2002) agree that there has been no comprehensive study done to understand the poor quality and lack of public participation in Malaysia. They also found that public participation is still a vague concept and both government officers and members of the community/public are still on a learning curve. However, they also note that some authorities have now taken several positive steps towards encouraging members of the public to be involved in government projects. For example, the Penang State Government has established the Penang Local Government Consultative Forum to enable and facilitate non-governmental organisations (NGOs) and individuals to put forward criticisms; recommendations and comments on issues facing urban Penang (another conserved town in Malaysia) and its future development (Goh, 2002). Other initiatives include establishing a forum called the SPEAD Council, which comprises representatives of various professionals, developers and the senior municipal officers involved in development projects, who come together to discuss problems related to the project. The effectiveness of the council is yet to be assessed.

Further to that, in recent years, the concept of good governance is becoming more accepted locally. Organisations such as the Urban Governance Initiative (TUGI), an agency supported by the United Nations Development Programmes (UNDP), together with other consumer movements have also advocated the adoption of good urban governance. It is beyond the scope of this research to expand on this topic; nevertheless these are among the initiatives carried out towards achieving the strategies set forth in the Malaysian Local Agenda 21 (LA 21).

In Malaysia, the Ministry of Housing and Local Government (MHLG) implemented pilot projects on LA21 from years 2000 to 2002 in the Miri Municipal Council, Petaling Jaya Municipal Council, Kerian District Council and Kuantan Municipal Council. One objective of this pilot project was “*to strengthen sustainable development activities at the local level through a process of participation between the Local Authorities and the local community with support from the other stakeholders.*” Therefore, LA21 in Malaysia is a local authority programme to develop partnerships with local communities and businesses to plan and then to work towards sustainable development in their towns. This is in line with the international action plan for global sustainable development and public participation. In June, 2002, MHLG announced expansion plans for LA21 to all municipal councils and cities in the country including Malacca. However, the achievements of the programmes have yet to be analysed.

Strategies or action plans of a public participation process practice could be used to strengthen community involvement aspects of it by introducing public participation from the early stages of issue analysis and action planning instead of merely commenting at the end of the process. The underlying principle of all these efforts is that the public and communities affected by development should participate in assessing their consequences. Finally, systems need to be introduced to monitor the success (or otherwise) of each stage of the consultation process and its outcomes.

#### **4.2.4 Linking Malaysia’s Public Participation Process to Theoretical Perspectives**

Based on the theories and typologies discussed in Chapter Three (3), it is found that they serve as a basis for a classification for discussing Malaysian community involvement practices. This view is supported by the findings of Shamsuddin, (1994) and Taharim, (2002). However, while Arnstein’s typology has been the basis for debate on the theory, in terms of purpose and practice of citizen participation in decision-making areas in urban planning (as discussed in Chapter Three), the typologies by Thornley (1977) and Benwell (1979) appear useful in describing many of the features of developing countries’ participation practice, including Malaysia.

From the Malaysian practices of public participation, as evidenced from its development plan studies, it can be deduced that it falls within the *informing level* of Arnstien's ladder and/or the *consensus and stability perspective* of Thornley's model. It is also found that the views of the public can be classified within the *choice validation approach*, as in the Benwell typology, as there is some effort to encourage participation

mainly from interest groups. Although some of the views were related to an incremental approach, there is some desire to involve the public throughout the study (Shamsuddin, 1994). Earlier proposals for improvement of the involvement process centred on encouraging organisations and interested parties, not individuals. Thornley and Benwell (ibid) note that the role given to the planner in society depends on the particular theory of social order used. It appears that in Malaysia the role of planners is important as major public participation exercises are carried out through studies by the FDTCP and the planning decision of the LPAs. However, Shamsuddin (1994) stresses that planners see the public hearing as an administrative function to educate the community, listen to their views and for clarification of views from written comments or memoranda received. Therefore, planners should be the agent to encourage everyone in the community to be actively involved in the planning process, as they can provide useful opinions and feedback to the plans preparation up to the implementation stage.

### **4.3 COMMUNITY INVOLVEMENT IN CONSERVATION PLANNING**

#### **4.3.1 Public Involvement in Conservation Planning (Embedded in Development Plans)**

Rydin, 1993; Larkham, 1996 and Pickard, 2001 emphasise that urban conservation is a concept of urban planning and development in which unique historical, architectural and cultural values in urban areas are accentuated. Conservation planning in Malaysia is embodied in the land use planning system that is legislated for in the Town and Country Planning (TCP) Act, 1976 (Act 172). This Act 172, as in the British experience, clearly puts conservation planning as a subset or a special case of land use planning, where conservation is considered to be part of mainstream planning activity, as described earlier in 4.2. This is the case for LPAs wishing to protect such valuable cultural heritage resources, especially from the impact of new development.

Consequently, the requirement for public participation within the planning of conservation projects and other land use development components is made statutory through this Act. At present, it is the wider, general public that is provided for in the legislation, but the community most immediately affected is not given any priority or other special consideration. Moreover, the large scale of the plans at State and LA levels make the whole population of the State or LA stakeholders, therefore arriving at a definition of the immediate community is somewhat difficult. As explained in Chapter Three (3), communities need to be consulted in helping to shape for their future and

future generations. Hence, a conservation planning system needs to respond to changes and challenges of areas with heritage and historical buildings to be conserved in a timely way. In conservation planning, not only are communities consulted and involved to help conserve historical buildings and areas, but it is also the duty of the LPA to continue searching for creative ways to reuse the selected heritage buildings, to explore how selected historical areas can be kept as part of our developing cities and environments. It is therefore, in the conservation planning process that all stakeholders and communities need to work hand-in-hand to shape the historical city in which we can then experience a sense of ownership.

At the local level, the selection of conservation zones has been basically a planning process, done during the process of formulating and drafting of the SPs and, subsequently, the more detailed LPs. The task has usually been undertaken by a special SP or LP Unit of the FDTCP in co-operation with the State and Local Authority's planning department. Sometimes consultants have also been brought in to help. However, since the profile of historic conservation has only been raised quite recently, only a limited number of SPs prepared have included conservation policies for the built environment. In 1996, out of ninety (90) SPs which have been prepared, only four (4) plans have any substantial focus on heritage conservation. These are the SPs for Kuala Lumpur, Penang, Melaka and Taiping, the urban centres of which are characterised by many buildings and areas of historical and architectural interest. Other SPs have made little or no mention of the built heritage. In terms of LP studies, all these four cities and towns have come up with their own LP studies with certain level of emphasis on the conservation aspects (Ho, 1996).

For example, the Penang Island SP was approved by the State Authority in 1989. The SP's policies on the inner city aim to ensure that the unique and attractive features of George Town will be conserved in the process of economic growth. The Plan also demarcated an historical and cultural enclave within the inner city, where buildings, streetscapes, cultural and traditional activities are to be conserved. For the Malaysia's principal historic State of Malacca, there were three (3) SPs prepared and gazetted. One of these is the SP of the Malacca Historical City Municipal Council (MBMB), with a plan period of 1991 to 2010 and which was gazetted on 15 April, 1993. As MBMB area is selected as the case study for this research, the details of the discussion will be elaborated upon in the following Chapters Five (5) and Six (6).

Although the above-mentioned few structure plans have embedded in them conservation policies with the aim of focusing on heritage conservation, they remain words on paper. Besides these plans, to date, no extended effort on special



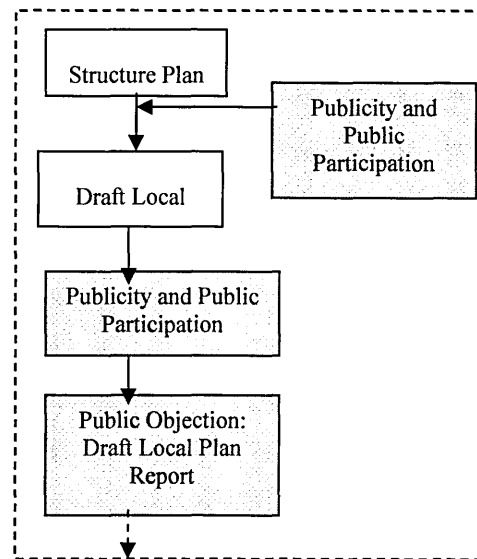
conservation planning has been undertaken by any authority, even as Special Area Plans (SAP). The SAP is seen as a more appropriate level of planning for specialised conservation areas, as these are highly localised, neighbourhood area level development plans for areas of specific interest, such as heritage conservation. Within the local planning authority, the SAP may be useful for the purposes of protecting buildings and sites of special architectural, historic or other heritage interest. As the SAP gives special treatment for conservation management practice, it ensures land use development control is exercised by providing the delicate balance of demands for the new to protect and assimilate with the old developments.

#### **4.3.2 Planning Steps to Community Involvement Process**

The steps involved in engaging the public in conservation planning in Malaysia are featured in the preparation of development plans. As discussed earlier, Figures 4.1 and 4.2 indicated the various steps involved in the structure plan (SP) and local plan (LP) public participation processes. It is beyond this scope of research to delve into each stage of the process. However, briefly, there are six (6) stages of public involvement in the SP process (including the decision by the SPC). In the earlier stage is the survey and data collection which relates to fieldwork and consultation with various public agencies. It takes about twelve to twenty (12-20) months before the completion of report of survey (RoS) from the inception of the study, after the technical and steering committee meetings vet the various technical reports. A notice in at least two (2) local newspapers announces the exhibition of RoS and that the public can give their views within one month from the issue of notice. The public representative meeting is normally held one month after the official opening of the exhibition. This meeting is generally an administrative function to encourage the public to participate. It is organised through comments forms on which the public indicate their desire to attend the representative meeting. Upon completion of the participatory programme and the analysis of public views by a sub-committee, relevant points are incorporated into the draft SP (DSP). The consideration of public views and publicity efforts by LPA are published in the Report of Publicity and Public Participation (PPP). It is submitted, together with the RoS, along with the DSP, to the State Planning Committee (SPC). The State TCP Director makes copies of the DSP for public inspection. This will be followed by a public objection meeting, which is similar to the representation meeting of the RoS. It is observed that even though the public took the opportunity to participate in the meeting, the committee members were only concerned to receive only objections rather than the general community/public views.

The LP process (part of Figure 4.2 is reproduced below) includes three (3) stages of public participation. The public inquiries and hearings procedures in respect of the draft LP (DLP) is similar to that of the SP system. There is also publicity on the decision to gazette both at the SP and local LP process stage. Conversely, the recently amended TCP Act or Act A1129, has provided initial publicity in which the community is informed of the purpose of the plan, hence, giving an opportunity for the community to make representation before the preparation of DLP is commenced. This denotes that if the community feel that their views were not taken up in the DSP, then this is another opportunity for them to do so and people will be able to participate again during the DLP stage, and it is at this level that the plan is more site specific and better linked to the interests of the local communities.

**Extract from Figure 4.2**



Shamsuddin (1994); Taharim (2002) stress that the public participation input during the Report of Survey (RoS) stage has greater impact than that to the draft SP and the draft LP stages. At this stage, the community and public will be informed of the plan through the media as well as during the field interviews (which usually include land use surveys and socio-economic surveys). This is contrary to the commonly held view that public involvement/input at the RoS was unsuccessful and clearly does not support the idea of scrapping participation at the RoS stage. In fact, the participation by the individual or community in general is considered substantive as compared to political and non-political groups. Therefore, the finding rejects the perception that individual community members were not able to contribute at the RoS stage or even the draft SP and draft LP stages. The findings of the research carried out by Taharim (2002) also showed that, although the participatory exercises have been in existence since 1980, the vast majority of the public still did not have knowledge of their ability to participate in the

planning process. On the whole, the community involvement process remains the same as the public participation process and stages as stipulated in Act 172. No additional or extended efforts were undertaken in any specific and more detailed planning as in specific conservation planning efforts which admittedly, requires delicate handling and enhanced involvement of the community to ensure success in conservation efforts. Only the Malacca Historical City Council (MBMB) has gone a step further by engaging in a joint study with the Japan International Cooperation Agency (JICA) to formulate the Manual for Public Participation<sup>7</sup>. Nevertheless, the application of the Manual in conservation efforts is unclear.

As discussed above, the notion that the public should be aware of the activities of development plans and of their involvement at specific stages throughout the study area was already recognized by the planning authorities in the early years. However, public participation practice is continually handled without a definite framework but following the six (6) stages discussed earlier as summarised below:

- Publicity that a SP or LP will be prepared (at the inception stage of the study) (newly introduced since 2001);
- Publicity about the field survey to be undertaken and requirement for public cooperation;
- Publicity about the Report of Survey where public involvement is required;
- Publicity for Draft SP where public involvement is required to give objection;
- Publicity for the draft LP where public involvement is required to give objection;
- Publicity on the decision to gazette the SP and local LP.

While all those stages of publicity are generally used as guidance to raise awareness among the public, some studies, for example Kuala Terengganu, Langkawi, Marang, Dungun, Kuantan and Kota Setar have chosen four guiding principles to form their public participation activities, namely:

- Opportunities should be given to the public to involve themselves at the early stage of study.
- The community and public participation programme should involve all the

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<sup>7</sup> 'Reference Manual for Public Participation' in the *Study on the Improvement and Conservation of Historical Urban Environment in the Historical City of Melaka*, was conducted by JICA Malaysia Office with close collaboration of the Melaka Municipality (MBMB), 2002.

people in community.

- Public participation techniques must be suited to the various types of people directed at, and
- Public participation could also be considered an approach to educate the public concerning town planning based on the TCP Act, 172.

However, there is no concrete evidence as to what extent the efforts have been undertaken and the actual achievement or effectiveness of these initiatives.

### **4.3.3 Community Involvement Techniques**

Even though there are many techniques designed to engage the community in the planning process of conservation projects, as highlighted and explained in 3.4.2, in the early years of Malaysian development plans formulation, including SPs and LPs studies, media coverage (in two (2) newspapers) was the only means used to advertise the exhibition. Then the code of practice for public representative meetings was adopted and it was argued that representative meetings and representations in written forms were considered the two (2) most widely used and effective techniques (Shamsuddin, 1994; Taharim, 2002). Nevertheless, after twenty (20) years of experience of the formulation of developments plans, the exhibition method is commonly and still widely used by many local authorities to invite the members of the community to make objections and recommendations against the plans. Albeit, critics from past reports on public participation carried out by a few local authorities noted that the number of visitors to the exhibitions was low and the number of written comments has declined. It seems reasonable to suggest that more varied and appropriate techniques should be employed in different types of studies carried out in the planning process to obtain more involvement of the community/public. Since different methods suit different personalities, this may call for a combination of methods, if a broad range of participants are to be involved.

As a consequence, the appropriateness of any one of the techniques will depend upon the type of community involvement needed at a particular step in the planning process. On the whole, Malaysia may need to adopt other innovative techniques, e.g. 'Workshop and Focus Groups'; 'Advisory Committees'; and 'Contacts with key persons in neighbourhood and community' or even 'Planning for Real' to provide and receive information effectively and to encourage interaction and give assurance to the community while getting a broad cross-section of opinion, as discussed in 3.4.2. Whilst

each technique has its own strengths and weaknesses, the outcomes of participatory approaches are extremely sensitive to the way the process is conducted while taking into account the target groups. Thus, the application of these techniques may well take into account the significant cross-cultural difference of one country to another and that a country like Malaysia can learn from. Nevertheless, it is worth noting that, after the inclusion of the initial participation process in the LP preparation as required by the 2001 TCP Act amendment, more recent LPs have explored the use of the Focus Group technique in encouraging public involvement. Eventually, the results of the exercise need to be relayed to participants involved to inform them that their opinions are heard and considered in the development of the plan.

#### **4.3.4 Levels of Involvement**

As affirmed by many researchers (Wilcox 1994, 2003; White, 1996 and Hall, 2000) in the field of public involvement, community involvement works best for all concerned when each of the key interests parties are satisfied with the level of participation at which they are involved. In Malaysia, for the SP and LP studies, all the communities living in the affected area/projects are invited to participate. However, the levels at which they are involved are not specified. Therefore, from the perspective that different interests seek a different level of participation does not really apply here. Generally, as compared to the five levels of involvement (as discussed in 3.4.3); which offer increasing degrees of control to those involved (Information, Consultation, Deciding together, Acting together and Supporting independent community initiatives) the Malaysian experience can be considered to still be at levels one and two, i.e. information and consultation. Further to that, the role that the community play in the stages of conservation planning is seen to provide information and opinions, as well as receiving information as compared to that of the best practice, which include providing and receiving information; making decisions; approving decisions; and reviewing decisions. It is apparent that recognising the most appropriate level of community involvement has implications for the selection of the most suitable methods and tools (approach). Hence, in the case of Malaysia, there is no specific guideline or framework of approach, since the levels of involvement are not predetermined before the planning process begins.

#### **4.3.5 Inadequacies of Community Involvement in Conservation Planning**

Presently in Malaysia there is no specific framework for the involvement of the community in conservation planning. As has been explained in previous sections, the public participation process in development plan preparation has had to act for conservation planning as well, even in areas where the conservation resource is significant. Consequently, conservation issues could be swamped by others, more pressing issues. Another factor for concern is that these development plans (SPs and LPs) are large in scale, but the public participation process tends to be general in nature and does not pay any special attention to specific communities in conservation-zoned areas.

Based on previous related studies, participation process practice has been seen as largely an information seeking and educational exercise, where the main aim was to satisfy the minimum requirement of the TCP Act, 1976. Muhammad (1998), Ibrahim, (1995), Abdul Hamid (2003), Mohammed (2003) and the Malacca Structure Plan and Local Plan; and also the UNESCO LEAP, 2002 program on Cultural Management have highlighted the inadequacies of the present public participation practice:

1. The lack of a systematic public participation exercise during the process of plan preparation - although public participation is mandatory according to Act 172, its actual implementation in the Structure Plan and Local Plan process is done at a rather superficial level, in the form of public exhibitions and inviting objections after the plan is prepared, rather than involving the public in the plan preparation process. This tends to confirm the view of Hofstede (1997) that the culture of great power distance within Malaysian management culture, in which there is a gap between the decision makers and the general people, has led to less consideration for individuals or a bottom-up approach in management. Nevertheless, in an attempt to improve the process, the Act's amendment in 2001 (Act A1129) included the measure of introducing the public participation process in the initial stage of development plan preparation for publicity and gathering initial public opinion. However, being rather new in its implementation, the initial publicity process is still experimental and the response from the public is largely unsatisfactory with a show of disinterest. This suggests that more co-ordinated attempts at organising discussions with targeted groups or communities in the planned area are needed.

2. Public participation in development plans preparation - although Act 172 strongly emphasises the incorporation of public participation, it is limited to the preparation of

development plans as in Structure and Local Plans. Separate and more in-depth public participation or community involvement in specific development efforts, as in conservation projects, is still non-existent within the ambit of Act 172, or any other related legislation. Efforts towards garnering public participation and community involvement have been discussed generally by many parties, but a concrete solution is still unclear and vague and without a definite framework. In spite of this, an attempt to draft a reference manual for the public participation process for the study of conservation in Malacca (an effort undertaken by the Japan International Cooperation Agency (JICA) in collaboration with the local planning authority) is a step towards guiding local authorities, city managers and other implementing agencies in carrying out public participation in urban development and heritage conservation planning and management.

This is supported by the findings from Taharim (2002) in his research on 10-25 structure and local plan studies which found that the practice of participation in Malaysia still only achieves the minimum requirement since its inception with the Seremban Structure Plan<sup>8</sup> study in 1980. The main findings can be summarised and listed as follows:

- The approach to involvement, i.e. rising awareness of the public for the need to give feedback have generally revolved around three main activities namely, exhibition, talks and public representative meetings.
- The public representative meeting was the mainstay of the public participation exercise; and that its format has not undergone major changes since the Seremban experience.
- The meeting was seen as a mere vehicle for public support to actions or decisions already made by the authority.
- Planning authorities see the meeting as serving other aims, for example, promoting town planning; a guarantee of being heard; educating and providing opportunity for public to participate; avenue for the public to elaborate on their views and to better gauge the public's reaction.
- The format of the meeting carried out in almost all studies was not in the form of a probing exercise, but rather a clarification of issues that were submitted in the written statement or comment forms submitted by various organisations or

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<sup>8</sup> Seremban Structure Plan is the first Structure Plan prepared under the Act 172 (for Seremban, the capital city of Negeri Sembilan State).

individuals. The structure of the meetings was still from an elitist perspective and served largely as a value-consensus mechanism (public interest).

- The meetings were largely a one-way communication channel.

In general, the public and community were not able to put across their views; thereby, on the whole, the public objection meeting has been regarded as a useful forum to receive public comments. The record of the public objection meeting did not indicate the strength of representation, nor the various ethnic groups' views. The comments made by the community as a whole were considered to be superficial and non-substantive to the issue at hand. The public as well as the community need to be trained to submit quality comments that can have an impact on the quality of their life. Consequently, besides community training, the comments forms should serve as a useful medium in articulating the public views; hence a more careful consideration should be given to the design of comments forms while training sessions should be organised to enhance the community awareness and involvement.

It is evidenced in the Malaysian case study that the main issue lies in the effectiveness of approaches taken for the community participation. All the same, the findings show that declining interest in public participation in the preparation of development plans is the result of unsatisfactory responses to earlier efforts carried out. It is essential that new approaches are explored that will analyse public views in order to fully realise the potential of community opinion or comments and encourage them to be involved in the planning of their own areas/towns.

Further to that, it is found that the legal provisions for public involvement as contained in the TCP Act, 172 are really not very specific. They merely provide that in drawing up a SP or LP, the local authority must adhere to the following:

- Give adequate publicity to both the report of survey on which the plan is based and the policy which the planners propose to be included in the plan;
- Provide publicity for its proposals and provide adequate opportunity to enable representations to be made by the public;
- Take into account representations made by the public;
- Take into account representations in drawing up the plans;
- Place the plan on deposit for public inspection, together with a statement of the time within which objections may be made to the proper authority; and



- Submit the plan to the SPC, together within a statement of the steps that have been taken to comply with the requirements.

Although the guidelines drawn from the SP and LP assist the LPA officials to make decisions in the planning and development of their areas, but due to the status of the guidelines (which are not gazetted, hence non-statutory), the guidelines are not made available to the public unless requested for planning approval purposes. Further, despite the general conservation guidelines that are currently in place, especially for conservation zones and listed buildings under the FDTCP (although the inventory of historical and cultural heritage in each State or LA has yet to be drawn up with an active input of the community), LPAs usually are given a free hand. The LPAs are able to develop their own options based on the general requirements of conservation in their area, which lose out more and more to the pressures of development (FDTCP, 2005). The shortage of trained personnel in conservation has resulted in the low quality of public participation exercises while, at the same time, training and educational programmes for the community are neglected altogether. Finance and special funding for involvement exercises in conservation planning are difficult to secure, resulting in them being given less priority. These are some of the problems that need to be addressed in order to have a standardised policy for community involvement in conservation planning in the future.

As a whole, from the above findings, the practice of community participation in Malaysia can be considered as having fallen short of best practice in regards of representation and lack of opportunities for the community to participate. As history has proven that they were not encouraged within British colonial times, the continuing elitist nature of the local government structure after independence and the abrogation of the elective system of local government can be seen as contributing to some of the constraints to effective participation in the Malaysian context. Although Malaysia has yet to formulate a specific framework for the involvement of communities in conservation planning, recently Malacca (MBMB) has taken steps to come up with a manual for public participation in its conservation efforts. This will be discussed in the case study in Chapters Six (6).

Community involvement in conservation planning is not a straightforward process; nor is public participation within the planning system. Through the researcher's own experience, the ordinary Malaysian is not aware of current urban planning practice, let alone the conservation planning process. This is also true of all the decisions made for the community. More opportunities should be given to the community and public to help shape their future by giving them the chance to get involved at an early stage of the

development of plans, policies and proposals that will affect their lives and where they live. The community involvement programme should engage all people in the community. Community involvement techniques must suit the people they target. Involvement could also be considered as an approach to educate the public concerning town planning, generally based on the TCP Act 172, and the relevance of heritage conservation to enrich the built environment of cities and settlements.

As the country's goal to become a developed nation by the year 2020, progress is not only evaluated through economic, physical and political achievements but also in terms of social development and community engagement. This is true, as maintained by the Prime Minister (Deputy Prime Minister, then) in his speech:

*"Participatory decision-making underpins good governance. Without a wide consultative framework, a government is not compelled to be transparent and accountable, just and fair. A system of good governance produces good governments. And in turn, good governments perpetuate a system of good governance" - Abdullah Ahmad Badawi, 2000.*

#### **4.4 CONCLUSION OF LITERATURE REVIEW AND ITS IMPLICATION TO THE RESEARCH**

Ever since Malaysia embarked on a conservation crusade, there has been an absence of any clear-cut policy and strategy for its implementation. Nor are there any comprehensive guidelines or technical specifications that would guide the physical works needed. Notwithstanding relatively recent efforts to conserve the urban heritage, the need for an holistic understanding of the value of community involvement, which is a pre-requisite for effective conservation planning, has been neglected. The literature reviewed reveals that there is no specific framework for the involvement of a community in conservation planning and, accordingly, the fundamental principles and practices of getting the community involved have very often been ignored. This has consequently led to a flawed approach to decision-making during the planning process of conservation efforts. Among the issues identified are as follows:

- From practice, conservation planning of the built heritage in Malaysia is still considered to be an elitist venture and is under the exclusive responsibility of the government. There is no serious commitment to promoting community involvement/participation as urban conservation efforts as a whole are considered to be secondary to economic development, with a concentration on developing the country to be an industrialised and developed nation by the year

2020;

- ❑ The passing of the new National Heritage Act, 2005, is welcomed, as it appears to be rather more inclusive in respect of heritage conservation, including physical and built environment conservation efforts. However, the Act is seen to be silent on the issue of community involvement, and is unclear in its attitude towards physical environment conservation. The actual implementation of this new Act in relation to physical and built environment heritage conservation has yet to be seen and tested;
- ❑ The Malaysian community and public as a whole lack awareness of and has not been actively involved in the implementation of conservation work. Hence, the full potential of community participation has not been harnessed. Community participation could also be considered an approach to educate the public concerning town planning based on the TCP Act 172;
- ❑ The planning authorities see public participation exercises in development plans preparation meetings as merely a vehicle for gaining public support for actions or decisions already made by an authority; and/or to serve other aims, for example, promoting town planning; guarantee of being heard; and educating for public to participate;
- ❑ The approach to involvement is quite unadventurous, i.e. informing the public of the need for them to give feedback, and has generally revolved around three main activities namely, exhibitions, talks and the public representative meetings. Hence, input has been largely from the elitist perspective and served as a value-consensus mechanism. Further to that, the public in general were not able to put across their views;
- ❑ There is no clear, concise and effective policy on community involvement in the planning system, likewise conservation planning;
- ❑ There seems to be a lack of effective management and co-ordination from and between related departments or institutions dealing with community involvement in conservation planning;
- ❑ Finance/funding for community involvement is difficult to secure;
- ❑ The shortage of trained personnel in implementing conservation planning results in the lack of conservation training and educational programmes for the

community;

- ❑ An inventory of historical and cultural heritage in each State should be drawn up through the conservation planning process with the input of the community;
- ❑ In the Malaysian case, values and cultures of this multi-ethnic country need to take the economical, institutional and political context. Supported by the conviction that best practice guidance is the most appropriate approach for the research, it is worth noting that every situation needs to be dealt with on its merits and with its own unique circumstances.
- ❑ There is an absence of monitoring and evaluation system for community involvement practice in the conservation planning process.

To conclude, the above issues derived from the literature reviewed and personal experience converged to suggest there are weaknesses within the current system of public participation during the conservation planning process. Figure 4.3 (p.106) highlights the context of the present practice of public participation within the Malaysian planning system in terms of its background, its approaches, techniques and the levels involved. The diagram indicates that there are inadequacies of community involvement in conservation planning in Malaysia. Scrutiny of the literature reviewed leads to the explicit interfacing of contributing issues or weaknesses to the current situation and the desirability of an improved and effective involvement process derived from the best practice elements explored in Chapter Three (3). As discussed earlier in Chapter Three (3), adaptations are deemed necessary to acknowledge Malaysian cultural norms and expectations and will be incorporated in the proposed framework. This is a general issue, in which, it appears to be affecting the current practice in Malaysia. This includes the kind of expectations of the various communities in Malaysia about the extent to which, they would participate in governmental decisions, as distinct from receive governmental decisions. Based on the literature and researcher's assessment, different communities groups have different views about how they participate. This is due to the fact that, Malaysia is a very mixed community, has communities from different backgrounds, needs and expectations and therefore there is no straight answer. This will be discussed further in the analysis chapters.

This set of conclusions derived from the literature review uncovered the weaknesses in the current system, needs to be properly addressed. The current issues can be categorised into two broad categories: lack of an holistic approach for effective community involvement; and less consideration towards key elements in meeting the needs of community that lead to a poor response. The lack of an holistic approach

includes issues, such as a lack of systematic in public participation exercise, inadequacy of the current legislation, poor approach techniques, lack of public funding and conservation planning experts, lack of focus on implementation and lack of monitoring and evaluation. The less consideration towards key elements in meeting the needs of community includes poor identification of community, lack of community/public awareness and interest, lack of training and lack of public participation in the present development plan preparation process. These issues have resulted in an ineffective community involvement approach that requires a structured framework. The desirables for an improved and effective community involvement framework are in terms of a holistic approach for involvement process and the incorporation of best practice approach to the overall community involvement process. This interfacing of issues and desirables will help to shape the theoretical framework for the research which will be discussed in the next chapter, Chapter Five (5). The outcome of this interfacing will inform decisions on the kind of empirical work that needs to be carried out for this research. It will outline the research question and the type of research methods to answer the question. Different methodological concepts of research work will be discussed to derive the best method for this research. The inductive approach, which is mainly a qualitative research method, with a case study is the main strategy for the research. In brief, the community as well as the other stakeholders within the case study area selected will be the target group to obtain the data needed for the research. All these will be discussed in more detail in the research design and methodology Chapter Five (5).

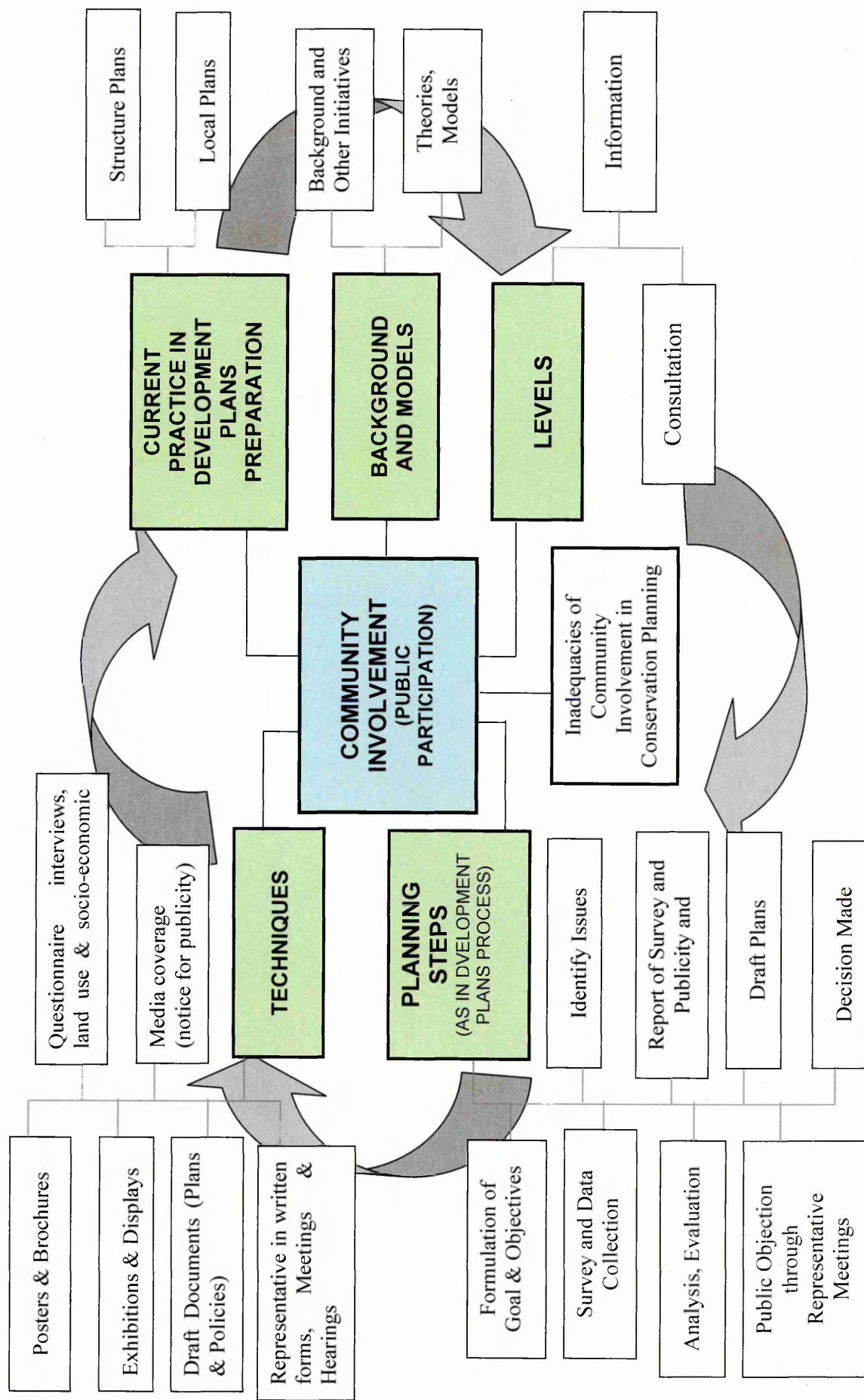
## **4.5 SUMMARY**

This chapter has discussed previous analysis of current community involvement provisions within the planning system in Malaysia. It has provided key insights into the background of public participation, its approaches and provisions. Based on the emerging analysis, the findings of the literature review demonstrate that there has been an absence of research and an appropriate framework to evaluate the actual effectiveness of public participation in the development plans process and an absence of community involvement in urban conservation planning in Malaysia. The few studies discussed in this research have not provided a positive scenario of community involvement provisions. The chapter concludes with an outline review of the issues and problems faced by the current practice of community involvement in conservation planning in Malaysia.

Drawing from the findings of the literature review process in Chapters Two (2), Three

(3) and Four (4), which highlights the fragmented nature of conservation movements, the varied approaches, levels and the influences of community involvement impacting on the success of conservation planning, the emerging findings from this chapter converge to suggest that there is a gap between Malaysian practice and best practice. An analysis of the gap between the Malaysian practices of community involvement in conservation planning and that of best practice framework will be discussed in Chapters Six (6), Seven (7), Eight (8) and Nine (9), the findings from the literature review, especially from this Chapter, will be a determinant of the research questions, as well as the design and methodology employed for the research that will be discussed in the next chapter, Chapter Five (5).

Figure 4.3: Malaysian Practice for Community Involvement



## **CHAPTER FIVE**

### **5. RESEARCH DESIGN AND METHODOLOGY**

#### **5.1 AIMS OF THE CHAPTER**

This chapter discusses the research methodology adopted for the research project. It begins with the researcher's personal aim, followed by the selected methodology based on the research aim and objectives, as well as the issues identified from the literature review. It provides a discussion on the research process, the strengths and weaknesses of different methods and develops a theoretical framework for the research. The chapter then outlines the methodological framework for this research and justifies the methods selected. The research design section of the chapter presents the structure of the data collection and analysis phase of the project and covers in detail the procedures and the criteria for the various choices made. The chapter also imparts the actual experience acquired during conducting the empirical work on the ground. The chapter ends with a critical reflection on the limitations of the research work.

#### **5.2 PERSONAL ASPIRATIONS**

Heritage conservation has been a subject of much interest to me since I joined the Federal Department of Town and Country Planning (FDTCP) in Malaysia and was exposed to specific matters relating to the country's heritage resource. My interest in heritage conservation extended deeper in 1992 when I was in Japan pursuing my Master's degree in Architecture specialising in Urban Planning. As my supervisor then specialised in Urban Conservation, my interest in conservation grew to researching the role of 'Machinami Conservation' in relation to Tourism Planning, in which Japan's experience of conservation movements emphasises the bottom-up system of conservation planning, which originates from the aspirations of the local community. Resident associations, with the help of local non-governmental associations, strive to preserve their traditional and historical machinami or towns. It is an interesting combination of the conservation 'hardware' (the heritage product to be conserved) and the 'software' (the people or community affected within the area) working hand in hand to produce effective results in conservation efforts. The strong commitment and efforts



of the community has proven to be one of the significant ingredients in ensuring the attainment of successful conservation projects in Japan.

After graduating in 1995, I returned to Malaysia to resume my services as a town planner in the FDTCP. Realising the need for stronger efforts in conservation planning to value and conserve the fast depleting heritage treasures, the FDTCP placed prominent emphasis on the matter in the amendments of the Town and Country Planning Act (Act 172) in 1995 that related to conservation. I was rather fortunate then to be involved in the formulation of the conservation guidelines to be included in the TCP amendments, where the requirement of preparing a Development Proposal Report was made mandatory in the submission of planning applications to local planning authorities, and where relevant, detailing the importance of conserving an area or areas with heritage significance. Thereafter, I was appointed as one of the Department's heritage conservation committee members and produced research and papers for the Department, as well as for the Ministry of Housing and Local Government. It was reassuring to note the efforts of the government to place significance on conservation planning in development; however, the element of people participation or community involvement in such efforts was still an area that was not given much priority. Securing the opinions or acceptance from the community on conservation related documents and guidelines prepared were not extensively undertaken.

Recognition of the need for local conservation expertise, both on the technical and more so on the management of heritage conservation in Malaysia, achieved a high priority when the historical cities of Malacca and Penang were preparing for a joint application for inscription as UNESCO World Heritage Sites in 2003. Increasing public awareness, community involvement and support and the dire need for conservation legislation were among the few tasks identified needed deliberation.

Relating to the study on community involvement, or better known as public participation in Malaysia, as stipulated in the TCP Act 172, Shamsuddin (1994); Taharim (2002); Goh (2002) commonly conclude in their research the notion that there had been no comprehensive study done to understand the poor quality and lack of public participation in Malaysia. They also found that public participation was still a vague concept and both government officers, as well as members of the community/public, were still on a learning curve. Nevertheless, it was noted that some authorities had taken several positive steps towards encouraging the members of the public to be involved in government projects. While public participation remains as on the agenda in

general physical planning in development plan preparation, particularly of structure plans and local plans, no specific public participation or community involvement exercise is undertaken in conservation projects. Most conservation efforts are government initiated, leaving noticeable gaps between what is aspired to by the government and the needs of the involved communities.

Consequently, from my knowledge and experience as a practicing town planner in the government sector for about twenty (20) years, I have gathered evidence to demonstrate the ineffective community involvement and public participation in the planning process in Malaysia. My observations are supported by evidence from the findings of the literature researched, which suggests that there is no specific framework to promote effective community involvement for urban conservation projects, which has led to consequent under-achievements in the area. This research therefore seeks to fill the gaps of assessing community involvement practice in conservation planning in Malaysia, focusing on area-based policy, by taking Malacca as the case study. It posits that a critical re-evaluation of the whole process is necessary and an operational framework for community involvement in conservation planning is needed for Malaysia.

### **5.3 THE THEORETICAL FRAMEWORK**

Generated from the personal aspirations of the author as stated above, the research now dwells on the theoretical framework of the research in which the current issue of weaknesses in involving the community in conservation planning is placed into context to guide and direct the research. The literature review uncovered evidence that suggests weaknesses in the current community involvement during the planning process of conservation and the critical need for this problem to be addressed. In such a context, this research is proposed in recognition for the need of an in-depth investigation of the factors that contribute to the weaknesses and the need for a knowledge-based approach to establish an effective framework for community involvement in Malaysian conservation projects.

The conclusions from the literature reviewed lead to the context within which the conceptual framework for this research is drawn. It could be discussed and reaffirmed as the following:

a. Chapter Two (2):

Identified and highlighted the nature and the present practice of the conservation movements within the planning process (sections 2.2 and 2.3), the problems related to the conservation planning and development faced by the movement in Malaysia (section 2.4); and the important contribution of community involvement to development (section 2.5).

b. Chapter Three (3):

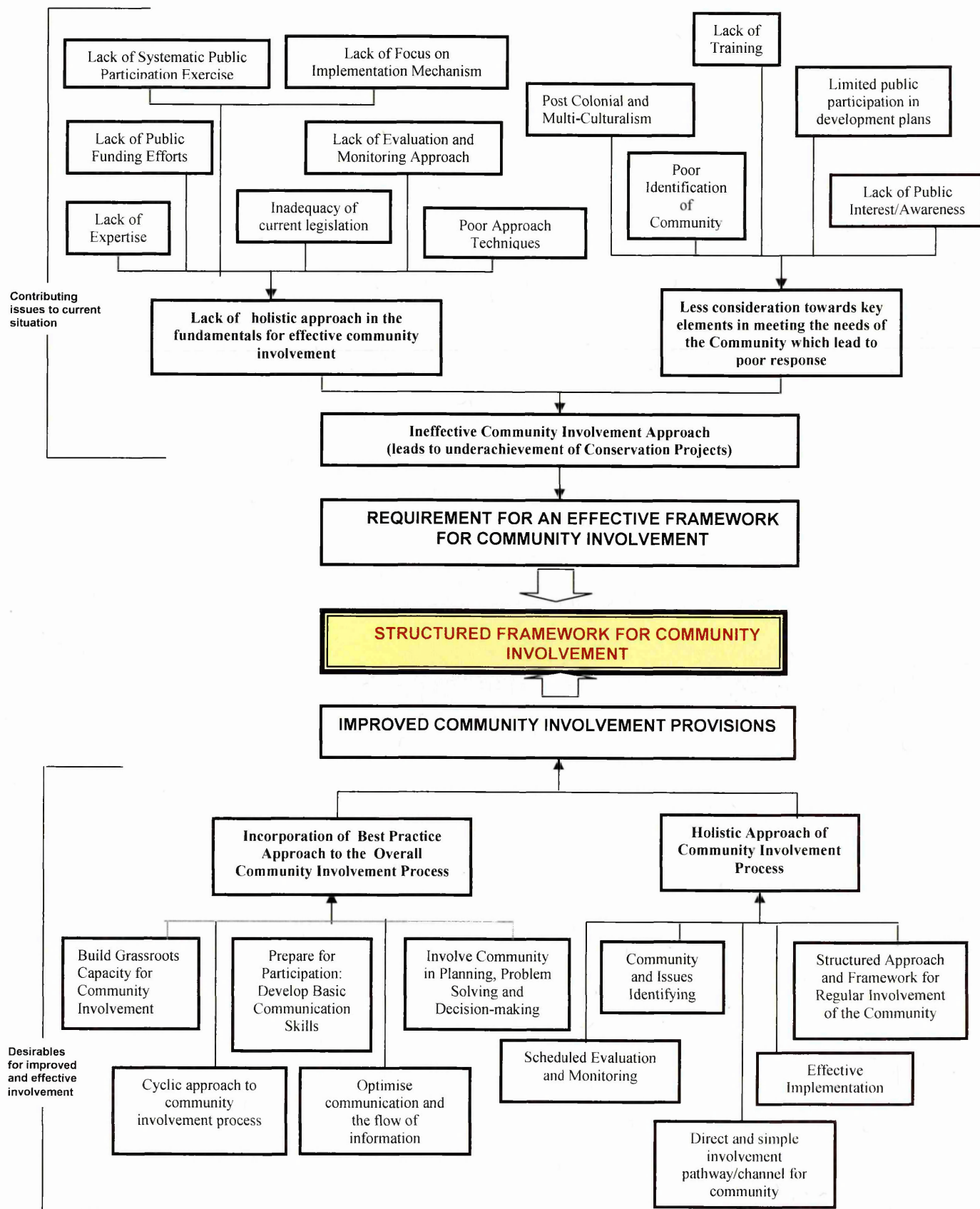
Examined and critically reviewed the fundamental principles from which the current concepts on community involvement are developed and practiced (section 3.2); the important contribution of community involvement in planning (section 3.3); outlined the concepts of best practice (section 3.3.4), the approach and framework for community involvement best practice (section 3.5); and the key elements of best practice for community involvement in conservation projects (Figure 3.9).

c. Chapter Four (4):

Examined the provisions for approaches public participation offered within the planning process in Malaysia (section 4.2); critically analysed the public involvement in conservation planning (section 4.3); and underlined the issues confronting the Malaysian community involvement provisions offered within the conservation movements (section 4.4).

The scrutiny of the literature reviewed in Chapters Two (2), Three (3) and Four (4) led to the explicit interfacing of contributing issues to the current situation and the desirability of an improved involvement process as, indicated in Figure 5.1 overleaf. The current issues are categorised into: lack of holistic approach for effective community involvement; and less consideration towards key elements in meeting the needs of community that lead to a poor response. These issues have resulted in an ineffective community involvement approach that requires a structured framework. The desirables for an improved and effective community involvement framework are in terms of a holistic approach for an involvement process and the incorporation of a best practice approach to an overall community involvement process. This interfacing of issues and desirables sets the context within which the conceptual framework is constructed and is diagrammatically represented in Figure 5.1. It also helped to shape the theoretical framework for the research.

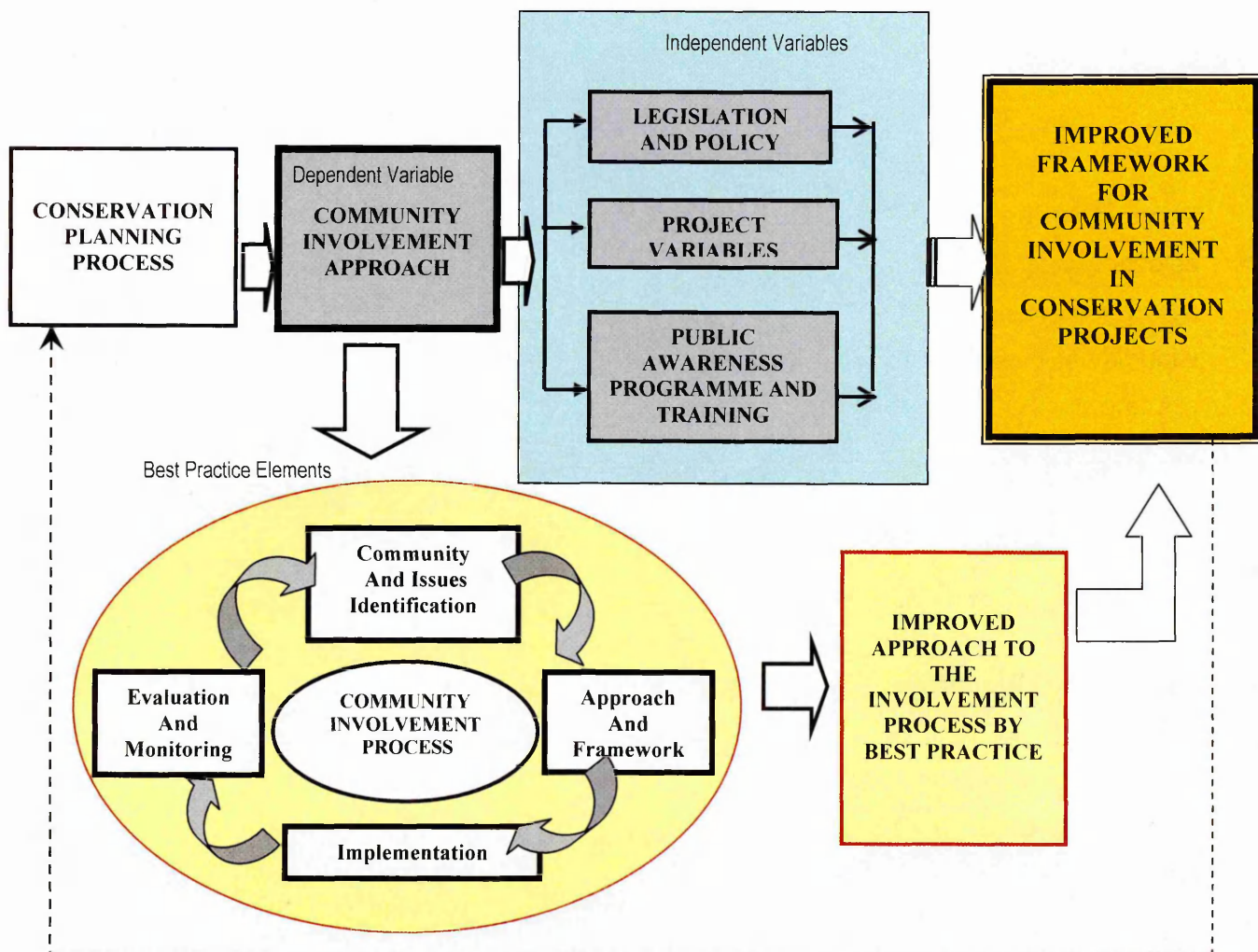
**Figure 5.1: Conceptualisation of the Theoretical Framework**



### 5.3.1 Theoretical Framework/Model of the Research

Drawing from the views of Nachmias and Nachmias (1993) and Naoum (2002), a schematic illustration is drawn to simplify the conceptual framework derived from the literature and best practice approach. The working framework for the research was developed and is illustrated in Figure 5.2 below. The framework assists in illustrating the inter-relationships between the research questions and the variables. In such a context, the dependent variable is the community involvement approach framework and the independent variables are the legislation and policy, project variables namely the financial backings; availability of expertise; identification of community; community interest; implementation and monitoring efforts; and community involvement process and techniques as well as the community awareness programmes and training. These are the underpinning propositions to achieve the aim and objectives of the research.

**Fig. 5.2: Theoretical Framework for the Research**



## 5.4 RESEARCH DESIGN AND PROCESS

Before embarking on this research design, a brief academic debate of the theoretical needs for research, its design and process is first discussed. Marshall and Rossman (1999) note that research is to study the complexities of human experience and, in some genres of research, to take action based on the understanding through systematic and sometimes collaborative strategies. On the other hand, Burns (2000) perceives research as a systematic investigation to find answers to a problem. Research can have different purposes and outcomes and it can also be conducted in many ways. For example, Nachmias & Nachmias (1996) view scientific methodology as a system of explicit rules and procedures upon which research is based and against which claims for knowledge are evaluated. Also, as the rules and procedures are constantly improved, research should consequently narrow down the gaps in knowledge towards achieving fruitful conclusions and recommendations.

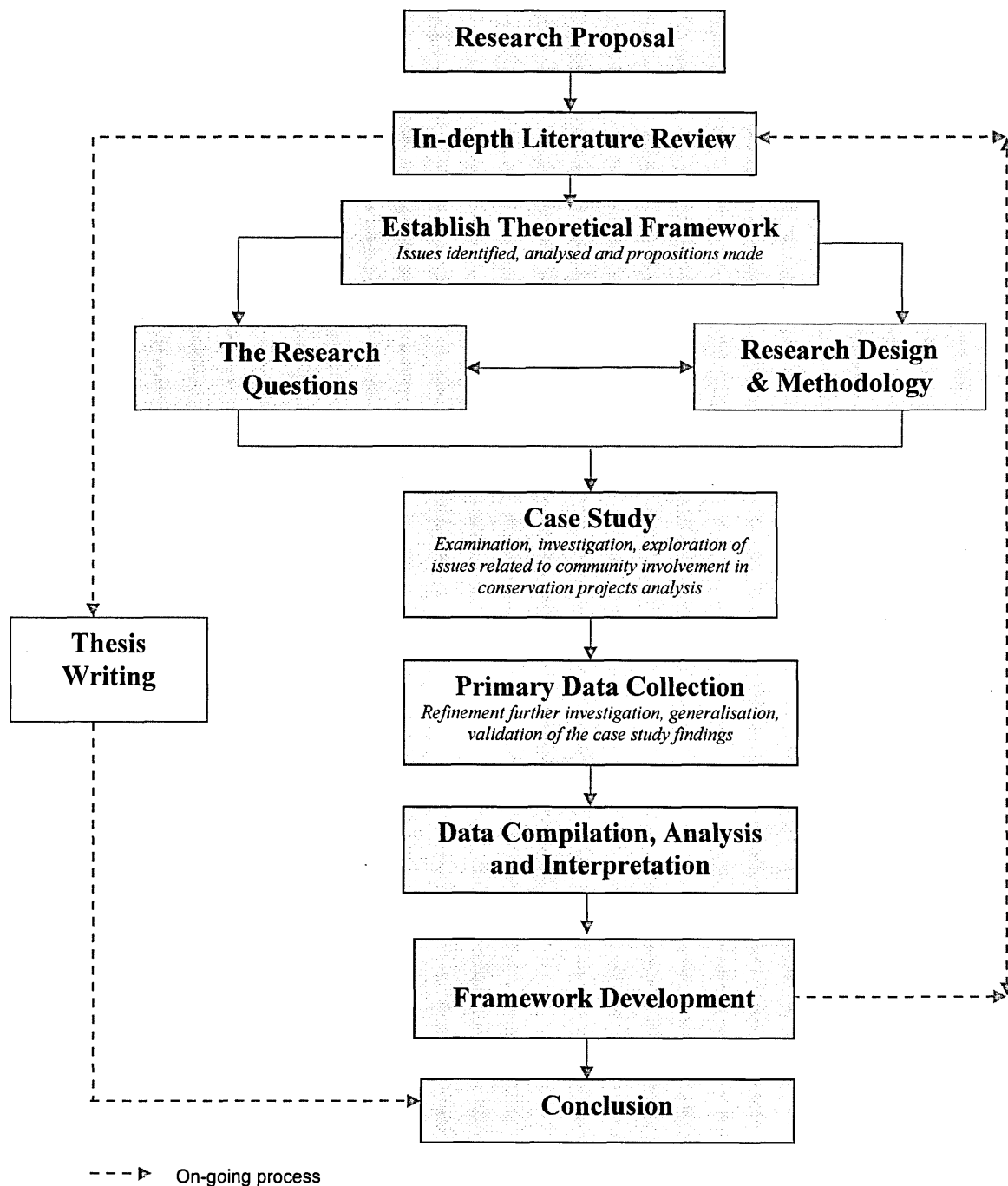
Bearing in mind the above lines of thought, the research then proceeds into the process flow of considering various steps towards exploring and assessing the most appropriate research design and method to be adopted. The main purpose of research design is to help address the research questions. Consequently, the research design should form the blueprint that is used to guide the process of collecting, analysing and interpreting observations. It is a logical model of proof that allows drawing inferences concerning causal relations among the variables under investigation (Bhutto, 2004). In designing the research, as pointed by Denzin and Lincoln (1994), it is vital to identify the issue by distinguishing four basic questions as follows:

- a. How will the design connect to the paradigm being used?
- b. Who or what will be studied?
- c. What strategies of inquiry will be used?
- d. What methods or research tools be used for collecting and analysing empirical materials?

These questions suggest that in carrying out a research project, one should bear in mind the various vital components (Yin, 1994), i.e. the study question; its proposition, if any; its unit(s) of analysis; the logic linking the data to the propositions, and the criteria for interpreting the findings. Subsequently, the research design adopted for this

research is explained through the research process as indicated in Figure 5.3 below. The design consists of the following main stages:

**Figure 5.3: Research Process**



#### 5.4.1 Literature Review

With the aim and objectives of the research as well as the research question in mind, an in-depth literature review was conducted in the first phase of the research design. The critical review of the background of the planning system, conservation planning and community involvement in the planning and development of conservation projects

were done by comparing the Malaysian practices to those of the selected developed countries. This literature review is presented in detail in Chapters Two (2), Three (3) and Four (4) However, as the literature review is a dynamic and on-going process, it will be carried through until the stage of framework validation in subsequent chapters.

#### **5.4.2 Case Study**

The case study for the research is Malacca Historical City in Malaysia. Chapter Six (6) will discuss the introduction and value of the Case Study Area selected for the research. Case study design and methodology for this research involves an empirical investigation into real life using multiple sources of data collection and evidence as discussed in this Chapter Five, section 5.7.1. The discussion on the case study data analysis is provided in Chapters Seven (7) and Eight (8).

#### **5.4.3 Primary Data Collection and Analysis**

The data collection process acts as the means of empirical data gathering and analysis. The primary data collection was carried out from end of March to early June 2005 and included postal questionnaires, face-to-face interviews, e-mailing and 'send-pick-up-later' questionnaire survey. The questionnaire surveys were conducted with the communities involved and other stakeholders concerned, in which the relevant questions were posed to the respective respondents. This empirical work is explained in Chapter Six (6). The later sections of this Chapter will discuss the data collection and the methods used for data analysis. Further to that, the data analysis for the research work is elaborated on in Chapter Seven (7) (Authorities and other Stakeholders Data Analysis) and Eight (8) (Community Data Analysis) while discussion of the main findings is organised in Chapter Nine (9). Whilst the quantitative research analysis discusses the survey results of the stakeholders, the questionnaire survey for the communities was performed to determine merely the main issues for the community Focus Groups (FG) interviews, as well as to list community members who were interested in participating in the FG interviews for the qualitative analysis.

#### **5.4.4 Framework Development**

As the aim of the research is to develop principles to be taken forward for application in a practice-oriented framework of community involvement for conservation planning in Malaysia, this is achieved from the analysis and evaluation of the literature review, the case study and conclusions from the primary data analysis. The proposed community involvement framework development is elaborated on in Chapter Ten (10).



## 5.5 THE RESEARCH QUESTIONS

As indicated in the research design and process, the research questions form the underlying basis for determining the direction and expected outcome of the entire research. According to Yin (1994) the important step that needs to be taken in a research study is defining research questions and that sufficient time should be given to this task, as research questions define the methodological foundation of the research. As Blaxter et al. (1996) elaborate, when one gets the research question right, it then should suggest not just the field for study, but also the methods for carrying out the research and the kind of analysis required. Research questions are like objectives, rather than aims, whereby they should contain within themselves the means for assessing their achievement. Clifford and Marcus (1986); Cuba and Lincoln (1994) contend that research methods should be determined by the research question and methodological position of the researcher.

In accord with the opinions of the above scholars, this research applies the substance of the research questions as a basis towards developing its research method. Thus, drawing from the critical review of the literature in earlier chapters, it has emerged that there are structural weaknesses within the current practice of the implementation of community involvement in urban conservation projects in Malaysia. Consequently, this has contributed towards the ineffective implementation of urban conservation projects. Therefore, the main research question guiding this research is:

*Why has the implementation of the community involvement practice been ineffective in urban conservation planning in Malaysia?*

Principally, this research is about reaching an understanding of the approach and process of getting the community involved in the planning of conservation projects in Malaysia. The design of the research method will attempt to find answers to the following questions and eventually develop a framework for community involvement for conservation planning in Malaysia. They are:

- ❑ What are the factors that have contributed to its weaknesses? and
- ❑ Who are the parties that should be responsible?

The research questions investigate the 'what' factors and 'who' are responsible that lead to 'why' do weaknesses exist in the implementation of the community involvement process. It paves the way to find answers on 'how' to improve the current process of

community involvement in the conservation planning. In answering these research questions and through the adoption of best practice approaches towards 'holistic' community involvement needs, the current conservation planning provisions could be improved.

## **5.6 THE RESEARCH METHOD**

Formulating the research method requires an exploration into various concepts of research components to guide and lead the research into the correct perspective. In this light, the inductive-deductive and quantitative-qualitative research components were scrutinised and assessed to derive the most suitable method for the research.

The aim and objectives presented for the research revolve around exploring and understanding the approach to community involvement in conservation planning. It is, therefore, an exploratory research study with the principal aim of developing a framework for community involvement for Malaysian urban conservation planning. It seeks to provide a foundation for the development of theory, for future qualitative and quantitative research. The methodology adopted complies with the need for in-depth exploration, insight and knowledge. For this, an inductive approach is identified, as being appropriate for the research, as it is mainly qualitative methodology with case studies forming the main element for data collection. The paragraphs and sections below will explain and justify this assertion.

### **5.6.1 Inductive vs. Deductive Research**

Findings from literature indicate that there are two basic research concepts:

- a. Positivism or scientific approaches leading to deductive research theory, and
- b. Naturalism or phenomenological approaches leading to inductive research theory.

The inductive approach typically involves a qualitative methodology while the deductive approach typically utilises a quantitative methodology (Allan & Skinner, 1991; Loosemore, 1998a). Janesick (1998) points out that the qualitative researcher uses inductive analysis which means that categories, themes, and patterns come from data. Strauss & Corbin (1990); Hammersley (1989); Gummesson (2000) affirm that the

inductive approach utilises empirical research to develop grounded theory, rather than deduction, which aims to prove or disprove existing theory through empirical research. Thus, whilst a deductive approach involves the testing of already established ideas, theories and hypotheses using data collected specifically for this purpose, an inductive approach involves deriving ideas and opinions directly from research data to enhance understanding of an issue or situation and eventually theories emerge from the input.

### **5.6.2 Quantitative and Qualitative Research**

Guba and Lincoln (1994) maintain that sciences, such as physics and chemistry that lend themselves well to quantification, are generally known as *hard* whereas less quantifiable subjects, such as biology and particularly the social sciences are referred to as *soft*. This is said less with pejorative intent than to signal their (putative) imprecision and lack of dependability. A quantitative approach is regarded as objective in nature, which tends to be seen as more robust than qualitative approaches, reflecting the tendency to regard science as related to numbers and implying precision. Generally, it employs strategies like surveys, structured interviews and other modes of research which can result in historically significant contributions. Quantitative approach is selected following the nature of the research - facts about a concept, a question or an attribute are required, and collection of factual evidence and study of the relationship between these facts is desired in order to test a particular theory or hypothesis.

In contrast, qualitative research is considered as subjective in nature. Nachmias and Nachmias (1996) maintain that qualitative research attempts to understand behaviour and institutions by analysing values, rituals, symbols, beliefs and emotions. The approach emphasises meanings, experiences (often verbally described), description and so on (Naoum, 1998).

Whilst qualitative and quantitative research is distinctively different in process and procedure, in reality they are complementary, selection being dependent on research objectives (Fielding & Fielding, 1986). However, the differences between the two modes of research from different perspectives as compared by Naoum, 1998 is shown in Figure 5.4 overleaf.

**Figure 5.4: Differences between Quantitative and Qualitative Research**

		<b>Quantitative (Positivism Paradigm)</b>	<b>Qualitative (Phenomenological Paradigm)</b>
1.	Role	Fact-finding based on evidence or records	Attitude measurement based on opinions, views and perceptions measurement
2.	Relationship between researcher and subject	Distant	Close
3.	Scope of findings	Nomothetic	Idiographic
4.	Relationship between theory /concepts and research	Testing/confirmation	Emergent/development
5.	Nature of data	Hard and reliable	Rich and deep

Source: Naoum, 1998

### **5.6.3 Triangulation**

A commonly used technique to improve the research validity is known as triangulation. Burns (2000) defines triangulation as:

*“The use of two or more methods of data collection in the study of some aspects of human behaviour.”*

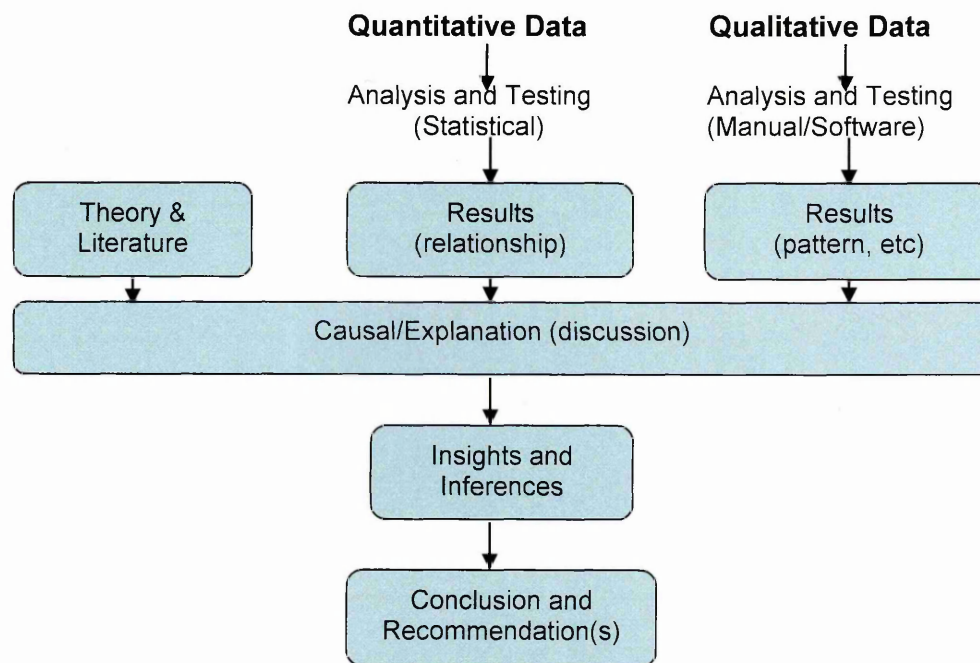
Triangular techniques explain more fully the richness and complexity of human behaviour by studying it from more than one standpoint and/or using a variety of methods, even combining qualitative and quantitative methods in some cases. The essence of triangulation is to minimise the degree of specificity of certain methods to particular bodies of knowledge, two or more methods of data collection can be used to test hypotheses and measure variables (Nachmias & Nachmias, 1994). Exclusive reliance on one method may bias or distort the investigation. Burns (2000) explains that triangulation in interpretive research will naturally produce different sets of data. The more the methods contrast with each other, the greater the confidence about the findings.

Denzin and Lincoln (1998) identify five (5) types of triangulation:

- ▣ Data Triangulation: use of variety of data sources in a study;
- ▣ Investigative Triangulation: use of several different researchers or evaluators;
- ▣ Theory Triangulation: use of multiple perspectives to interpret a single set of data;
- ▣ Methodology Triangulation: use of multiple methods to study a single problem;

In qualitative analysis especially, Burns (2000) claims that triangulation contributes to verification and validation by checking out the consistency of findings generated by different data-collection methods and different data sources within the same method. The triangulation method is employed to reduce or eliminate the disadvantages of each individual approach (qualitative or quantitative) whilst gaining advantages of the other and the combination and multi-dimensional view of the subject gained through synergy (Fellows and Lui, 1997). By executing the triangulation process all analysis results could be counter-checked against one another (see Figure 5.5 below).

**Figure 5.5: Triangulation of Quantitative and Qualitative Data**



Source: Fellows & Lui (1997)

#### **5.6.4 Approach Adopted for this Research**

The research work for this project is focused on the management of processes, cultures and strategies. Clearly, it requires a deeper understanding of the intentions underlying the action. As explained above for this type of research inquiry, the qualitative approach is more sensible as evident in the view of Cassell and Symon (1994) that qualitative methods are more appropriate to the kind of research questions focusing on organisational processes, as well as outcomes, and trying to understand

both individual and group experiences of work. Marshall and Rossman (1999) and Gummesson (2000) agree that qualitative methodology (case studies) provide a powerful tool for research in management subjects. Moreover, the research question for the thesis will be best addressed in natural setting, using exploratory approaches. Marshall and Rossman (1999) emphasise the strength of qualitative methodology in such studies for the following types of research:

- Research that delves in depth into complexities and processes;
- Research on little-known phenomena or innovative systems;
- Research that seeks to explore where and why policy and local knowledge and practice are at odds;
- Research on informal and unstructured linkages and processes in organisations;
- Research on real, as opposed to stated, organisational goals;
- Research that cannot be done experimentally for practical or ethical reasons;
- Research for which relevant variables have yet to be identified.

In view of the nature and scope of community involvement methodologies, this research employed a qualitative approach to capture the intended purpose of the research and that, through inductive analysis, community involvement is appropriately judged by deriving ideas, comments and viewpoints directly from data to enhance understanding of the issue or situation in hand. This qualitative approach is employed for the community in Focus Group (FG) meetings.

Concurrently, the research employs the data triangulation method to establish reliability, validity and rigour in the case study data. For instance, in collecting data from the community, initially a total of one hundred (100) questionnaires were sent out to seven (7) community groups (see Figure 5.6). Since the returns of the questionnaires were quite low (10%), the researcher had to go down to the communities for the questionnaire interviews. As a result, the researcher managed to get another 14%, making a total of 24% of the total questionnaires that could then be analysed. Although this 24% return is still relatively low, its use was relevant as a means to identify the major issues to be discussed in the FG meetings. Initially, it was intended to have two (2) groups; but it ended up with the researcher having to meet six (6) groups included a

merger of two (2) groups that comprised similar members – see table 5.6 below. This was done as there were differences in the locality, the background and ethnicity of the groups (will be discussed in 5.7.1. and 5.7.3). It was done as a method to triangulate and counter-check the findings of these six (6) groups which represented the whole community for the study area. Whilst the qualitative approach was employed for the community (derived from the FG interviews), the quantitative and qualitative elements incorporated through the questionnaires and interview surveys (through face-to-face and open-ended interviews) for other stakeholders were other exercises used in the triangulation method.

**Figure 5.6: Questionnaires Sent to Communities in the Study Area**

Community Groups	No. of Q Returned	Questionnaires (Q) Distributed	Main Topics of Discussion
Malay JKKK (village development and security committee)	4	Distributed 100 questionnaires to all the communities in the Study Area by community groups.	<ul style="list-style-type: none"><li>• Community awareness and experience from authority's approach in getting their feedback</li><li>• To gauge perception and requirements in enhancing their involvement in the planning and implementation of conservation projects</li></ul>
Chitty (Indian Descendent) Association	10*		
Jonker Walk Committee	3		
Chinese Assembly Hall			
Portuguese community	3		
Baba (Chinese Descendent) Association	1		
Malacca Heritage Trust (NGOs/Private)	3		
Total	24		

- Only 10 questionnaires were returned by the first week of April, 2005. The author had to carry out random face-to-face interview/collected questionnaires from the other respondents.
- Jonker Walk Committee and Chinese Assembly Hall were grouped together, as they comprised mostly of the same members.

## 5.7 STRATEGIES OF INQUIRY IN QUALITATIVE RESEARCH

From the research design, process and method, the process of empirical data collection was carried out through a number of strategies of inquiry. The strategies of inquiry comprise of the skills, assumptions and practices used by the researcher when developing a paradigm and a research design to the collection of empirical materials. Strategies of inquiry connect the researcher to specific approaches and methods for collecting and analysing empirical material.

Denzin and Lincoln (1994) enlist some of the qualitative strategies including Case Study; Ethnography and Participant Observation; Phenomenology, Ehtnomethodology

and Interpretive Practice; Grounded Theory; Biographical Method; Historical Method; Applied and Action Research; and Clinical Models.

Alternatively, Marshall and Rossman (1999) group it in core and secondary methods. Core methods consist of participation in the setting; direct observation; in-depth interviewing; and analysing documents and material culture, while the secondary or specialised methods include life histories and narrative inquiry; films, videos, and photographs, kinesics, proxemics, unobtrusive measures, questionnaires and surveys, projective techniques and psychological techniques. A useful research design can use different research strategies in different phases of research project (Cassell and Symon, 1994). Figure 5.7 below gives a useful comparison between different qualitative research strategies.

**Figure 5.7: Comparison of the Major Types of Qualitative Strategies**

Type of research question	Strategy	Paradigm	Method	Other data sources
Meaning questions – eliciting the essence of experience	Phenomenology	Philosophy (phenomenology)	Audio-taped conversations written anecdotes of personal experiences	Phenomenological literature; philosophical reflections; poetry; art
Descriptive questions – of values, beliefs, practices of cultural groups	Ethnography	Ethnography (culture)	Unstructured interviews; participant observation; field notes	Documents; records; photography; maps; genealogies; Social network diagrammes
'Process' questions – experiences over time and change, may have stages or phases	Grounded theory	Sociology (symbolic interactionism)	Interviews (tape recorded)	Participants observations; memoing; diary
Questions regarding verbal interaction and dialogue	Ethnomethodology Discourse analysis	Semiotics	Dialogues (audio/video recording)	Observation; field notes
Behavioural questions Macro	Participant observation	Anthropology	Observation; field notes	Interviews; photography
Macro	Qualitative ethnology	Zoology	Observation	Video tape; note taking

Source: Denzin and Lincoln, 1998

However, as discussed earlier, the research strategy should be determined by the nature of the research question. Nachmias & Nachmias (1996) maintain that qualitative research attempts to understand behaviour and institutions by analysing values, rituals,



symbols, beliefs and emotions. This approach emphasises meanings, experiences (often verbally described), description and so on (Naoum, 1998). Qualitative methods are stereotyped with open interviews, focus group, case studies, etc.

For this research project, the case study is found to be appropriate as the main research method with focus groups interviews for community's data collection and semi-structured interviews for selected samples of the authorities' interviews. Other means of data collection by the case study approach is done concurrently through observation and document analysis (secondary data).

### **5.7.1 Case Study**

The case study is a type of research strategy used to gather primary and secondary data. It offers an in-depth situation, event, individual, group and/or organisation to be explored fully. Given the context of the research and sources of information available, this research employs the case study approach. Hartley (1994) maintains that case study research consists of a detailed investigation, often with data collected over a period of time, of one or more organisations, or groups within organisations, with a view to providing an analysis of the context and processes involved in the phenomenon under study. Further to that, Hakim (1987) highlights that the case study is the most flexible of all research designs. Case studies take as their subject one or more selected examples of social entity, such as organisational events, events and relationships that are studied using variety of data collection techniques and methods which 'allows a more rounded, holistic study than with any other design'. This is due to the fact that when used in an intellectually rigorous manner to achieve experimental isolation of selected social factors, they offer the strength of experimental research within natural settings.

In addition, as stressed by Yin (1994), the use of a case study is appropriate in many situations, including policy, political science, and public administration; community psychology and sociology; organisational and management studies; city and regional planning research; and business administration, management science, and social work. This is because the case study is a way of investigating an empirical topic by following a set of procedures. Yin further distinguishes between three types of uses of case study research – exploratory, descriptive and explanatory. Yin suggests that case studies lend themselves best to answering *how and why questions*, as shown in Figure 5.8. They are most appropriate for examining the processes by which events unfold, as well as exploring causal relationships. In this research, the case study research inclines

more towards explanatory. The research focuses upon *why* questions. Knowing more about specific events or topics such as community involvement in conservation planning, one begins to question theories and asks *why* question on the role of community involvement in conservation project planning.

A case study is not necessarily identical to naturalistic inquiry and it can be either quantitative or qualitative or even a combination of both. However, as stated by Burns (2000), with the restrictions for statistical inference, most case studies lie within the realm of qualitative methodology. Moreover, a wide range of information-gathering techniques can be used in case studies (Gummesson, 2000). Figure 5.8 below shows three conditions that research method strategy depends on and how each is related to five major research strategies.

**Figure 5.8: Research Strategy Selection**

Strategy	Form of Research Question	Requires Control Over Behavioural Events	Focuses on Contemporary Events
Experiments	how, why	yes	yes
Survey	who, what, where, how many, how much	no	yes
Archival Analysis	who, what, where, how many, how much	no	yes/no
History	how, why	no	no
Case Study	how, why	no	yes

Source: Yin, R.K (1994)

Case study research can include both single and multiple case studies. In case studies, there are four main components to the research design (Burns, 2000):

- *Initial case study question:* It must be clarified and stated succinctly before moving on. Without at least one initial question, no start can be made.
- *Study proposition:* Each proposition directs attention at something that should be examined within the scope of the study.
- *Unit analysis:* It is concerned with defining what the case study really is. The actual context, person, or event needs stating.
- *Linking data to proposition and criteria for interpreting findings:* This component is least well developed and relates to the data analysis step.

Case studies are like experiments and are general sample to theoretical propositions. Berg (1998) stresses that case studies, when properly undertaken, should not only fit

the special individual, group or events, but generally provide understanding about similar individuals, groups or events. Hence, a case study is an empirical inquiry that investigates a phenomenon within its real-life context which in this research, is ineffective community involvement in conservation planning.

The analysis of a selected case study involves the intensive study of the area under investigation. Approaches include the examination of existing records, observation of the object under study and semi-structured depth interviewing. As discussed in Chapter Four (4), the study area selected is within the conservation areas demarcated by the local plan of the Malacca City Council area (hereafter named MBMB). The case study research was executed in the city of Malacca (or also known as Melaka), Malaysia. The City of Malacca (which, together with Penang, were nominated to be inscribed as World Heritage Sites in the UNESCO cultural heritage category) was chosen to represent the research scope.

Malacca is selected as the Case Study for the research on the basis that Malacca is the oldest town in Malaysia. It is also known internationally that the history of modern Malaysia began in Malacca. Malacca has significant historical impacts and remnants of the past Portuguese, Dutch and English rule and has been known to the world as the main trading centre since its foundation in the 14<sup>th</sup> Century. Moreover, it is in Malacca city that the country (Malaya, then) proclaimed Independence from British rule. Presently, historical remains including traditional mosques and temples, traditional houses, shop houses and colonial buildings and monuments still exist in a large part of Malacca city. The city is a centre of diverse cultural activities with a population made up of diverse races including Malays, the Babas and Nyonyas, Chitty, the Portuguese descendents, Chinese, Indians and Arabs. As will be further discussed in Chapter Six (6), under Malacca City Council area (MBMB) there are conservation zones demarcated in the Local Plan. According to the MBMB, there are six (6) community groups to represent the different diverse society i.e. Malay Village; rows of town houses area which are dominated by the Chinese, Babas and Nyonyas (the offspring of intermarriage between the Chinese and locals) and Chitty (the offspring of intermarriage between Indians and locals); and the Portuguese settlement (refer to sections 6.2 and 6.3). As discussed in Chapter 3, in relation to the conceptual framework that the particular issue need to be taken into account in thinking of community engagement to the Malaysian society is the ethnic mix. Therefore, this forms the underlying factor for the selection of Focus Groups interviews for the empirical work engaged which is discussed further in 5.7.3.

Additionally, an observation and locality study was carried out by site visits and from existing reports on the aspects of its existing social characteristics, housing, business and economy, and the environment. The document analysis or information about the case study area was gathered largely from the local authority (MBMB) structure and local plan studies and complemented with other studies and press reports. All this was done as a method to triangulate and counter-check the findings of the FG.

### **5.7.2 Pilot Study**

A pilot study or a trial run of the designed questionnaires (the instrument used for the research study) was undertaken to test that the questions would produce the information required and would eliminate shortcomings and improve the difficult questions. Denzin and Lincoln (1998) maintain that pre-interviews with selected key participants and a brief period of observations and document review can assist the researcher in a number of ways. The pilot study allows the researcher to focus on particular areas that may have been unclear previously. Additionally, Naoum (2002) suggested that it involves testing the wording of the questions, identifying ambiguous questions, testing techniques used to collect the data and measuring the effectiveness of the standard invitation to respondents.

In conducting the pilot study, the researcher sent the questionnaires, obtained feedback and assistance from three (3) main groups of people. The pilot study was intended as a test-run of the questionnaires to gauge the understanding of the respondents and their ability to respond to the questions as against the level of clarity and simplicity of the questions. The first group was from two practising planners; one at the state and the other at the federal levels of government; two (2) residents living in Malacca and two (2) fellow Malaysian researchers and academicians. They were chosen to represent both the authorities' and communities' questionnaires. The questions were sent to them through e-mails and were asked to reply with a short commentary of any difficulty they encountered.

As a result of this, there were no comments from the authority side as they thought it was quite clear. However, the residents found it quite difficult to answer some of the questions, while the academicians pointed out the difficult questions and suggested some improvements. In the light of those feedbacks, improvements were made by eliminating the difficult questions and rephrasing some questions and improving the structured answers. The improved questionnaires used during the empirical work are as in Appendix D.

### 5.7.3 Focus Groups as Group Interviews

In acquiring data from the local communities, the Focus Group (FG) method was engaged to get more representative feedback from the whole community in the specific urban conservation areas. Guided FG discussions were organised with the cooperation of MBMB. As discussed by Steyaert & Bouwen (1994) group interviews are considered to be the most characteristic form of data collection and they have a long tradition in marketing research and in opinion survey. Marshall & Rossman (1999) state that Focus Groups generally compose of seven (7) to ten (10) people who have been selected because they share certain characteristics relevant to the study's questions. Greenbaum (2000) maintains the number of participants in a group about eight (8) – ten (10) people and suggests that these people are recruited on the basis of similar demographics, or behaviour, who engaged in a discussion, led by a trained moderator, of a particular topic. The interviewer creates a supportive environment, asking focused questions to encourage discussion and the expression of differing opinions and points of view. In selecting the type of group method, it is based on specification of group characteristics to typify the role of the researcher, the involvement of the group members and the kind of interaction that is to emerge as shown in Figure 5.9 overleaf. This research is mainly based on the specification of group characteristics, i.e. they are the communities (landlords as well as tenants) living in the conservation area within the case study area. The kind of good and free interaction was expected to emerge, as each community knows each of its members well.

The 'participatory' column in Figure 5.9 is in line with the involvement of community as the focus of the research. The Focus Group (FG) has been emphasised by researchers (Greenbaum, 2000; and Krueger and Casey, 2000) as a sensitive and reliable participatory tool (widely used in social impact studies). It is an approach that is community-friendly and enables the researcher to garner information on the community's involvement. In organising the focus group interviews, the researcher had to have a balance in the design of focus groups (the number of groups and complexity of analysis) with the resources available (money, time and skills).

**Figure 5.9: Characteristics of Focus Groups**

<b>Characteristic</b>	<b>Market Research</b>	<b>Academic</b>	<b>Non-profit and Public</b>	<b>Participatory</b>
Where popular?	Commercial	Universities, government agencies, foundations	Governments, community groups, foundations	<i>Community groups, schools, foundations, local government</i>
Group size?	10 – 12 people	6 – 8 people	6 -8 people	6 – 8 people
Should participants know each other?	No. Strangers preferred.	Not an issue. People may not know each other but are not in positions of control over each other.	Not an issue. Sometimes it is an advantage, provided they are not in positions of control over each other.	<i>Sometimes an advantage. People regularly know each other.</i>
Who moderates?	Professionals	Faculty, graduate students, or qualified staff	Qualified staff and occasional volunteers with special skills	<i>Volunteers from the community</i>
Where are focus groups held?	Special rooms with one-way mirrors and quality acoustics	Public locations, classrooms, sometimes homes, or special rooms with one-mirrors	Locations in the community, such as schools, libraries, and so on	<i>Community locations and homes</i>
How are data captured?	Observers behind mirrors, audio and often video recording	Field notes and audio recording. Sometimes video.	Field notes and audio recording	<i>Field notes and audio recoding</i>
How are results analysed?	Valuable but often rapid first impressions given by moderator or analyst. Sometimes transcripts.	Usually transcripts followed by rigorous procedures	Usually abridged transcripts and field notes.	<i>Oral summarises at conclusion, flip charts, filed notes, listening to audiotapes.</i>
Who gets copies of reports	Only the sponsor. Reports are proprietary.	Academics or public officials. Results appear in academic journals.	Reports used within the organization and sent back to the community. Shared with participants	<i>Considerable effort made to share results with the community.</i>
Time needed to complete study?	Short time period. Usually completed in a few weeks.	Long time period. Often six months or more.	Time needed will vary. Usually takes several months.	<i>Long time period. Often six months or more.</i>

Source: Krueger & Casey, 2000.

The FGs for the empirical work in the case study area were selected based on the list of community groups given and recognised by the MBMB. Four groups from the list were listed as groups within heritage zones gazetted under the Malacca Enactment (gazette no. Jil. 46/No.14/4 July, 2002) which were found to be based on different ethnic structures, as follows:

1. Kampung. Morten, Malacca - the Malay Heritage Village, hereafter known as Kampung Morten;

2. Kampung Chitty, Gajah Berang Malacca -the Chitty Heritage Village, hereafter known as Kampung Chitty;
3. Kampung Portugis, Ujong Pasir Malacca - the Portuguese Heritage Village, hereafter named as Portuguese Community; and
4. Jalan Tun Tan Cheng Lock (formerly known as Hereen Street) and Jalan Hang Jebat (formerly known as Jonker Street) - the Baba Nyonya Heritage Village, hereafter named as Baba Nyonya Community.

From the four residential zones gazetted, there are actually six community groups in the area and the other listed as a community group by MBMB is the MHT, a heritage conservation NGO which is concerned with and supports conservation efforts. Coincidentally, a few members of the MHT are actually living in the gazetted areas, particularly in the conservation zone within Malacca City. There is another group also recognised by the MBMB as a community in the conservation zone, i.e. the Chinese Chamber of Commerce, as they form part of the business and new community of mainly Jonker Street or better known as Jonker Walk and hereafter known as Jonker Walk Group.

Therefore, for the Malacca conservation area community, (anticipating the limitations especially in terms of time and location which will be discussed in 5.9) initially two FG meetings were planned based on the first group being the more active group of communities (which include the Malacca Heritage Trust (MHT) and the Jonker Walk group) and the second group as a relatively passive group (which include the Kampung Morten community and the Chitty community). The lists were selected on the basis that they have the same background where they are the community/residents living in the conservation areas and are owners of the conserved buildings and may want to save their buildings without considering their ethnicity background but rather on their participation level. However, when the author was on 'the ground' it was not possible to do so, because even MBMB differentiates its community groups by ethnic and locations. Thus, the author has taken this stance with the emphasis that participants who could attend the FG meetings from each community group should represent their community and therefore, ended up with having to organise six FGs. However, in terms of the group participants' attendance, they were represented either by individuals who had returned the questionnaires and were willing to attend the meetings, or were selected among the associations' group members themselves. It is an important emphasis to note that what the author is concerned was the representativeness of the FG members rather than its social class structure.

The process of involving the communities in the selected areas was divided into the following:

- The initial planning of the focus groups: contact with various agencies including the local authority (MBMB) and community co-ordinators for identifying characteristics of potential focus groups; logistic arrangements such as planning the discussions, venue, invitation, estimation of costs for equipment, and other practical costs; and confirming the availability of equipment needed.
- Designing of focus group questionnaire guide;
- Sent out one hundred (100) questionnaires (similar to authorities' questionnaires while the brief analysis is as in Appendix E) to the group leaders/representatives through MBMB. The questionnaires were distributed to all levels of communities living in the area of each group; the community members who agreed to attend in the FG discussions were listed.
- Tracking the return of the questionnaires: Since the returns were quite low (10%) and due to time limitation, the researcher went for face-to-face interviews and received a return of further 14% (total 24%).
- Initial analysis of the answers of the twenty-four (24) questionnaires (which is considered low but still relevant as this acted simply as the means to identify the main issues for discussion topics in the FG meetings). However, the brief analysis is shown in Appendix E.
- Conducting the FG meetings: Organising, setting and moderating the focus groups meetings: the sessions were audio recorded.

As discussed earlier, there were difficulties in grouping the communities into two large FGs, due to different background in terms of physical locations, different ethnic mix and communities' interests, the researcher ended up organising six (6) FG meetings for the different communities separately (Figures 5.10 and 5.11). All six FG meetings were carried out at venues chosen by the communities within their own localities, i.e. Kampung Morten for the Malay community, Kampung Chitty for Chitty community, Hokkien Association office/temple for Jonker Walk and Chinese Assembly Committee, Portuguese Square/Hall for Portuguese Community, a conserved Baba and Nyonya's house in Hereen Street for Baba and Nyonya community and St. Peter's Church (one of the conserved projects carried out by MHT) for Malacca Heritage Trust.



**Figure 5.10: Focus Group (FG) Meetings**

Focus Group (FG)	No. of Participants	Rationale	Main Issues Discussed
Kampung Morten	8	Conducted all Focus Group Meetings for different community groups separately (as opposed to the two (2) groups earlier planned for all communities)	1. Rate of level of success of conservation efforts in Malacca 2. Opinion on the various approaches taken by the Local Authority and other authorities in getting the community to be involved in the conservation efforts. Whether they are given adequate opportunities to express opinion and get involved in the process. 3. The issues of community involvement aspect of conservation. 4. The role they should play as communities in conservation projects. 5. Suggestions to improve the approaches and what the Local Authorities should do.
Kampung Chitty	10		
Jonker Walk Committee	3		
Chinese Assembly Hall			
Portuguese community	8		
Baba Nyonya	1		
Malacca Heritage Trust (NGOs/Private)	9		
Total = six (6) groups	39		

Source: Focus Groups Meeting, 2005.

Four (4) of these FGs had a good level of attendance of eight (8) - ten (10) participants; had a good of discussion as everyone was drawn into participating in the discussions and provided lots of useful material and examples of experiences. Nevertheless, there were some difficult moments to handle when certain personalities dominated discussions and talked at length, but the situation was managed by the researcher who informed those dominating the proceedings that the other participants should also be given the opportunity to voice their opinions. The other two (2) FG meetings had a smaller number of attendance, with three (3 men) and one (1 lady) participant for the Chinese and Baba and Nyonya communities, respectively. Qualitatively, it was different from the better-attended FG but, the material gained out of it was very valuable for the research. Figure 5.11 indicates the different background of the FGs' participants. As discussed earlier the category of the FG are subject to the ethnic group of each FG itself except for one group i.e. the MHT. MHT is a pro-conservation non-governmental organisation group based in Malacca whose members are all professionals mostly architects and engineers. In terms of ethnic background of the MHT members, almost all of them are Chinese (except one Portuguese and one Australian) who operate their own business or work in the private sector. Within their own community group, FG members were willing to speak up without any reservation. By gender, FG members are mostly male i.e. 29 (74%) participants whilst 10 (26%) are female. Irrespective of what gender they belong to, they have played they role well in their community as these were noticeably reflected during the discussions. This illustrates the idea that gender is not a hindrance for them to view their opinion or be active to representing

their own community. In fact, this is obvious in the case of Baba and Nyonya group, whereby despite being a female and at the same time a housewife, she was able to represent the community confidently. This also demonstrates that for the sake of the welfare and prosperity of their area they showed their willingness and great interest to participate in the FG discussion and represented their community regardless of their gender, educational background or social class.

**Figure 5.11: Focus Group (FG) Participants' Background**

Focus Group (FG)	No. of Participants	Gender		Ethnic Group	Background
		Male	Female		
Kampung Morten	8	6	2	Malay	1 headman, 2 pensioners , 3 general workers, 1 teacher, and 1 housewife
Kampung Chitty	10	7	3	Chitty (Indian descendent)	2 professionals, 6 general workers and 2 housewives
Jonker Walk Committee Chinese Assembly Hall	3	3	0	Chinese	3 businessmen
Portuguese Community	8	8	0	Portuguese	1headman, 2 pensioners, 1 businessman and 5 fishermen
Baba Nyonya	1	0	1	Baba Nyonya (Chinese descendent)	housewife
Malacca Heritage Trust (NGOs/Private)	9	5	4	8 Chinese 1 Portuguese	all professionals
<b>Total = six (6) groups</b>	<b>39</b>	<b>29</b>	<b>10</b>		

Note: 1. The classification of participants' background is based on their present occupation. In this context, general workers are people who are non-professionals and those who do not have permanent jobs.  
2. No particular discussion of educational background was carried out.

During the Focus Groups meetings (as in Figure 5.12), steps taken by the researcher to moderate the FG meetings and the experiences were as follows:

- Welcome and thanks to the focus group members; introduction of the researcher and the topic of discussion:

The researcher thanked all participants and introduced the researcher, as well as her assistant. All the community attending the FG meetings were informed why they had been selected. The reasons for being selected that they either resided in conservation areas and/or were the owners of property or residents; and/or were people who had an interest in conservation of the heritage buildings in Malacca Historical City. They were told that the researcher would like to learn from their experiences and to get their opinions about the involvement/participation in the authority's decision-making and planning process of conservation projects in their areas.

- Set the ground rules and tried to bring everyone into the discussion:

The participants were told that the discussion would be tape recorded and they were free to share their point of view even if it differed from what others said. The researcher was interested in negative comments as well as positive ones, since there were no right and wrong answers. No names would be included in the reports and their comments would be kept confidential. The participants were encouraged to follow up on something that someone had said, either to agree, or disagree or elaborate on it. They were told that the researcher was interested in hearing from each of them. They were told to feel free to get up and get more refreshments during the discussion. Before the discussion began, each of the participants was asked to introduce themselves by going around the room one at a time.

- The FG session begins with a general question to get the participants' views on the level of success of conservation efforts in Malacca historical city. Then followed by three main questions on community involvement in conservation planning carried out by the Local Authority and ended with general related suggestions.

The main discussions of the FG meetings were focused on five of the topics as noted in Figure 5.10. Nonetheless, when certain domineering individuals talked at length in giving their opinion for each of the questions, the researcher had to intervene to give an opportunity for the others to voice their opinions. In another instance, when participants were discussing topics which were irrelevant, the researcher had to intervene and help them back to the scope of the meeting, so as to keep the discussion on track. Hence, the researcher's integrity as the moderator of those meetings was being challenged, as she needed to keep the discussion on schedule and focused. She had always to think about what had already been discussed, what was currently being said, and what still needed to be covered. In short, the researcher was sensitive to establishing an environment where each participant felt comfortable in voicing their views, especially for those very reserved participants. The researcher realised that the best approach to get the best outcome from the interviews was to regard each participant's views and experience with respect.

- The end of the session was opened up for members to express opinions and views on matters other than what had already been discussed; the researcher summarised briefly what had been discussed and obtained verification from the participants.

The researcher opened the discussion for other suggestions the participants had to better improve the government's conservation efforts, as well as getting their views on other matters. Then she made a brief summary of the main points discussed and asked them whether or not the summary was accurate. At the end of the session, the

researcher expressed her gratitude, thanked all the members of the group for participating, and provided them with a gift each.

After the FG meetings, the researcher produced transcriptions verbatim for further analysis. In short, the FG meetings organised were able to produce meaningful information and, since these groups have different cultures and beliefs, the researcher was able to show respect for the different traditions and values. The researcher had approached each group and the participants with respect, hence the outcome of the FG meetings have been very good.

**Figure 5.12: Four of the FG Meetings Held**



The researcher as the moderator during the MHT group FG meeting at the St. Peter's Church in Malacca City on 23<sup>rd</sup> April, 2005.



The Chitty FG meeting held at the Chitty Community Centre in Kampung Gajah Berang, Malacca City on 2<sup>nd</sup> May, 2005.



Every member listening attentively to the opinion of one of the participants during the Kampung Morten FG meetings in Malacca City on 11<sup>th</sup> May, 2005.



A member of the Portuguese community is voicing his opinion during the FG meeting held at the Community Centre in the Portuguese Settlement Square, Malacca on 2<sup>nd</sup> May, 2005.

#### **5.7.4 Quantitative Sampling**

Qualitative research typically involves small samples selected purposefully as compared to typically large and random samples, as in quantitative samples (Patton, 1990). In qualitative research, the sample is determined by most effective means of developing emerging theory. Quantitative research is intended to be statistically representative of a population, allowing generalisations to be made and therefore the sampling is rich with information.

For this research, a semi-structured questionnaire interview survey was utilised to collect the relevant data and information of other stakeholders. The semi-structured interview was considered more appropriate for this research because it offers the facility to probe for the answers, clarification and elaboration in a manner which would allow qualitative information to be recorded within a standardised format. It was anticipated that semi-structured interviews would be very useful in complementing the other research methods being used, and providing opportunities for the triangulation of the qualitative responses elicited from the interview questions. The diagnostic interaction between the interview and interviewee allowed them to express their thoughts and ideas in 'conversationalist' style, which resulted in more interactive and flexible discussion (Thomas, 2003). Moreover, the advantage of this method is that it allowed the interview to be guided by topics related to the research questions. The focus of the questionnaire survey was to acquire the information of the present practice and approaches taken by the authorities to enhance community involvement in the decision-making of conservation projects.

Quota sampling with small samples of respondents was carried out to be purposive rather than random (Huberman & Miles, 1994). The sampling of respondents was carried out by carefully identifying the respondents from all levels of governments during the research fieldwork. The main sources of information were perceived to be documentation and the people responsible for the enhancement of community involvement in conservation planning and development. This was done by taking a purposive sampling of the specific target groups because of the desired information for the research. Thus, the quota sampling technique was used here by taking two samples of officers responsible for conservation movements in each organisation at the different levels of government and the non-governmental organisations (NGOs). The researcher managed to capture thirteen face-to-face interviews, four through e-mails and six by meeting and leaving the questionnaires which were later picked-up from personnels at different levels of government and other stakeholders including

academic, the private sector, as well as the non-government organisations (NGOs). The number of samples was considered reasonable and appropriate for the research as they were selected on the basis that each respondent played a leading role in each organisation that was identified to be related to the promotion and activities of heritage conservation efforts in Malaysia. They were also directly responsible and have influence or are involved with the conservation-related works especially in Malacca. Therefore, they were selected to represent their organisations in terms of policies and practices not only based on their present role but also on their previous experience. Their present role and status in their organisations are as indicated in Figure 5.13 below.

**Figure 5.13: Parties Sent Questionnaires and Interviewed**

Levels	Name of Organisation	No. of Samples	Rational	Main Topics of Discussion
<b>Federal Government</b>	<ul style="list-style-type: none"> <li>Min. of Arts, Culture &amp; Heritage</li> <li>Min. of Housing &amp; LG</li> <li>FDTCP (HQ)</li> <li>Museum Dept. (HQ)</li> </ul>	2# 1 1# 1#	Officers responsible for the conservation efforts in each organisation. They represent the organisations where they are attached to.	Information of the present practice and approaches taken to enhance community involvement in decision-making of conservation projects i.e. <ul style="list-style-type: none"> <li>the extent of participation initiatives used</li> <li>who and how often they consult community</li> <li>issues emanating</li> <li>the perceived benefits</li> <li>obstacles of involving the community</li> </ul>
	<ul style="list-style-type: none"> <li>FDTCP (Southern Branch located in Malacca)</li> <li>Museum Dept. (Southern Branch located in Malacca)</li> </ul>	1# 1 1#		
<b>State Government</b>	<ul style="list-style-type: none"> <li>State Government office</li> <li>State TCP Dept. (Malacca)</li> <li>State TCP Dept. (Penang)</li> <li>Malacca Museum Corp. (PERZIM)</li> </ul>	1 1# 1 1# 1	Total of 23 samples.	Other information: <ul style="list-style-type: none"> <li>status of policies</li> <li>control mechanism</li> <li>inter-agencies co-operation</li> <li>funds</li> <li>manpower &amp; expertise</li> </ul>
	<ul style="list-style-type: none"> <li>MBMB (Malacca)</li> <li>MBMB</li> <li>MBMB</li> <li>DBKL (Kuala Lumpur)</li> <li>MPPP (Penang)</li> <li>MPT (Taiping)</li> </ul>	The Mayor#* 1#* 1+ 1+ 1+ 1+		
<b>NGOs</b>	<ul style="list-style-type: none"> <li>Badan Warisan Malaysia</li> </ul>	1#		
<b>Private/Institution</b>	<ul style="list-style-type: none"> <li>Consultant for Malacca studies</li> <li>UTM/consultant</li> </ul>	1# 1#*		

# personnels interviewed

#\* open-ended interviews

+ e-mailed

! 'leave-pick up later'

There were officers relating experiences from working at more than one organisation and at different levels of government (see Figure 5.14). For example, there is an



architect who was previously a PERZIM officer (the State of Malacca Museum Corporation), and previously headed the newly established Conservation Unit in MBMB. However, presently he is one of the main officers responsible in conservation efforts in the Ministry of Arts, Culture and Heritage (MoCAH) at the Federal level. Therefore, the different functions captured as a result of interviewing these people were very pertinent and useful, as they related their experiences from more than one perspective. Consequently, out of the 23 samples, the researcher had actually captured 43 different sets of experiences. This indicates that the set of interviews actually gives a much stronger cross-section of relevant views and experiences than might be apparent simply by focusing on the number of individuals interviewed. Hence, this sample set is a good in that it actually produces the targeted results. Further to that, for practical reasons, it is of a manageable sampling size considering the limited allocation of time duration for the empirical work in Malaysia.

In terms of gender and ethnic group (see Figure 5.14), out of the total interviewees 12 (52%) respondents are male, whilst 11 (48%) are female. The figure reveals that there is no bias or discrimination between genders in Malaysian employment structure especially in the public sector. In terms of the ethnic structure, 19 (82%) are Malays whilst 4 (18%) are Chinese and no Indian. This demonstrates that Malays are largely in the public sector whilst the Chinese are dominant in the business and private sector.

In carrying out the semi-structured interviews, the researcher had to make early appointments to fit in with the busy schedules of the officials. Initially, all the parties selected were telephoned for face-to-face appointments, however, where appointments could not be made due to constraints of time and the unavailability of the officers, questionnaires were sent to them and an explanation of its purpose was given. The completed questionnaires were collected by hand at a later time or a few of them replied through the electronic mail (internet). Whilst for the other Local Planning Authorities of Kuala Lumpur, Penang and Taiping (among the most active local level organisations apart from MBMB, in the northern and central region of the country) presently carrying out the conservation efforts, questionnaires were sent through electronic mail due to their distant physical location. Wherever quotations are used throughout the analysis (in Chapter Seven and Eight), it is kept anonymous for confidential purposes. It is worth noting that, quotations are verbatim (about 95%). For the other 5% non-English quotations, they were translated. Additionally, for the less-than-perfect language, it has been paraphrased to ensure nothing is lost in the translation.

**Figure 5.14: Interviewees by Designation, Functions, Gender and Ethnic Group**

Level of Present Post	Name of Organisation	Post Held	No. of Official/ Sample	Functions by Levels of Government through Previous Designation	Gender	Ethnic Group
<b>Federal Government</b>	• MoCAH	Ministry Division Secretary	1	• Federal and State	Male	Malay
		Principal Assistant Director	1	• Federal, State (PERZIM) and LA (MBMB)	Male	Malay
	• Min. Housing and LG	Ministry Assistant Legal Adviser	1	• Federal	Female	Malay
	• FDTCP (HQ)	Director	1	• Federal and State	Male	Malay
	• Museum Dept. (HQ)	Deputy Director	1	• Federal and Regional	Female	Malay
	<b>Total</b>	Deputy Director	1	• Federal and State	Female	Malay
<b>Federal Government (Regional branch)</b>	• FDTCP (Southern Branch located in Malacca)	Director	1	• Regional and Federal	Female	Malay
		Project Manager	1	• Regional, Federal and State	Male	Malay
	• Museum Dept. (Southern Branch located in Malacca)	Director	1	• Regional and Federal	Male	Malay
	<b>Total</b>		3			
<b>State Government</b>	• State Government	Planner	1	• State	Female	Malay
	• State TCP Dept. (Malacca)	Director	1	• State, Regional and Federal	Male	Malay
	• State TCP Dept. (Penang)	Assistant Director	1	• State and Regional	Male	Malay
	• Malacca Museum Corp. (PERZIM)	Director	1	• State and Federal	Male	Malay
	<b>Total</b>	Architect	1	• State	Female	Malay
<b>Local Government</b>	• MBMB (Malacca)	The Mayor	1	• Local (MBMB) and State	Male	Malay
	• MBMB	- Director (Planning)	1	• Local, State and Federal	Male	Malay
	• MBMB	- Deputy Director	1	• Local and Federal	Female	Chinese
	• DBKL (KL)	- Architect	1	• Local	Female	Malay
	• MPPP (Penang)	- Unit Head	1	• Local	Female	Chinese
	• MPT (Taiping)	- Director	1	• Local	Female	Malay
	<b>Total</b>		6			
<b>NGOs</b>	• Badan Warisan Malaysia	- Vice President	1	• NGO	Female	Chinese
	<b>Total</b>		1			
<b>Private/ Institution</b>	• Consultant for Malacca studies	- Architect	1	• Private Consultant and NGO	Male	Chinese
	• Univ. of Technology/ consultant	Course Director	1	• Academician and Consultant	Male	Malay
	<b>Total</b>		2			
<b>Total</b>			<b>23 samples 20 questionnaires</b>	<b>43 samples by previous and present functions</b>	<b>12 Male 11 Female</b>	<b>19 Malay 4 Chinese 0 Indian</b>

Source: Malacca Data Collection, 2005.

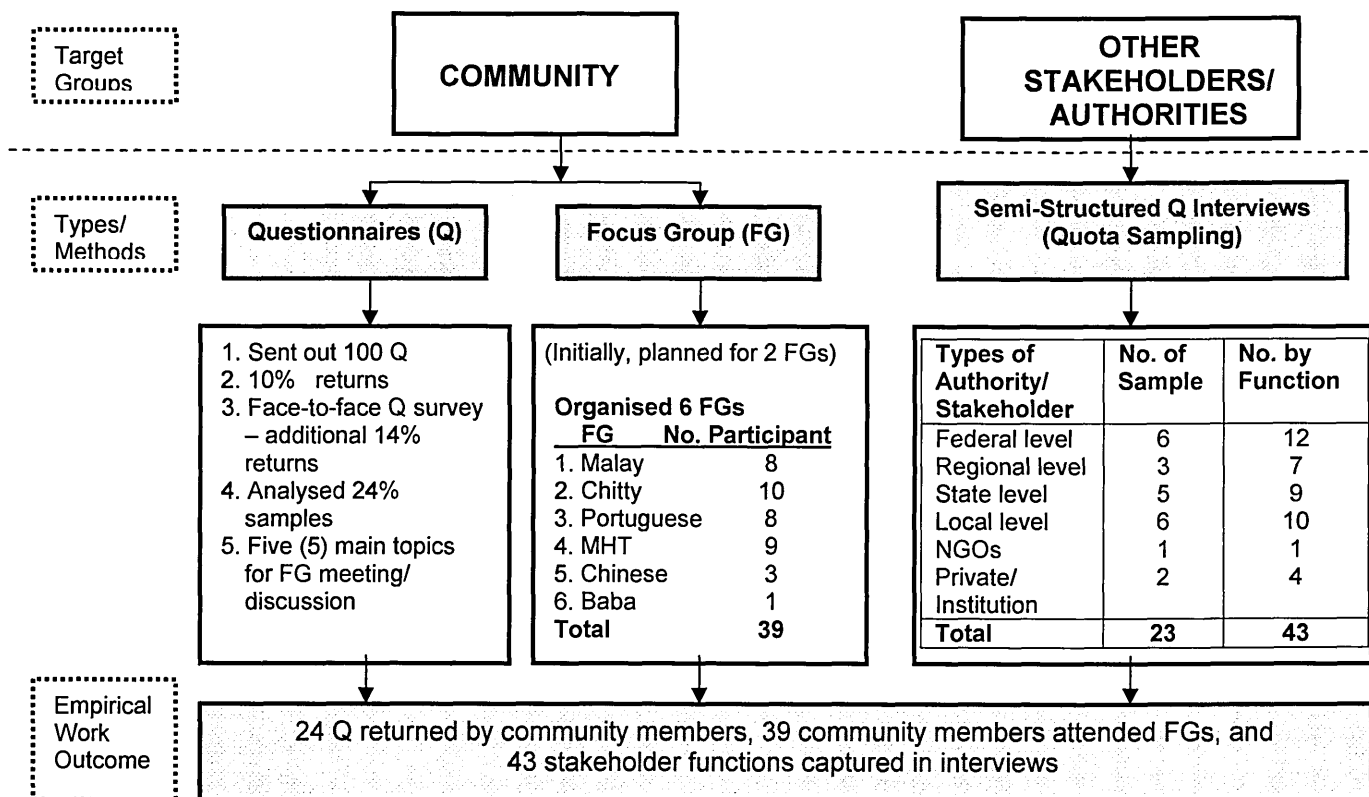
The interviews started off with greetings, the introduction and purpose of the interview, as well as the list of topic headings and possible key questions under these headings. The questions posed were performed by using a designed questionnaire, while the open-ended questions were based on the main topics of discussion. The interviews were aimed at obtaining factual information and practice through descriptive data, and that the interview questions were developed and drawn from the literature reviewed.



Ethical considerations were addressed in the interview process. Consent was first sought from the interviewees and for the face-to-face interviews to be recorded prior to its commencement. The respondents were assured of the confidentiality of the interviews and that the interviews would contribute useful insights into the research investigations. Upon completion, the respondents were asked to sign a consent letter, debriefed and thanked. The outline of the draft adopted to format and design the interview questions is as shown in Appendix D.

In essence, the empirical work that has been carried out in the case study area can be summarised in Figure 5.15 below.

**Figure 5.15: Empirical Work Carried Out in Malacca City**



## 5.8 QUALITY OF RESEARCH DESIGN CRITERIA

The development of case study design needs to adhere to certain conditions to attain the quality desired. Concepts that have been offered to test the quality of a given design include trustworthiness, credibility, confirmability, and data dependability (US General Accounting Office, 1990). However, Yin (1994, 2003) points that four tests

have been commonly used to establish the quality of empirical research including case studies:

- *Construct validity*: establishing correct operational measures for the concepts being studied.
- *Internal validity* (for explanatory or causal studies only, and not for descriptive or exploratory studies): establishing a causal relationship, whereby certain conditions are shown to lead to other conditions.
- *External validity*: establishing the domain to which a study's findings can be generalised.
- *Reliability*: demonstrating that the operations of a study – such as the data collection procedures – can be repeated, with the same results.

Yin (2003) lists four recommended case study tactics in dealing with the four (4) tests mentioned as in Figure 5.16.

**Figure 5.16: Case Study Tactics for Four Design Tests**

Tests	Case Study Tactic	Phase of research in which tactic occurs
<b>Construct validity</b>	<ul style="list-style-type: none"> <li>• Use multiple sources of evidence</li> <li>• Establish chain of evidence</li> <li>• Have key informants review draft case study report</li> </ul>	data collection data collection composition
<b>Internal validity</b>	<ul style="list-style-type: none"> <li>• Do pattern-matching</li> <li>• Do explanation-building</li> <li>• Address rival explanations</li> <li>• Use logic models</li> </ul>	data analysis data analysis data analysis data analysis
<b>External validity</b>	<ul style="list-style-type: none"> <li>• Use theory in single-case studies</li> <li>• Use replication logic in multiple-case studies</li> </ul>	research design research design
<b>Reliability</b>	<ul style="list-style-type: none"> <li>• Use case study protocol</li> <li>• Develop case study database</li> </ul>	data collection data collection

Source: Yin (2003) p.34.

### 5.8.1 Research Design Quality Control

To meet the test of construct validity, Yin (2003) insists that an investigator need to cover two steps:

1. Select the specific types of changes that are to be studied (and relate them to the original objectives of the study) and

2. Demonstrate that the selected measures of these changes do indeed reflect the specific types of change that have been selected.

As stated earlier, this research work focuses on the community involvement approach and, in doing so, documentary evidence of community involvement past and present practices from the relevant authorities is needed.

As shown in Figure 5.16, three tactics are available to increase construct validity when conducting case studies. The first is the use of multiple sources of evidence by encouraging convergent lines of inquiry, during data collection stage. The second tactic is to establish a chain of evidence, also relevant during data collection and lastly to have the draft case study report reviewed by key informants. These tactics were adopted for this research. As mentioned earlier, the multiple sources approach for the case study of Malacca involved focus group interviews, interviews with other stakeholders of conservation movements especially the various levels of government authorities, observation and document analysis.

Internal validity is of concern for causal (or explanatory) case studies, in which an investigator determines whether an event (x) leads to another event (y) (Yin, 2003). It is the concern over internal validity, for case study research may be extended to the broader problem of making inferences. This, when the investigator infers a particular event resulting from earlier happenings based on the data collection done (interview or document analysis). As a counter-suggestion as in Figure 5.16 the analytic tactic of pattern matching is one of the way of addressing internal validity. Other ways include explanation building, addressing rival explanations, and using logic models.

The external validity problem has been a major barrier in doing case studies (Yin, 2003). This test deals with the problem of knowing whether or not a study's findings are generalisable beyond the immediate case study. Generalisability in case studies can be done by the study providing a rich description, so that readers can see whether the study is applicable to their situation. A single case study of Malacca is selected for this research as this will open the field and identification of key issues for further research to follow. Wisker (2001) supports this in that a single case study will be useful as an example which others can use to transfer/translate into their context. It is apparent that as single case study once gained evidence and explored and written up, will be useful as an example of particular practices in operation from the point of view of a single set of examples. Consequently, this should inevitably help widen the debate for future related research works for Malaysia, in particular for Penang and Kuala Lumpur. On the other hand, external validity in this research work will be achieved through the

questionnaire survey and the validation of community involvement framework developed on the basis of primary and secondary data collection sources.

The objective of reliability is to minimise the errors and biases in a study. Reliability is a test to ensure that later investigators follow the same procedures described by an earlier investigator and conduct the same case study all over again (Yin, 2003). To do this, it is prerequisite that an earlier case study should document the procedures followed in the earlier case. It is the replicability for another researcher to be able to replicate what has been done earlier. Generally, the reliability problem is overcome by breaking it down into as many steps as operational as possible and to conduct research as if someone were always looking over your shoulder. However, the best way to achieve reliability in qualitative research is the use of triangulation, in which if different methods of assessment or investigation produce the same results, the data are likely to be valid. In this research, the triangulation method is adopted to achieve the reliability. As proposed in Figure 5.16, using study protocol can minimise the errors and biases in the study. The case study protocol contains the instrument, procedures and general rules that should be followed for the research study. Yin (2003); Burns (2000) stress that protocol is a major way of increasing the reliability of the study by ensuring the standard procedure is followed. The protocol should contain the purpose of the study, the issue, the setting, the propositions being investigated, the letter of introduction, review of theoretical basis, operational procedures for getting data, sources of information, questions and lines of questioning, guidelines for report, relevant readings and bibliography. Chapter Six (6) will elaborate the elements of case studies data phase for this study.

There are numerous methods of ensuring rigour in qualitative work. The major methods for ensuring rigour are intricately linked with reliability and validity checks. Denzin and Lincoln (1998) list the main methods as being 'criteria of adequacy and appropriateness of data; the audit trail; verification of the study with secondary informants; and multiple raters'. One of the methods used for this research is (adequacy and appropriateness of data) by triangulating and interfacing data gathered from the empirical work of authorities/stakeholders and the communities. This is to achieve reconciliation and to strike a balance between both sets of views for the proposed framework (refer to Chapter Nine (9)).

## **5.8.2 Data Analysis Process**

Data analysis is an important stage of research, as it is a process of bringing together the information into order and analyse and to interpret the collected data. In case studies, Cassell and Symon (1994) establish that data analysis and data collection are developed together in an iterative process. In qualitative research, as stated by Marshall and Rossman (1999) the typical analytic procedures are categorised into six (6) phases, which are all suitable for this research. They are 'Organising the data; Generating categories, themes and patterns; Coding the data; Testing the emergent understanding; Searching for alternative explanations; and Writing the report'.

The document or content analysis is a form of classifying document or content. Burn (2000) affirms that, as the research focus becomes narrower, the analysis should include discussion about why certain choices were selected rather than others, and should reveal emerging ideas, which are strengthened or weakened by successive interviews. This includes theories that emerge from data in qualitative research, termed grounded theory. Content analysis needs a coding system that relates to the theoretical framework or research question. In this research, the semi-structured interview will be used to pursue the content analysis coding and necessary improvement will take place as the content analysis continues. Identifying salient themes, ideas or language, and patterns of belief that link people and settings together, is the most intellectually challenging phase of data analysis (Marshall and Rossman, 1999). The categories emerged from the process of nodes generation involving noting patterns evident in the setting that were expressed by participants. The categories should be internally consistent but shall be distinctive from one another. Some cross categories may be done to produce types (Burns, 2000). After generating categories and themes, some coding format is applied and exhaustive passages in the data are marked using the codes. While the research uses both manual and computer software programmes to code and analyse the data as discussed in the following sections; the results of analysis will be discussed in Chapters Seven (7) and Eight (8).

### **5.8.2.1 Approach to Community Data Analysis**

The qualitative analysis of this research is done for the Community Focus Groups meetings/interviews. The results of the questionnaire survey in the selected communities formed the basis of issues that were discussed in the focus group (FG) meetings. The FG meetings were conducted and the data from these interviews were audio-taped and then transcribed. Subsequently, the analysis of the data collected

includes about how data were sorted, organised, conceptualised, refined, and interpreted.

The first stage of analysis involves observing, sorting and grouping data. This is done by investigating the data manually (matrix analysis) as well as using a computer software programme (NVivo version 2). A matrix is essentially the crossing of two lists, set up as rows and columns (Nadin and Cassell, 2004); Miles and Huberman (1994). It typically takes the form of a table, although it may also take the form of networks - a series of nodes with links between them. Each row and column is labelled, with rows usually representing the unit of analysis - be it by site, if a between-site analysis or comparison is being conducted, or by different individuals from the same site for a within site analysis. The column typically represents concepts, issues or characteristics pertinent to the research questions. Miles and Huberman (1994) also point out that the key skill of constructing a data analysis matrix is to make a large amount of data accessible and meaningful whilst doing justice to the complexity of data by enabling cross-site and within site-comparisons.

Before any matrix construction can begin, the process of data reduction is necessary, a process which involves 'selecting focusing, simplifying, abstracting and transforming the raw data' (1994:10) which is done, where interview transcripts are concerned, by coding. The following process was undertaken in carrying out the analysis:

- i. Immersion in the data reading and re-reading the transcripts, labelling at the sides to generate appropriate codes.
- ii. Arranging the codes into categories.
- iii. Collating the different sections of the different interviews into the appropriate category.
- iv. Taking each category individually and 'making-sense' of the data within it, further subdividing the information into sub-categories where necessary. Examples of 'sense making' included:
  - noting any similarities in the comments made and whether this indicated a general trend;
  - noting which points were emphasised by interviewees;
  - noting the different ways in which interviewees qualified their views and actions.

In order to triangulate the analysis for the FG findings, the data was also analysed using the latest version of the computer assisted qualitative data analysis (CAQDAS) software NVivo, version 2.0 (see Appendix F for the illustration of NVivo software and application for the data analysis). NVivo is appropriate for this research, as it is a flexible qualitative data analysis tool especially for working with grounded theory and inductive method. Moreover, this software allows for a combination of subtle coding with qualitative linking, shaping, searching and modelling. In terms of coding, the researcher reviewed FG interviews data documents line by line, developing codes to represent themes, patterns and categories. The codes were saved within the NVivo database as nodes that were then reordered, merged or removed, to help visualise and locate analytical items or categories (See Figure 3 in Appendix F for the NVivo application flow chart). By using NVivo, it helped highlight areas that were unclear, and encouraged a return to the data to do further coding, refinement or review, improving the quality of the analysis. Nevertheless, NVivo or any other CAQDAS system requires the researcher to create the time to thinking, as the researcher needs to construct and account for the data and methods and processes of analysis. The idea of using CAQDAS (besides manual analysis) is that it allows managing, accessing and keeping a perspective on all the data, without losing its richness or the closeness to the data that is critical for qualitative research (Bazeley & Richards, 2000). Additionally, it helps the researcher to be immersed in the data while making sense of the data by detecting patterns and drawing robust conclusions simply; resulting in better analysis capabilities. NVivo modeller is used in developing a structure for the emerging themes, in which, the final output of the analysis is a model that is illustrated in Chapter Eight (8) (Figure 8.2).

Eventually, both the results from the manual and NVivo analysis were run through and checked and then produced the analysis as discussed in the following paragraphs. This will be supported by the other information including documents and reports gathered from relevant authorities.

As mentioned earlier, to establish reliability, validity and rigour in the case studies data, a quantitative element was incorporated through the questionnaire survey. Statistical techniques (by means of computer software) were utilised to analyse these quantitative data. In describing the characteristics of respondents, types of projects and the patterns of phenomenon; the descriptive statistical method was employed such as means, medians and standard deviation.

During the process of data analysis quotations are used, and confidentiality is assured by keeping the respondents anonymous. This is done to ensure the confidentiality of

the respondents and to encourage truthful answers without fear of repercussions from any sensitive comments or opinions. The analysis engages in generalisation of answers and avoids linking any individual respondent to specific answers.

#### **5.8.2.2 Approach to Authority and Other Stakeholders Data Analysis**

The semi-structured questionnaire surveys allow for descriptive answers provided by the descriptive questions/surveys (Naoum, 2002); the answers with open-ended questions giving the benefits of coding to explain behaviour within pre-established themes or categories whilst allowing variations, as proposed by Alder and Alder (in Denzin and Lincoln, 1998); and the facility to collect meaningful, in-depth and rich data important to explain and substantiate the phenomenon being investigated by providing a greater breadth of investigation that enables analytical enquiry to establish relationships or associations between attributes (Babbie, 1998). Analysis of data collected from the questionnaire survey includes about how data were sorted, organised, conceptualised, refined, and interpreted. The first stage of analysis involves observing, sorting and grouping of data. Face-to face interviews which were audio-taped were transcribed for both the qualitative (as there were open-ended questions while some answers were required to confirm some points made during the interviews for the quantitative answers purposes).

All data from the twenty (20) questionnaires were about factual information and practice gained through the descriptive data of stakeholders, including authorities at all levels, NGOs and the private sector. The data were manually keyed-in into the SPSS Version 11 software for analysis. Some of the data transferred for the SPSS analysis was grouped and re-coded. This was done to prepare the data for a detailed analysis, as in the following procedures:

- a. Made copies of the data and stored the master copy away. Used the copy for making edits, etc.
- b. Tabulate the information, into the SPSS format by category.
- c. Key-in information by entering data for each question according to category.
- d. For ratings and rankings answers, computing weighted score was done to get the average of the data distribution.

Descriptive analysis test procedures are employed here, as the sample for the case study is not big. The statistical tests selected for the analysis include frequency and



descriptive method rather than using sophisticated techniques. Furthermore, the samples were taken based on the various posts held by each interviewee and that by virtue of their designations, they represent their organisations. The pattern of results were summarised by using tables, bar and pie charts.

The open-ended questions and interviews were analysed by the use of the NVivo software version 2.0 in a detail coding procedure. Thirteen (13) respondents were interviewed face-to-face (both by questionnaire and open-ended interviews), as shown earlier in Figure 5.13. Among others, the open-ended interviews were performed with the Mayor of the MBMB, a MBMB planning director and an academician who was a consultant for a few studies carried out for MBMB and other related heritage conservation-tourism studies in Malacca. All these data were transcribed and then coded by the NVivo process as discussed in 5.8.2.1. In the analysis process, this will be supported by other information gathered from documents and reports. The researcher found it difficult to use NVivo for the first time. However, after attending lessons including a hands-on training, the use of software in analysing documents was not that difficult, especially when the data has been manually analysed earlier.

The analysis of data collected from the authority as well as the other stakeholders will be discussed in Chapter Seven (7) while the qualitative community data analysis will be carried out in Chapter Eight (8).

## **5.9 LIMITATIONS OF THE RESEARCH**

Experiences from various researchers indicate that no research design is totally impeccable. Although always intended to be as comprehensive as possible, any research design will encounter limitations as resources are not always as sufficient and complete as desired, and research projects have to be completed in a certain period of time. As Marshall and Rossman (1999) state a discussion of the study's limitations demonstrates that research realities are understood and that no presumptuous claims about generalisability or conclusiveness relative to what has been learnt are made. Thus, there is limitation for this research as the empirical study in which the case study was carried out in Malaysia in a given period of time. Due to the limitation of time (whereby under the agreement of the sponsor, the researcher is only allowed to stay in Malaysia for a maximum of three months), the empirical data collection process had to be completed with the available resources and logistics within the allowable period. However, this constraint was dealt with by optimising all the activities needed to be carried out within the duration of stay as against the available resources, as well as

selecting the case study based on varied nature of the multi-society that are present in the country. The policy documents regarding the sensitive historic area and the information of the Malaysian culture and identity needed to be treated with confidentiality as they involve the rights and privileges of local residents. This is due mainly to the sensitivity of issues involving the pluralist society of the country. The questionnaire interviews were conducted with a few selected high level officials at different levels of government; which obviously involved a great effort of making appointments for the interviews and 'hijacking' the officials from their busy schedules, which, as expected, was difficult. However, the researcher was quite lucky because contacts were made beforehand and in some instances had patiently waited until late evenings for the session to begin or end and even conducted a few sessions during public holidays. Nevertheless, the respond from the officials were most welcoming despite their busy schedules and commitments.

If the researcher were to embark on the study again, armed with the knowledge after experiencing and carrying out the empirical work, the researcher would have considered other conservation areas, especially Penang, as it is the other conserved city that is jointly nominated along with Malacca city for the WHL. Ideally, this would also have been followed by other cities and towns that are actively carrying out conservation efforts, like Kuala Lumpur and Taiping.

Another aspect that the researcher was not able to carry out during the empirical work was to interview respective politicians/councillors. While the researcher felt that it was of limited value to interview these politicians to get their views on the effort of getting the community to be involved in conservation initiatives, it is still felt that their views should be taken into consideration so as to find out how the political process acts towards the agenda.

The research concentrates on the present use of the methods in getting community involvement in Malacca city. It is felt that the results are expected to be better by taking the trend from the past; say five-year period and the intended future use of the approaches. Consequently, the future research could build on this knowledge to understand how and why some approaches are more effective than others.

This Chapter has presented and discussed the methodological approach taken for the research. It has outlined the research question and the research methods used to answer the question. Different methodological concepts of research work have been discussed to derive the best method for this research. From findings of the review, the type of research inquiry identified can be best explained and analysed by an inductive approach employing mainly a qualitative methodology. Along with the different qualitative methods presented, case study approach best suited the research question and to the objectives of the research. Nevertheless, to establish the reliability, validity and rigour in the case studies data, a quantitative element was incorporated through the questionnaire survey, as a triangulation method. The aim of the research shall be achieved by developing a framework for the community involvement within the conservation planning projects in Malaysia based on the analysis of the literature review, case studies and the questionnaire survey.

The findings of the research will be an invaluable guide in assisting the relevant authorities and associations that are engaged in promoting and enhancing the involvement of the community and public in the development of conservation projects. Nonetheless, it is not the intention of the research work to solve the problems of conservation planning in Malaysia, rather it is intended to help in unfolding a wider debate and making suggestions on the framework for further research work in the area. The next chapter proceeds in discussing on the introduction of the case study area.

### **6. CASE STUDY**

#### **6.1 AIMS OF THE CHAPTER**

Chapter Four (4) has furnished the background to and an overview of the current provisions for community participation within the planning system in Malaysia and highlighted the issues of the Malaysian practices of community involvement in conservation planning. Chapter Five (5) has provided the basis for determining factors for the selection of research methods and its methodology, as well as using the option of a case study in the research strategy. This chapter follows on by presenting the case study area selected for the research work. It begins with an examination of the physical context and profile of the case study area, and the communities within its conservation zones. The chapter then proceeds with an elaboration on the authorities responsible for conservation; the procedures and the community involvement process in conservation planning carried out in Malacca.

#### **6.2 INTRODUCTION TO THE CASE STUDY AREA**

Prior to rationalising the application of a case study as the research strategy and followed by the methodology, the research introduces the case study area in the following sections.

##### **6.2.1 Physical Setting of the Case Study Area**

Malacca State is located at the south of Peninsular Malaysia (as indicated in Figure 6.1 overleaf), with a population of 602,167 persons in year 2000 and is expected to increase to almost one (1) million by 2020. The State of Malacca comprises of three main districts and was previously covered by three development plans, i.e. Structure Plans, with the following plan periods respectively:

1. Malacca Historical City Municipal Council Structure Plan (1991-2010)
2. Alor Gajah District Council Structure Plan (1995 – 2015)
3. Jasin District Council Structure Plan (1995 – 2015)

**Figure 6.1: Malacca Historical City Location Plan**



*Source: Structure Plan for MPMBB, 1991 - 2010*

The Structure Plans mentioned above outline the physical development policies of each district, providing the framework for the overall development and the planned landuse zones within the context of the available resources and development aspirations for the districts. Currently, with the amendment of the Town and Country Planning Act, 1976, the requirement for the preparation of the Structure Plan (SP) has been elevated to State level. In line with this requirement, the Malacca State Structure Plan, which defines the landuse development strategy of the State, has recently been completed and is in the process of legal gazettelement. The landuse development policies outlined in the State Structure Plan will supersede the above previous district Structure Plans. Concurrently, the next level of plan, i.e. the Local Plan for the Malacca Historical City Municipal Council, which is the more detailed landuse development plan, is also in its final draft stage. Once completed, the Local Plan will indicate the development strategies for Malacca City and its conservation zones.

The research case study area is the area within the previous Malacca Historical City Municipal Council Structure Plan, which covers the whole Council area or Central Malacca District, with an area of 19,400 hectares (301 sq km) (Figure: 6.1). The Local Planning Authority for the area is the Historical Malacca Municipal Council or MBMB. The SP for the MBMB has spelt out ten (10) policies on the restoration and refurbishment of the area in establishing Malacca with a historical city image that is

authentic and functional. One of the imperative elements the SP delineated is the Conservation Area (CA) covering the civic area and old quarter area, which consists of three (3) historical zones within the historical core area, i.e.:

Zone 1: Historic core (Dutch Square, Saint Paul's Hill and Chinatown)

Zone 2: Areas surrounding the historic core

Zone 3: Areas affecting the view towards the sea, i.e. the Straits of Malacca

A closer inspection of the city shows the division of Malacca city into two parts by the south flowing Malacca River. The north-western part around Jalan Hang Jebat and Jalan Hang Kasturi is chock-a-block with old, culturally rich buildings in narrow roads. On the southern bank of the river in the vicinity of Jalan Kota stand most of the preserved historical ruins left by past European administrators. Like many other urban centres in Malaysia, Malacca has remained an essentially Chinese town, which the city centre population dominated by the Chinese (82.3%) while the Malay and Indian populations are 10.9% and 3.0% respectively.

Malacca has prominent historical features, notable architectural styles and unique local community cultures which project the city as a prime tourist destination (see Figure 6.2 overleaf). Since its declaration as the "Historical City" in 1989, Malacca has heightened urban conservation efforts, especially in the city centre area, particularly in the gazetted Old Malacca Zone. The historic core coincides with the area defined as the 'Conservation Zone 1' by the SP and LP. The conservation core area covers 39.2 hectares while the buffer area<sup>9</sup> around it covers 149.2 hectares with the latest inventory of 957 heritage buildings (January, 2006). This includes the 'civic area' housing the buildings and remains of the colonial past, namely the Stadhuys Building, Christ Church, St. Paul's Church, A Formosa Fort, St. Francis Xavier's Church, Independence Memorial Building and the old quarter. The two areas are bisected by the historic Malacca River (see Figure 6.3 and 6.4 on pp 164-165).

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<sup>9</sup> Buffer area/zone - An open space with the appropriate width or area that segregates two incompatible land uses to deter adverse environmental effects and insecurity that may be caused from one to the other. Buffer zones could be divided into 2 categories:

- i. Physical Buffer  
Green strip areas which encompass parking lots, driveways and pedestrian walkways.
- ii. Green Buffer  
Areas reserved for planting of trees as in areas for landscaping and grassfields



**Figure 6.2: The Colonisation Remnants as Seen in Buildings**

**The remnants of the  
A Formosa Fort - the  
Portuguese 1511-1641**



**The legacy of the  
Dutch era, 1641-1824 -  
the clock tower and the  
Stadhuys building,  
currently houses the  
Ethnography Museum**

**The legacy of the  
British era 1824-1957  
- currently houses the  
Independence  
Declaration Memorial**





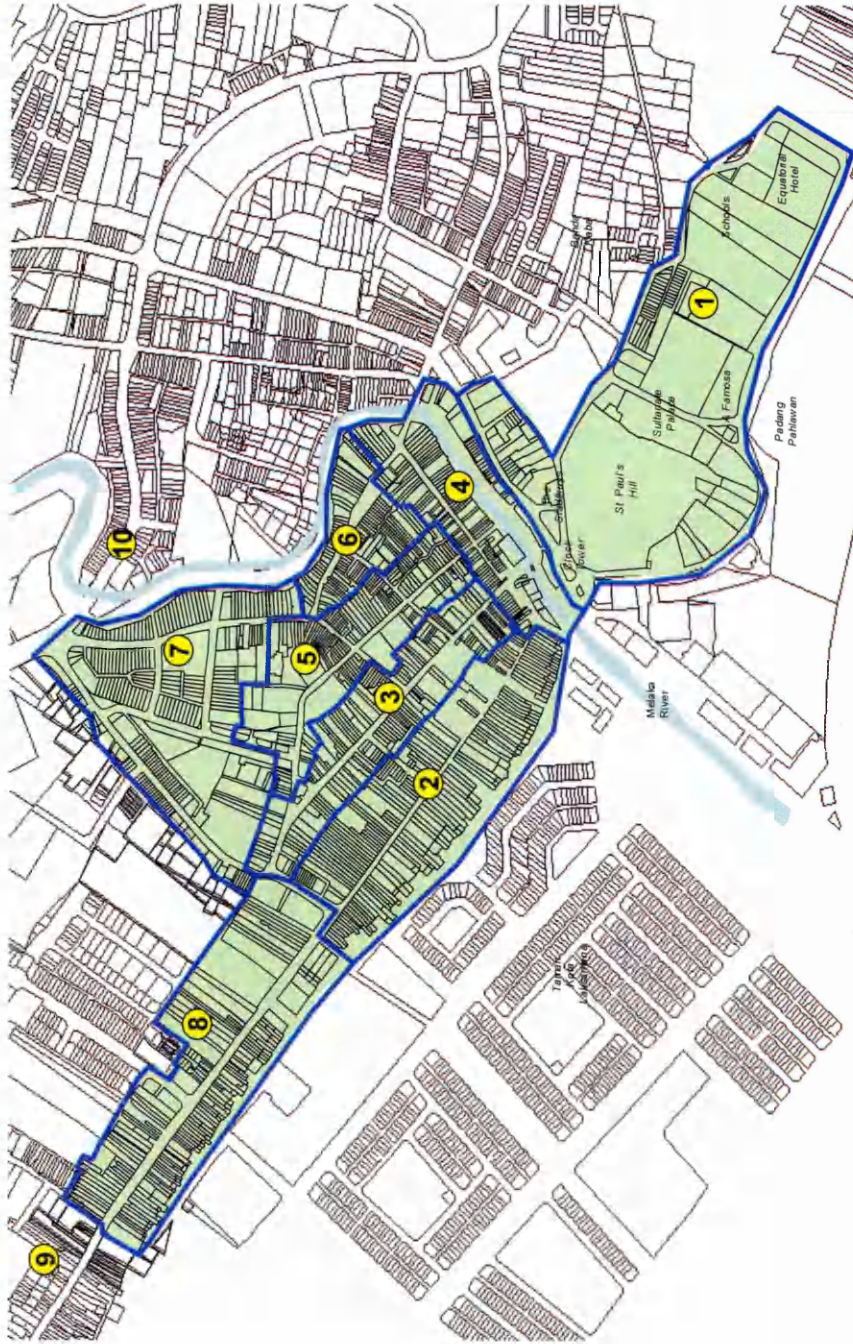
**Figure 6.3: The Conservation Sub-Zones in MBMB Area**

**LEGEND**

- Sub-Zones**
- 1) The Civic Buildings
  - 2) Jalan Tun Tan Cheng Lock
  - 3) Jalan Hang Jebat/Lorong
  - 4) Hang Jebat (Jonker Walk)
  - 5) Lorong Hang Jebat and both sides of Melaka River
  - 6) Jalan Tokong, Jalan Tukang Emas and Jalan Tukang Besi (Symbol of Multiculturalism and Old Trade)
  - 7) Jalan Kg. Pantai (Godown and Storage Area)
  - 8) Kampung Hulu & Jalan Kubu (Former Malay settlement & Transition Zone)
  - 9) Tengker (Commercial & Residential)
  - 10) Kg. Gajah Berang (Kg. Chitty)
  - 11) Kg. Morten
  - 12) Ujong Pasir (Portuguese Settlement)



Not To Scale



Source: The Study On The Improvement And Conservation Of Historical Urban Environment In The Historical City Of Melaka (2002) and MBMB (2005)



Figure 6.4: Other Attractions in the Core Conservation Zone



Replica of Sultan's Palace – was reconstructed based on description in historical texts



The Melaka river is enhanced for boat cruise for another tourist attraction



Located in the heart of the core zone, this building has been turned into a tourist information centre



The site for Light and Sound Show – Being converted into underground parking and shopping mall



The field (Padang Pahlawan) is being converted into a controversial shopping mall/complex and underground parking

As a nation with a colourful historic past resulting in the present multi-ethnic population base, the communities in the conservation zones include the varied groups of the Chinese, Malay, Indian (or Chitty) and Portuguese communities. These communities add value to the intangible cultural resources of the city, such as Malacca's unique ethnic mix, culture and food, which are among those being promoted as Malacca's cultural assets. Other important components of the cultural resource are in the traditional trades, comprising blacksmiths, furniture makers, bound feet shoemakers and the Chinese coffee shops (well known as *kopitiams*). A varied range of religious and cultural rituals are practiced by the different communities, although rituals associated with the Chinese community are more predominant in the historic core. This is due to the fact that other major communities have been relocated to specific enclaves around the urban fringe, such as Gajah Berang (Chitty community), Kampung Morten (Malay community) and Ujong Pasir (Portuguese Community).

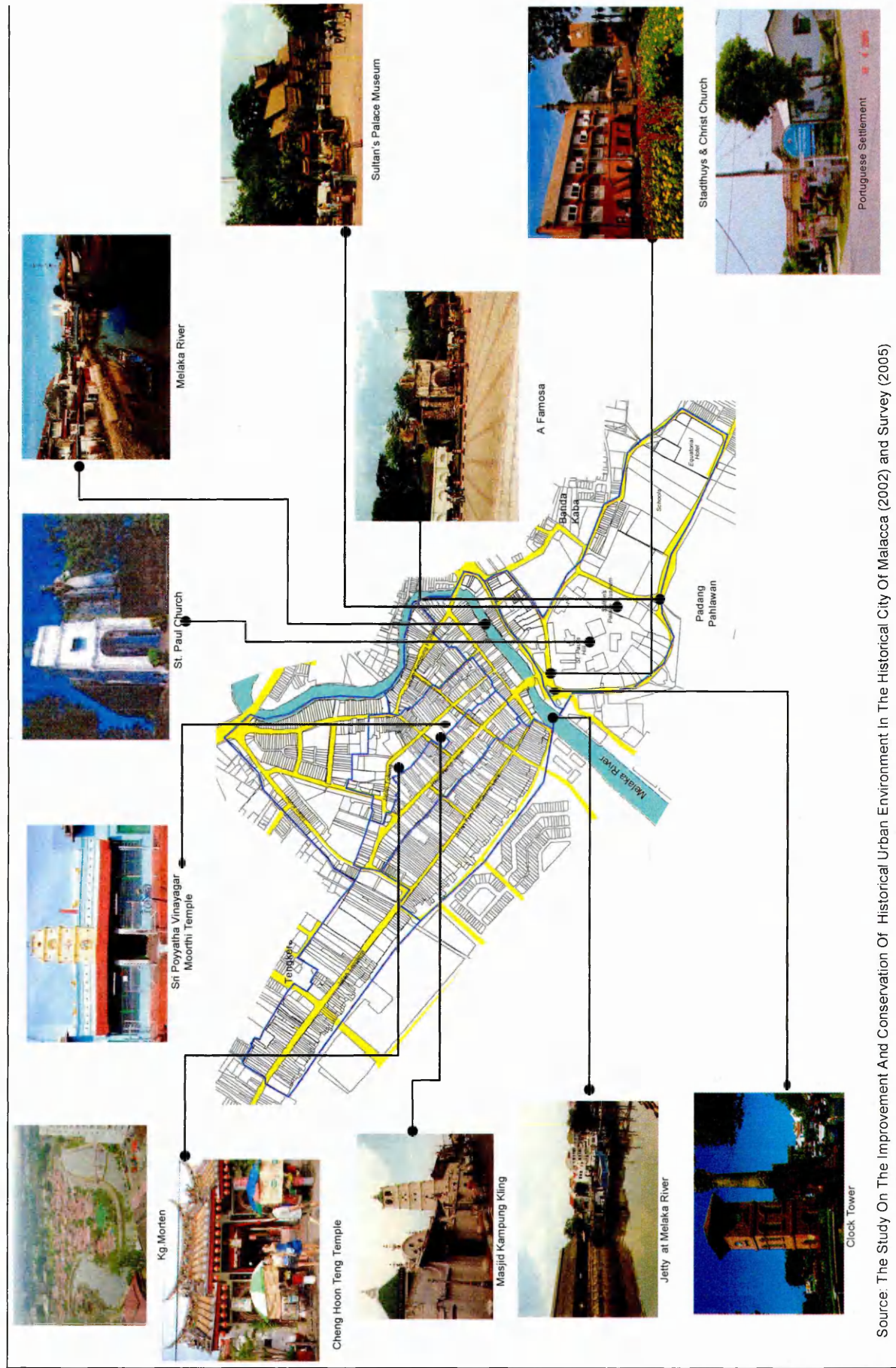
The authenticity and uniqueness of Malacca's heritage, as discussed above, is therefore in terms of its urban fabric, architectural values as well as its living heritage (see Figure 6.5 overleaf). Despite the rapid urban development of industrial development, Malacca has largely retained the urban fabric of shophouses, religious and administrative buildings with original street patterns. This is followed by the high level of authenticity in its design and workmanship. In terms of living heritage, the juxtaposition of myriad communities, each still practising its own language, traditions, cultures and customs is strongly retained (Ahmad, 2005). The JICA study (2002) reported that based on its potential and prospects<sup>10</sup>, the State government has set a target for Malacca to be a 'developed state' by the year 2010. Related to this vision is the State's aspiration to get Malacca inscribed as a World Heritage Site. This is in recognition of Malacca's past and present contribution to the world as a showcase for multi-culturalism and racial tolerance. Although the attempt to nominate Malacca into the World Heritage List (WHL) was mooted as early as 1988, it was not until ten years later that the State government decided to make a formal nomination together with Georgetown, Penang (Hamzah and Noor, 2003). It was not until 1998, during a UNESCO Conference held in Penang and Malacca, that the idea was given fresh impetus upon the recommendation of the UNESCO for Culture in Asia and the Pacific. Subsequently, the Federal Government submitted a joint nomination, (together with Georgetown, Penang) as cultural sites to the UNESCO in Asia and the Pacific.

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<sup>10</sup> The mainstay of Malacca's economy over the past decade has been manufacturing and cultural tourism. Together with Penang, Malacca possesses a high number of cultural tourism assets in the form of heritage values including monuments, sites and intangible cultural resources, such a unique blend of culture, food, etc.



Figure 6.5: Major Heritage Conservation/Tourist Attraction in the City Centre



Source: The Study On The Improvement And Conservation Of Historical Urban Environment In The Historical City Of Malacca (2002) and Survey (2005)

### **6.3 COMMUNITIES OF THE CASE STUDY AREA**

MBMB's communities play a prominent role in the conservation of the historical and cultural resources in the case study area. This section discusses their contribution to the heritage asset of the area.

#### **6.3.1 Communities of the Conservation Zones**

The community in the conservation area of MBMB is generally divided into two main areas, i.e. the old quarter area, which is populated by a diverse group ranging from the various ethnic and religious associations, such as the Baba and Nyonya Association, the Cheng Hoon Teng Temple, the Kampung Kling Mosque Committee the various Chinese clan-based associations, as well as the business community like the Jonker Walk Committee. The other community is from the traditional/cultural village that includes the Kampung Chitty, Kampung Morten and Portuguese Settlement. The other groups considered as community are the NGOs, such as Badan Warisan Malaysia and the Malacca Heritage Trust (MHT), whose members live in the conservation areas.

Presently, the local communities living in the conservation areas are the Chinese community who form the bulk of the population living within the old quarter area (see Figure 6.6 overleaf). The Chinese community is represented by different groupings or clans, which includes the Hokkien; Cantonese; Hainanese; Hakka; Teochew; and Heng Wah. The Hokkien, many of whom are the ancestors of the Straits-born Chinese (Baba) when they intermarried with locals, form the biggest grouping, followed by the Cantonese (See Figure 6.7 on p.170). These groupings maintain clan associations within the conservation area, although the Association buildings belonging to the Hokkien and Heng Wah clans are actually located in the buffer zone. In addition, there are many ancestral homes in the case study area, which are maintained by caretakers, but there is no official record on the total number of ancestral homes. Some of the clan houses of the various Chinese communities mentioned used to organise nightly activities within their respective clan houses. These include reading, poetry recitals, singing and dancing.

It was during the British occupation that the other main community groups were relocated to the urban fringe. For instance, the Malays were relocated to Kampung Morten (see Figure 6.8 on p.171) whilst the Portuguese community now mainly live within their enclave in Ujong Pasir (see Figure 6.9 on p.172).



**Figure 6.6: Chinese Community Living in the Old Quarter Area of the City Centre**



The main entrance to Jonker Walk area includes Jalan Hang Jebat, Jalan Tun Tan Cheng Lock and Lorong Hang Jebat. The area is turned into night market as a tourist attraction. On the right is a temple/Hokkien Association hall.



Residential buildings along Jalan Tun Tan Cheng Lock, generally vacant by owners due to less conducive living environment and commercial activities are enhanced in the area.



A busy road in Jalan Hang Jebat with commercial units along both sides of the road.



Jalan Tun Tan Cheng Lock with narrow streets and on-street parking for visitors, to a certain extent, add to the non-conducive living environment for landlords/owners.



**Figure 6.7: The Baba and Nyonya's Heritage**

One of the most popular conserved building of Baba and Nyonya's house situated in Heeren Street



Another 'Straits Chinese' or Baba and Nyonya's house that is conserved and turned into a private Museum.





Figure 6.8: The Malay Community of Kampong Morten



Kampung Morten from an aerial view. One of the popular tourist activities is the boat cruise along the Melaka River. The cruise starts from the river mouth and takes tourists to as far as Kampung Morten.



The main entrance to Kampung Morten.



One of the Malay traditional houses in Kampung Morten. On the other end is the village mosque which has been the focus of daily activities of the community.



Figure 6.9: The Portuguese Settlement in Kampung Ujong Pasir



The centre court of the Portuguese settlement comprises of the main stage (whereby the community hall is attached to the back of the stage), the Portuguese Square on its right (photo below) and the food court area at the other corner.





The entire conservation area in the city centre is currently dominated by the various Chinese clans and the only link between the old quarter and the other communities living in the enclaves is through the presence of places of worship belonging to these groups, such the Chitty temple, Masjid Kampung Kling and Masjid Kampung Hulu, as well as the Methodist Church (Christian Tamils). The majority of Indians/Indian Muslims living within the case study area are antique dealers who operate about seven (7) antique shops while the money lenders live along Lorong Hang Jebat. The bulk of the Chitty (Straits-born Indians) community were relocated to the urban fringe (at Gajah Berang) by the British (Figure 6.10 overleaf). The remaining Malays are located in a small enclave called Kampung Pali which lies opposite the Cheng Hoon Teng Temple. This plot of endowment land currently contains thirty (30) Malay households and five (5) Chinese households living in this enclave. The Malays have their own activities centred around the Kampung Kling and Kampung Hulu Mosque closed to this enclave. Nevertheless, the main enclave of Malay heritage community promoted for major tourism seems to be the Kampung Morten.

One of the most famous and also controversial tourist activities (Special Tourism Event) within the Case Study area is Jonker Walk. This weekend activity was started about a year ago involving the closure of Jalan Hang Jebat (Jonker Street) from 6.00 p.m. to 11.00 p.m. on Fridays, Saturdays and Sundays. The original intention was to allow traders to peddle handicrafts so as to create a night activity attraction for tourists, but Jonker Walk is now overwhelmed with food stalls. Jonker Walk has received a lot of criticism in the media mainly because it gives the appearance of just another Malaysian night market (pasar malam) (See Figure 6.11 below). Notwithstanding this, according to a tourism impact survey on 316 local residents, more than 60% of the local residents and traders are in favour of the project.

**Figure 6.11: Jonker Walk**



The Jonker Walk night bazaar along Jalan Hang Jebat



Although the activity has brought night life to the historical residential area, it also brings controversial impact on the living environment



Figure 6.10: The Chitty Community in Kampung Gajah Berang



Chitty's community situated in Kampung Gajah Berang. The road leading into the village is narrow. Photo below is another example of Chitty's house.



Chitty's community in Kampung Gajah Berang is very proud of their temple known to many worshippers and tourist.



The communities in the conservation zones celebrate religious ceremonies and activities. These events, as well as customary celebrations such as Hari Raya Puasa, Hari Raya Haji (Malays), Ponggol, Thaipusam (Indians and Chittys), Intrudu and St. Pedro's Festival (Portuguese) Chinese New Year, Chap Goh Meh, Wesak Day (Chinese, Straits-born Chinese) are celebrated both within the community enclaves and places of worship in the case study area, and these celebrations are currently promoted as tourism products. Thus, tourists could experience a variety of celebrations when they come and visit Malacca during those festive seasons.

As mentioned earlier, within the case study area, the main tourist attractions are located on and around St. Paul's Hill in Zone One (as illustrated in Figure 6.2). These attractions comprise the restored civic buildings from the Dutch and British colonial days as well as the *A Famosa* which is the only remaining structure associated with the Portuguese period. According to a tourism study (UNESCO, 2002), the public square in between the Clock Tower and Christ Church is the most popular tourist spot followed by *A Famosa*, and some of the former civic buildings that have been converted into museums by the PERZIM, namely the Cultural Museum, History Museum, Youth Museum, People's Museum and Ethnography Museum. There are also places of worship along Jalan Tokong and Jalan Tukang Emas that are often visited by tourists such as the Cheng Hoon Teng Temple, Masjid Kampung Kling and Chitty Temple (Sri Poyyatha Vinayagar Moorthi Temple) (Figure 6.12 below). Additionally, there are historical attractions such as the Hang Kasturi Mausoleum along Jalan Hang Jebat and Hang Jebat Mausoleum along Lorong Kuli.

**Figure 6.12: Among the Religious Buildings in the Old Quarter**



Kg Kling Mosque with a blend of several architectural styles



Cheng Hoon Teng Temple is the oldest traditional temple in Malaysia

## **6.4 AUTHORITIES AND PROCEDURES IN CONSERVATION**

The following sections discuss on the responsible authorities and the relevant procedures of conservation efforts carried out in Malacca city.

### **6.4.1 Authorities Responsible for Conservation**

Under the provision of the Antiquity Act, 1976, the Department of Museums and Antiquities (JMA) under the Ministry of Arts, Culture and Heritage (MoCAH) is the main cultural asset manager responsible for the preservation and maintenance of the historical monuments and sites within the civic area. The JMA is a Federal agency that has regional offices in the whole country, with its southern branch located in Malacca city. The JMA is only responsible for the conservation and restoration of public buildings and given that most of the buildings within the old quarter are privately-owned, JMA does not have the power nor financial resources to conserve these historically significant buildings. Thus, its main efforts have focussed on the conservation of gazetted national and state heritage buildings and monuments.

The other important agency in Malacca State that is also a cultural asset manager is the Malacca Museums Corporation, also known as PERZIM. PERZIM serves as the secretariat for the Preservation and Conservation Committee (PCC); it is empowered through the Preservation and Conservation of Cultural Heritage Enactment (PCCHE), 1988, Amendment 1993, to undertake the preservation and management of private buildings. However, PERZIM is limited by a lack of funds and experts to carry out its responsibility towards the conservation of private buildings. The main tasks accomplished by PERZIM are limited to the disbursement of launching grants for repairs, such as the repair of damaged roofs in Kampung Morten and the construction of both mini museums in the Portuguese settlement at Ujong Pasir and the Chitty settlements in Gajah Berang. Hamzah and Noor (2002) point out that due to limited resources, as well as a reactive response to growing public pressure, this responsibility of administering and managing the cultural heritage of the conservation area was transferred back to MBMB in 2001 with the establishment of a Conservation Unit headed by the PERZIM's conservation architect who was seconded to MBMB. However, the architect is now transferred to the newly established MoCAH leaving the designated post in MBMB still vacant<sup>11</sup>.

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<sup>11</sup> After about two years of vacancy, eventually, the post is filled.

Just like the JMA, the FDTCP, being the Federal Government department, has its Malacca Project Office, which caters for development plans preparation for the southern zone, i.e. the States of Malacca, Negeri Sembilan and Johore, located in Malacca city. Besides the State TCP department, the FDTCP Malacca Project Office assists the SA and LA in advising on all planning matters and helps in the formulation of the developments plans i.e. the SP and LP for the local planning areas in accordance with the TCP Act, Act 172.

Thus, the present system of cultural heritage conservation and management in Malacca City has been generally confined to gazetted national and state heritage buildings and monuments. To ensure that the urban environment of the historical city (that also includes non-heritage and non-gazetted buildings and sites) are sustainably improved and conserved, the JICA report, 2002, proposed that a single entity with sufficient legal provisions and staffed with conservation specialists, adequately empowered with legal provisions, able to control, monitor, and enforce activities conducive for conservation of the heritage of the city is required. Furthermore, such an entity should also carry out research and prepare a comprehensive Conservation Management Plan for the systematic conservation and preservation of the valuable heritage assets of Malacca.

#### **6.4.2 Procedures on Conservation in Malacca City**

The State of Malacca, in particular the MBMB as the local authority of Malacca city, has been interested in conservation efforts for the last twenty (20) years, and has enacted its own legislation in 1988 called the 'Preservation and Conservation of Cultural Heritage Enactment' (PCCHE). As discussed in Chapter Two, before the establishment of the MoCAH, there was no independent Conservation Act in Malaysia and conservation has always been a peripheral part of existing laws as in the TCP Act, the Local Government Act and the Antiquities Act. Implementation of conservation projects was done using the available legislation and administrative powers. Through the establishment of the present MoCAH, a separate federal legislation to facilitate conservation efforts has been drafted. (During the data collection period, the new National Heritage Bill was under debate in Parliament.<sup>12</sup> The analysis presented here, thus, is based on that position). The newly passed National Heritage Act, 2005, now makes provision for the preservation and protection of the following elements:

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<sup>12</sup> At the time of writing this dissertation, the new National Heritage Act, 2005 has just been passed by the Parliament in December, 2005. However, it will be in-effect in 2006 as Preservation of National Heritage Act, 2006 (Ahmad, 2005).

1. Natural and Cultural Heritage
2. Tangible & Intangible Heritage
3. Underwater Cultural Heritage
4. Treasure Trove

It was found that the strength of the new Act lies on the following factors:

- Appointment of Heritage Commissioner;
- Establishment of National Heritage Board;
- Establishment of National Heritage Register;
- Establishment of Heritage Fund and other incentives;

(it is worth noting, that all the above factors were newly introduced)

- No 'age' criteria;

(under the previous Antiquity Act, 1976 all buildings/structures of 100 years or more could be preserved as heritage)

- Increase Penalties – from RM 50,000 to RM1 million and the order of restoring buildings into their original condition.

Despite its above-mentioned strengths, certain aspects are not covered by the proposed Act. This includes the absence of the physical planning aspects (that will have to be enforced through the TCP Act 172) and the absence of social inclusion of involving and consulting the community in the planning of conservation projects. Hence, the so-called 'comprehensive' Act is still open for debate. As a result of the enforcement of the new Act, earlier legislation, i.e. The Antiquity Act, 1976 and The Treasure Trove Act 1957 shall be repealed.

As for conservation efforts in Malacca, the PCCHE was put in force in 1989 by the State Authority and has been used since then to promote conservation, in particular to control the height and location of new development. According to the PCCHE, the State Authority is empowered to gazette any features of cultural heritage as being subject to preservation or conservation and may designate the area within which it is located as a conservation area (s.4 (1)). This is done through recommendations of the Local Authority (MBMB), Malacca Museums Corporation (PERZIM) and the advice of the Preservation and Conservation Committee (PCC) which is chaired by the State Secretary. However, the Act does not define what a conservation area is. Under s. 7 of the Act, the Local Authority is required to formulate and publish proposals and programmes for the preservation, conservation and enhancement of the cultural heritage or areas within its locality.

Any building or site that is declared as a cultural heritage resource is subject to the preservation and conservation rules and regulations that prohibit any demolition, alteration, reconstruction, renovation, modification, digging, quarrying, or disturbing of the landscape. Any application for restoration work needs to get permission of the SA which will consult MBMB and PERZIM and the PCC Technical Committee (comprises MBMB, PERZIM and all state technical agencies), as well as the State PCC. Before any recommendation is made to the SA, MBMB and PERZIM will first inform owners of the heritage buildings concerned about the decisions of the PCC. These agencies may also impose certain conditions related to the restoration works. Thus, the State PCC, which comprises of all the said agencies, is an important body that sieves any application connected to heritage assets and its conservation efforts. Its crucial role is advising the State Government concerning heritage issues in line with the requirements of the PCCHE, 1988. The same procedure applies to buildings which are not declared as a heritage site or conservation area, but are within declared heritage sites or area to ensure the character remains harmonious in appearance with the area (Salleh, 2004). According to the provision of PCCHE 1988, Amendment 1993, apart from the SA and State agencies (MBMB and PERZIM), the community or any other person who owns any cultural heritage which has not been declared as such, may apply in a prescribed form to the LA and PERZIM within which the heritage is listed. The application will then be forwarded to the State PCC to be evaluated. When approved, it will then be recommended to the State Executive Council for the final approval and subsequently gazetted as cultural heritage.

A conservation area may be acquired by the State out of the Preservation and Conservation Fund (s.14 (4)(b)). Incentives may also be given in conservation areas and the State may provide differentiated assessment to rates or exemption from other charges, such as the development charge. But whereas that legislation envisages the authority's proposals as being indicative and providing guidance for public sector as well as private sector action, the PCCHE imposes an implementation duty entirely on the owner. An owner is required to submit to the local authority his own proposals for preservation or conservation (s.7(4)). The entire cost of preservation and conservation is placed on the owner and further, backs up with criminal sanctions. This could be said to be harsh to the owner. The section imposes no limits to the local authority's power, and there is no right of appeal against its requirements. Hence, a revisit to improvise certain aspects of the state preservation law is vital to address its present shortcomings.

Having presented the authorities that are responsible for conservation efforts in Malacca City, the following sections continue discussing on the communities who live

in the environment and are/shall be affected either directly or indirectly, by the conservation efforts carried out in their area.

### **6.4.3 Community Involvement in Conservation Planning**

Presently, community involvement initiatives in Malacca are generally carried out by the MBMB and the state agencies. These are basically done during plan development preparation, i.e. the SP and LP process, as discussed in detail in Chapter Four (4) (section 4.3). Based on present efforts in development plan preparation and drawing from findings of the UNESCO-NWHF Workshop<sup>13</sup> (2002), the involvement of the local community in conservation efforts has not grown significantly for the period between 1999 to 2002, with the exception of a slight rise in the number of local contractors involved in heritage conservation schemes which is from two (2) in 1999 to five (5) in 2002. In addition, a study convened by MBMB funded by JICA on public participation in Malacca (2002), reveals the issues of public participation in the improvement and conservation of historical urban environment, summarised as listed below:

- i. Participants
  - Small numbers, low representation of major groups
  - Need to strengthen these issues of small numbers and low representation to ensure greater involvement of participants
  - Generally focus on complaints and suggestions for other people's action
  - Need to develop capacity to enable proactive thinking
- ii. Content
  - Important to set a clear agenda to facilitate focused discussion
  - Language of instruction influences who will come
  - Capacity of participant to contribute constructively
- iii. Format of participation
  - Informal setting preferred
  - Structured discussions are efficient
- iv. Event management and logistics
  - Awareness and timely invitations
  - Mutually agreeable time and place
- v. Commitment and trust - All stakeholders must believe that action will be taken.

In terms of heritage awareness in the education system, heritage is taught as part of history, which is a core subject in primary and secondary schools, as well as teacher and training colleges syllabus (UNESCO-NWHF, 2000). However, there are no schemes to involve students in heritage conservation, except in assignments or academic projects, where the students are usually asked to carry out local survey on the history of the people, places and buildings. Additionally, they may involve themselves in cultural activities like traditional dance and music. On the subject of the participation in

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<sup>13</sup> UNESCO -NWHF Workshop on 'Culture Heritage Management and Tourism: Project Evaluation and Mainstreaming', Penang (2003) based on the previous action plan formulated in Bakhtapur Workshop (2000) and the re-formulated Action Plan in Lijiang Conference, (2001).



heritage education, the state government, through PERZIM and MBMB, do occasionally organise guided tours for students and teachers and organise workshops on endangered traditional crafts. Nevertheless, it is felt that the education and awareness programme for the local community and public at large is still insufficient.

Drawing from findings of the UNESCO study (2000), Malacca has still a long way to go in terms of heritage conservation. The re-formulated plan from the Lijiang Conference (2001), where models of cooperation among stakeholders for the sustainable development of cultural heritage in Asia and the Pacific countries were discussed and promoted, has been able to influence exercise carried out in the JICA study (2003) whereby it involved the same stakeholders. While the public participation exercise was a limited success, it has paved the way for a more consultative approach by the municipality in its decision-making process related to heritage conservation.

## **6.5 CHAPTER SUMMARY**

This Chapter has presented and discussed the case study area selected for the research. It began with introducing the case study area through an explanation of its physical context and profile. The chapter then proceeded with a discussion of the authorities responsible for conservation and the conservation procedures in Malacca City. The communities within the conservation zones have been thoroughly reviewed and the community involvement process in conservation planning in Malacca has been briefly discussed. The details of views acquired from both the community, as well as the authorities from the empirical work shall be discussed and elaborated in Chapters Seven (7) and Eight (8) as well as its conclusions in Chapter Nine (9).

## **CHAPTER SEVEN**

### **7. AUTHORITIES DATA ANALYSIS**

#### **7.1 AIMS OF THE CHAPTER**

This chapter is one of the two chapters reporting the case study data analysis stage of the research. It presents the first stage of the data analysis, which is mainly the quantitative analysis of the authorities' and stakeholders' questionnaire survey and interviews. It begins with the analysis of the primary quantitative data. To complement the quantitative data, the analysis of the open-ended questions was carried out qualitatively and will later be compared to the themes of the community's analysis, which is discussed in Chapter Eight (8).

#### **7.2 AUTHORITIES INTERVIEWS AND ANALYSIS**

Interviews with the authorities and other stakeholders, as well as information from secondary sources, describe the authorities responsible and procedures for conservation efforts in Malacca city, as has been thoroughly discussed in Chapters Five (5) and Six (6). Thus, this chapter concentrates on the analysis of the quantitative and the qualitative data gathered by means of face-to-face interviews, e-mail and 'send-pick-up later' techniques with the authorities and other stakeholders. To supplement the quantitative data, the open-ended questions from the interviews and questionnaires were analysed qualitatively to investigate further and refine the main findings and its conclusions. As discussed in Chapter Five (5), 23 officers from all levels of government were interviewed. The gender and ethnic mix of authorities at different levels of government were acknowledged and discussed (see 5.7.4). The results of the analysis will be discussed in the following sections.

#### **7.3 ANALYSIS AND FINDINGS**

Drawing from Bryman and Burgess (1994), the reading of data was undertaken by the analytical checking of how well the data supported assertions, and how best the data could help to make sense of the phenomenon being investigated. The process of both analysing data (as described in Chapter Five (5)) quantitatively (by using computer software SPSS) as well as qualitatively (by computer aided Nvivo software and

manually) was re-checked to ensure that the important and relevant points and categories were considered across the broad data set. The survey findings are divided into four sections:

1. The present rate of conservation efforts.
2. The approach to community/public participation currently used by authorities and the factors of influence.
3. An analysis on the issues and benefits associated with conducting involvement exercises to include the community and public.
4. A discussion on suggestions to improve the involvement process in conservation planning.

### **7.3.1 Rating of the Present Efforts of the Government in Conservation**

In assessing the views and opinions of the respondents of the efforts of the government in conservation, the respondents were asked to rate the government's present efforts. It was difficult for the respondents to be entirely objective about this question in the absence of agreed measurable service statements for conservation and some form of independent assessment as exemplified in Quotation 1.

#### **Quotation 1**

*"In certain areas we are very successful, but in some areas we failed. For example in the management of heritage in the urban area, it is very difficult to handle because firstly, our legislation is not in place. Secondly, lack of funding and third lack of expertise. Very successful, because there are few buildings and sites either excavated or preserved as the national monuments".*

*Respondent 6*

Another factor is that they were the main actors in promoting and enhancing the conservation efforts, hence, whether successful or otherwise, they were being asked to reflect on their performance in their own work and initiatives. Thus, evaluation of their performance might provide biased responses.

Even when taking into account these potential influences, their answers were quite clear. The respondents from the private/NGOs gave a definite answer of 'unsuccessful' in their rating of the efforts of the government. 55% (11) of respondents thought the government had been 'successful'. In actual fact, most of the other respondents (45% or 9) were inclined to give the government a rating of 'fairly successful' to 'unsuccessful'. About 30% (6) of respondents thought that the government's efforts

towards conservation are at an early stage and still progressing. This clearly indicates that there is the capacity for improvement and greater commitment from various parties and stakeholders.

### 7.3.1.1 Main Actions to Improve the Conservation Efforts

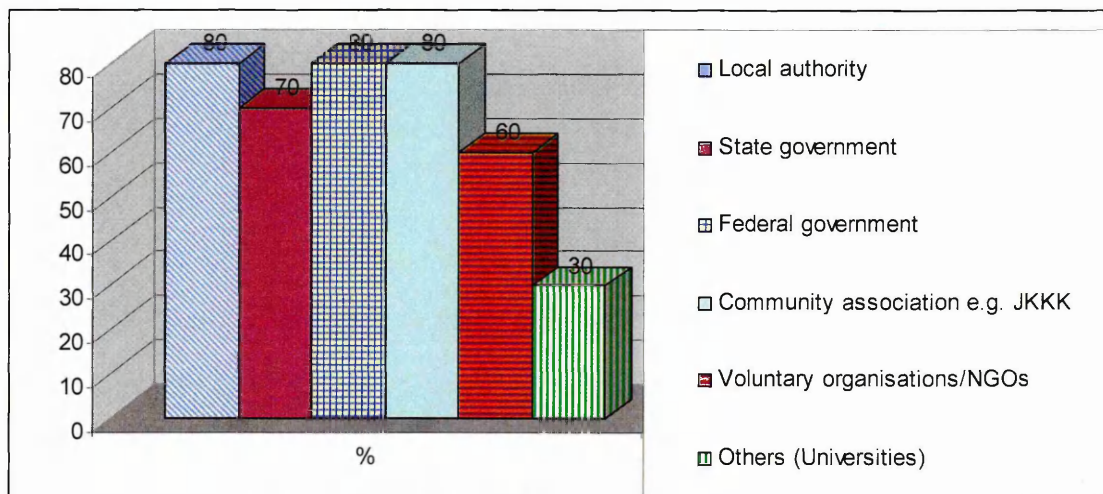
More than 50% (10) respondents indicated that all the proposed actions to improve the conservation efforts should be conducted in parallel or simultaneously.

**Figure 7.1: Proposed Actions to Improve the Conservation Efforts**

	Law & Regulations	Technical Assistance	Active Community Involvement	Research & Training	Identification of More Conservation Values & Products	Others
N	20	19	19	19	17	10
Mean	1.90	2.84	3.16	2.89	3.94	5.30
Median	1.00	2.00	3.00	3.00	5.00	6.00
Std. Deviation	1.25	1.30	1.38	1.10	1.34	1.57

However, when asked to rate them by importance (see Figure 7.1 above), most respondents (90% or 18) of them ranked 'Law and Regulations' with a mean (the average valued of the distribution) of 1.90, median (the middle value of the distribution) of 1 and a standard deviation of 1.25 as the first (the measures of variability around mean). This shows that, generally, respondents rated 'Law and Regulations' as the highest priority of actions that could be taken to improve conservation efforts. 'Technical Assistance' was rated as the second priority with a median value of 2.00 (and mean of 2.84), 'Research and Training' third with a median of 3 together with 'Active Community Involvement'. This shows that, from the respondents' view, the community involvement exercise element comes after the law and regulations are developed, technical assistance is made available to all, while research and training programmes should be an on-going process and should open to all stakeholders. This ranking clearly indicates the opinion of the respondents who place importance on the community involvement exercise to contribute towards successful conservation efforts.

**Figure 7.2: Responsible Parties for Conservation Efforts**



In terms of who should be responsible for conservation efforts, the results, as shown in Figure 7.2 above, reveal that the overall equal highest responsibility (80% or 16 each) rated by the respondents was the Local and Federal governments and the community (with a mean of 1.8 each). The State government follows next with a mean of 1.70 or 70% (17). Voluntary organisations and NGOs were not seen to be significantly less important parties in conservation, as they were ranked third highest, with a mean of 1.60. However, if median is taken as the norm all the stakeholders mentioned, i.e. local, state and federal governments; community associations; voluntary organisation/NGOs and other parties, like universities, all have the same median value i.e., 2.0 which means that all of them have equal responsibilities and roles in the conservation efforts.

As 80% (16) respondents suggested that the law and regulations should be the responsibility of the Federal government, while 'technical assistance' should be the responsibility of Federal government but should be developed by the State as well as the local authority (see Quotation2).

#### Quotation 2

*"After the Federal Constitution amendment, under Schedule 9, heritage was placed in the concurrent list (joint responsibility between the Federal and State) just like the town and country planning. So now, Federal Government can make laws to give themselves executive power apart from the state authority. By law and regulation (it should be) by Federal and State now more so for Federal, because Federal can make one note and would be applicable to all states".*  
Respondent 2

However, when it concerns 'community involvement', most (80% or 16) officers agreed that it is under the responsibility of the State and Local Authority while 'research and training' per se should be by Federal and State governments' responsibility and

particularly suggested that the Federal government must take the lead. One respondent took Penang's experience of conservation efforts (which has been instrumental to a certain extent in engaging public perception and public acceptability towards conservation efforts) to emphasis that community involvement should be given top priority in the overall conservation effort. Community involvement in conserving Penang's heritage has actually made the authorities' job easier because, whatever the government does, it will get quick feedback the very next day whether it is in terms of support or against the authorities' planning (as indicated in Quotation 3).

#### Quotation 3

*"Because heritage in Penang is always a debate on opposite ends on one hand, there is a group who is very strong in heritage and conservation, on the other extreme, another opposition to conservation, they do not see values or no added value to conservation. They only see conservation as a hindrance to economic development. I would say active community whether they support or against has a strong bearing in terms to address conservation efforts. In fact, to a certain extend it would be true to say the government can justify for a particular savings for a certain building or site. But if the public at large is against it, nothing much you can do. You can acquire but it defeats the purpose. Actually, part of the beauty of conservation is that buildings not only owned by government but privately owned is only limited.....Therefore, active community involvement is very important followed by the law, then research and training".*  
Respondent 2

In terms of training, it was suggested that it must be across the board from the federal to the local levels. This stand is firmly made by one of the state level respondent who also has the federal and regional experiences (Quotation 4).

#### Quotation 4

*"Although resources seem to be in abundance with the federal government because of relatively 'unlimited' resources, the state and the local authorities lack of this resources. So when ever they generate income they priority giving services to the needy. State must give priority in accordance to state enactment requirement. Research and training at the state and local level, the lower level is better, the reality of things is that they cannot afford to set aside the money. That is why we need the Federal Government to play more roles here to make funds available to carry out research and also making funds available to promote training."*  
Respondent 2

There were suggestions that the existing machinery can be fully utilised, as there are many training schools already established in the country. What is needed, though, is to extend these existing learning centres into the area of conservation, rather than creating new ones. A good example of such an institution is INTAN (National Public Administration Institute), which provides training to government officers and staff. It not only operates at federal, state and local level, but, in some instances, it even extends training to the private sectors, international audience and semi-government agencies.

In addition, recently, many federal agencies are establishing their own training institutions, like INSTUN by the Land Department under Ministry of Land and Natural Resources, INSPENS by the Valuation Department and IKRAM by the Public Works Ministry which provides training not only to their own staff and officers but have extended the training to other agencies as well. So, it would be a good move if these institutions were expanded in scope to assist in providing training to the community. The relevant authorities could handle community involvement more effectively based on this model.

From the total respondents, 80% (16) of them were familiar with the Malacca Structure Plan and Local Plan and they rated their conservation objectives towards achieving the plan as 'fairly useful' and 'useful'. These 80% of respondents are those who have knowledge and experience of the LA's plan and agreed to its primary goals and objectives. They expressed the opinion that there was nothing wrong with the plans, but, it was not implemented accordingly. Surprisingly, 5% (1) respondent indicated it as not useful because to him what was nicely planned was not followed through due to unknown reasons. Furthermore, as suggested, it is imperative that the relevant authorities look into the economic solution of the local community and that the plan should include the social cultural layer and its management programme (see Quotation 5).

#### Quotation 5

*"So, there is nothing wrong with the objectives of the plan, it is the process in the implementation where there is a lot of failure where perhaps the quality of the product is less than it could be..... I think there is perhaps lack of a basic understanding of how to implement. It is not their intention, I don't think the local government want the responsibility having to deal with managing of heritage areas on one hand, on the other hand they do everything else to the area, suddenly one layer is taken up without a culture layer".*

*Respondent 20*

*"It is all there, it does not surface, what is lacking in terms of discussion on implementation. We must again accept the reality of things when we talk about SP and LP. We as the authors of the plan, we must be fully understand and aware although it is a technical report but at the same time take the opportunity to educate the members of the public. At the same time, to explain how this plan can be used to achieve the objectives. It is not enough just to merely talk about the policies, to describe at great length about the justification and argument but if you do not follow through by describing about how to go about it, I am afraid that seems to be the failure interfacing which is very much lacking".*

*Respondent 2*

*"In principle the goals and objectives are genuine. They talk a lot about the use and guidelines and all that but we do not know so much on how to promote the local sustainable economic. To look into the economic solutions/objectives".*

*Respondent 3*

*"It is difficult to say because on the paper is very nice, but not come to the implementation; it happens to Malacca, they may not follow of the objectives of goal of the plans".*

*Respondent 6*

In addition, one respondent felt that there is a need for producing a Conservation Management Plan (CMP) as, without it, the Local Plan is considered inadequate or not detailed enough for implementation, especially in conservation areas (see Quotation 6 below). He also suggested reviewing the definitions of structures or buildings to be declared as 'historical' (as in the provision of the present Act).

#### Quotation 6

*"Local Plan is not detail because we do not have Conservation Management Plan (CMP). We are still far behind. Even the definitions under the Antiquities Act, apply to buildings of 100 years is considered as historical. Why must wait for 100 years? To me, why wait (for) 100 years after that building is affected or ruined, only then to declare it. You should declare it (as historical); today you officiate a building, tomorrow is already a history. So starting from tomorrow, the heritage policy should ensure that heritage quality in that is preserved or controlled and maintained".*

*Respondent 4*

Therefore, the new National Heritage Bill, 2005, will include provisions for the preparation of CMP in conservation areas. When the new Act is in effect, the two acts, namely the Antiquity Act, 1976 and the Treasure Trove Act, 1957 will be repealed. Nevertheless, one respondent was quite pessimistic and has no confidence in the practicality of the Act, hence doubts its implementation and effectiveness as indicated in Quotation 7.

#### Quotation 7

*"....but in terms of implementation, that we do not believe the current bill is even implementable. I don't think it will. Government has a set of system though the concurrent nature of the land law and land use and land reform and everything. Ministry will set up a parallel system. From what they are proposing it will not be implementable. The Director General (DG) of Museum is the commissioner of heritage on everything that means State and Federal authorities will have to report to DG of Museum. It is not appropriate – the process is not possible and so it will not work. You have buildings, planning and other things other than use".*

*Respondent 20*

The Bill covers almost all aspects of heritage, thus the question that is apparent is: are all parties involved 'all set' for its implementation. It is worth noting that there will be appointments of personnel and committee to supervise, steer and monitor the overall scenario. This includes the appointment of a Heritage Commissioner, establishment of National Heritage Board, National Heritage Register backed up by financial support like the Heritage Fund and other incentives. In terms of planning, the overall management plans are needed for historic areas to integrate conservation with urban planning and the provision of utilities and infrastructure.



## 7.3.2 The Current Approach to Public Involvement by Authorities

### 7.3.2.1 Conduct of Community Involvement Initiatives

**Figure 7.3: Involvement Initiatives by Organisations**

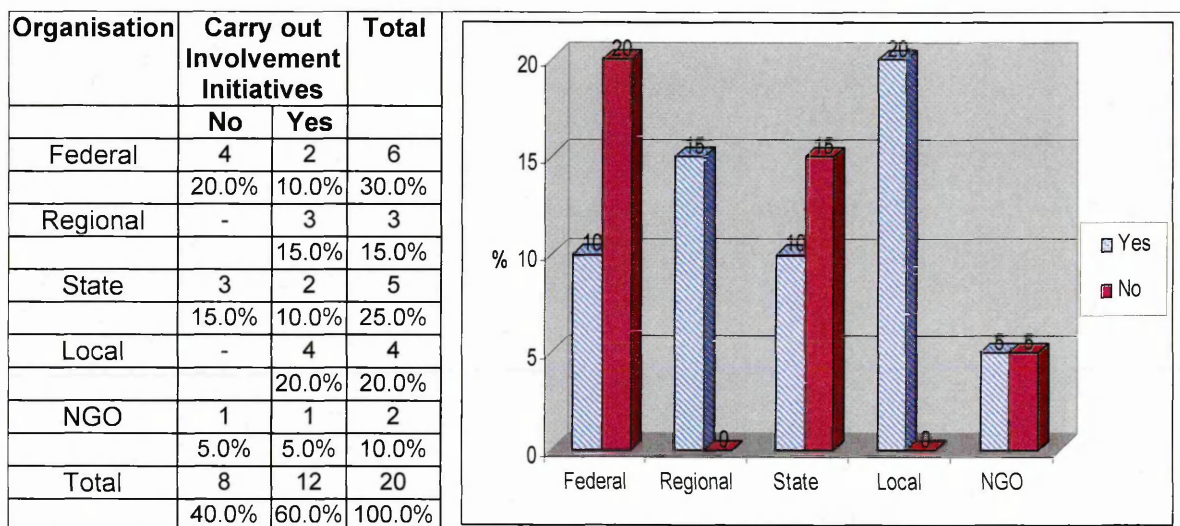


Figure 7.3 shows that 60% (12) of the total respondents interviewed used different types of community involvement approaches, of which all of the local authorities and the regional offices surveyed carried out the initiatives while for the federal and state authorities, only 10% (2) of each undertook the initiatives. Being at the lowest level and closest to the community; coupled with the provisions made in the TCP Act 172, the local authorities are entrusted with most of the responsibilities for community involvement in their areas, with the regional authorities assisting the local authorities in these initiatives. Nonetheless, from the face-to-face interviews, 100% of those interviewed recognised that involving the community or local people plays an integral and legitimate role in planning the future of their locality. Thus, this element needs to be built into the conservation planning system.

Figure 7.4: Community Involvement Types of Approaches Taken

INVOLVEMENT APPROACHES	Respondents	
	No.	%
1. Complaints/suggestions schemes	6	30
2. Service satisfaction surveys	1	5
3. Publicity and exhibition (as stipulated in TCP Act 172)	7	35
4. Questionnaire surveys	6	30
5. Contacts with key person in neighbourhood/community	7	35
6. Radio and media releases	2	10
7. Consultation documents	5	25
8. Community plans/needs analysis	5	25
9. Public Hearings/meetings	7	35
10. Service user forums	-	-
11. Area/Neighbourhood forums	5	25
12. Workshops/Focus Groups	7	35
13. Visioning exercises	3	15
14. Interactive web-site	-	-
16. Briefing, questions and answers sessions	2	10
17. Others	7	35

The survey questionnaires provided a list of 17 different approaches (see Figure 7.4 above) to engage the community/public by traditional methods, such as public meetings, publicity and exhibitions, to more innovative approaches like visioning exercises and interactive websites. Authorities that carried out involvement exercises were asked a range of questions relating to each form of community. For the purpose of the analysis, the different forms of participation have been divided into three main categories (as in Figure 7.5 overleaf):

1. The more **traditional forms** (e.g. public meetings, consultation documents, cooption to committees and question and answer sessions) that have been used by LAs for some time.
2. **Customer-oriented** (e.g. service satisfaction surveys, complaints/suggestions schemes) – most often used in relation to service delivery.
3. **Innovative methods and approaches** (e.g. interactive websites, citizen's panels, focus groups and referendums) that tend to represent the newer research techniques; while help to encourage citizens to deliberate over issues (Deliberative) (e.g. citizens' juries, community plans/needs analysis, visioning exercises and issue forums).

**Figure 7.5: Community Involvement Approaches Taken by Main Categories**

Involvement Approaches	Mean Value
<b>Traditional forms:</b> radio and media releases, publicity and exhibition, questionnaire surveys, public hearings/meetings, contacts with key person and briefing, questions and answers sessions	7
<b>Customer-oriented:</b> complaints/suggestions schemes, service satisfaction surveys, consultation documents service user forums and other opinion polls	2
<b>Innovative methods and approaches:</b> community plans/needs analysis, area/neighbourhood forum, workshops/ focus groups, visioning exercises and interactive web-sites and other new approaches	4

Presently, most authorities use a 'traditional form' of community participation, with a score mean value of 7. The traditional method is either practiced as a requirement of the law, which is required by the TCP Act 172, or the approach that is considered the most straightforward and convenient by the authorities. The use of 'innovative methods' is the second most used method (with a mean value of 4) especially the use of web-sites and focus groups. Other methods, like the referenda and citizens' juries are unusual in the authorities. This is consistent across all types of authorities. This may be due to a lack of knowledge or experience of these approaches and cost being reserved for when a LA needs the community's/public's view on a key issue or decision. The most relevant approach of 'customer-oriented' was the least used (with a median of 2). This marks a difference in comparison to the practice among the authorities of the UK, whereby the service satisfaction surveys and complaints/suggestions schemes are almost totally used by authorities surveyed by DTLR in 2002 in the UK (ODPM, 2002).

It is interesting to note that one respondent stated that the approach his organisation has taken is other than the approaches listed above, which is the one-to-one interview. He said that the organisation recognises that public meetings are ineffective in getting the community's views and opinion (see Quotation 8).

**Quotation 8**

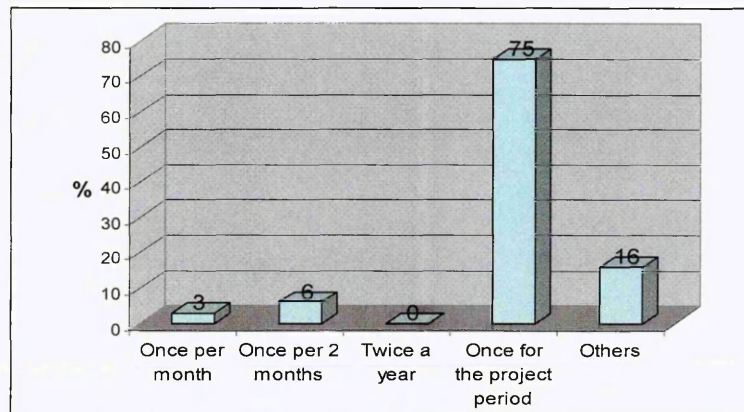
*"The approach to getting community involvement was an extremely informal process. We didn't do any survey. It was carried out at the same time as the UNESCO study. We did a one-to-one interview the community. Public meetings are not useful. For LA, it is important but not to NGOs".*

*Respondent 20*

This indicates that not all traditional methods of consultation suit all types of participants, and that more 'bottom-up' innovative techniques or community/consumer-

oriented method should be enhanced to garner a greater response from participants and different communities as well as other stakeholders.

**Figure 7.6: Frequency of Involvement Exercises**



The survey revealed the frequency with which authorities used involvement exercises within the survey year of the said programme or project. Figure 7.6 describes the average number of times each initiative was used by the authorities. As indicated earlier in Figure 7.4 (on p.180) the participation initiatives used most regularly by authorities appears to be 'publicity and public hearing' (35% or 7) in accordance with the requirements of the TCP Act 172 which were used, on average, once for the project duration. Briefing question and answer sessions (35%) were employed as and whenever necessary. The survey suggests a good deal of variation between the most frequently used approach and methods that tend to be used more intermittently, e.g. focus groups (30% or 6); radio and media release (10% or 2); satisfaction survey (5% or only one) and other opinion polls (10%) because these are generally more cost-effective ways of seeking the public's views and provide generally acceptable and understandable findings. Consequently, the planners become used to these methods.

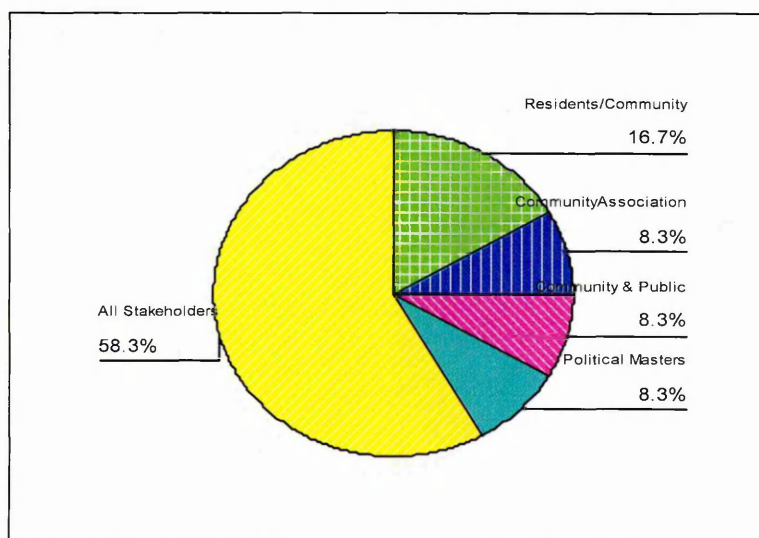
As expected, other innovation methods, such as community plans (25% or 5); area neighbourhood forums (25%), visioning exercises (15% or 3) are methods mostly used on a one-off basis as they are a costly, high profile way to engage the community and public and are, therefore, only used when important issues arise. Even in the UK these are carried out very selectively.

In general, the findings demonstrate that the authorities are relying heavily on the traditional consultation methods. More varied consultation techniques to gather a range of views and to encourage active different target groups are essential in determining the success of the involvement process. Additionally, the techniques selected must be appropriated to the type of development proposed.

### 7.3.2.3 Target Group for Involvement

Findings from the survey suggest that a total of 50% (6) responding authorities carried out community involvement exercises during 2004. Figure 7.7 below represents an illustration of whom involvement exercises targeted. It shows that about 58% (7) of organisations channelled their efforts towards all stakeholders, including residents and local communities, the general public, all tiers of governments, community associations and NGOs as well as the private sector and politicians. While about 17% (2) of organisations targetted for residents and the community, 8% (1) targeted community associations, the community and public and political masters. This indicates that the community comprises a large section of the target groups (90%), which means to say that authorities have placed great emphasis on community involvement.

**Figure 7.7: Authorities' Target Groups of Involvement Exercises**



The survey also indicates that all stakeholders were invited via publicity and the public hearing process during the SP and LP studies. Additionally, in other studies performed by MBMB with the assistance of other organisations like UNESCO as well as JICA, they have involved almost all stakeholders with the emphasis on the local communities.

83% (10) of the total organisations experienced failed efforts in involving a few particular social group(s) effectively such as political groups; unemployed and disabled people; residents/local associations; private sectors; women and local business people. The other 17% (2) respondents never experienced failure in involving any groups of the community.

Generally, authorities are willing to consult the community. Their consultation exercises target all stakeholders, especially local communities. However, it is evident that they need to work harder in pursuing more involvement from targeted communities and

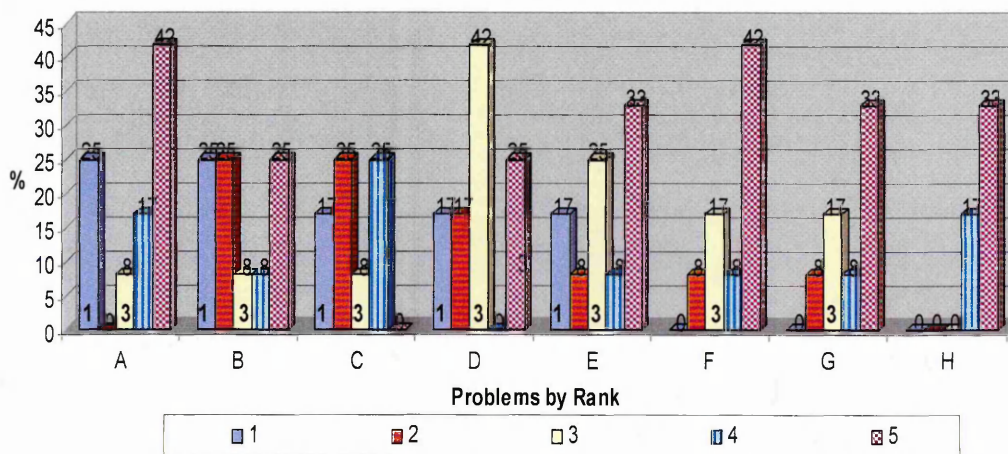


groups, especially those that they have previously failed getting effective responses from.

### 7.3.3 Issues in Community Involvement Initiatives

A list of possible problems/issues that the stakeholders had encountered in implementing involvement initiatives was given and they were asked to rank the problems according to importance. As illustrated in Figure 7.8 (below), there are eight (8) main problems, namely a lack of councillor's/politician's support, lack of officers/experts, lack of public interest/community response, poor participation techniques, poor identification of community issues, lack of financial backing and lack of time.

**Figure 7.8: The Main Problems with Implementing Participation Initiatives**



A - Lack of councillor's/politician's support  
 B - Lack of officer/expert  
 C - Lack of public interest/community response  
 D - Poor participation techniques

E - Poor identification of community issues  
 F - Lack of facilitating legislation  
 G - Lack of financial  
 H - Lack of time

The results of the analysis indicate that three prominent issues appear to be ranked high in priority from the perspective of the authorities surveyed. The lack of officers and experts was ranked by 25% (3) of respondents as 1 and 2 respectively, followed by the issue of a lack of councillors' and/or politician's support, which was ranked 1 by 25% of respondents, lack of public interest and community response was ranked by 17% (2) and 25% respectively as 1 and 2. Other issues were ranked lower in order by the respondents. For poor participation techniques, 42% (5) of respondents ranked it as 3, while 17% each ranked it as 1 and 2. A total of 33% (4) of respondents ranked poor identification of community issues as 5 but 25% ranked it as 2 and the other 17%

ranked it as 1. Hence, the results justify those different respondents ranked all these main problems as between 1 - 5 according to their own priorities and problems faced. These issues were faced by most authorities and other stakeholders and will be explained in the following sections. Surprisingly, lack of time was not ranked as a prominent issue and was rated by most respondents as 5. Although a few respondents felt that they lacked time to perform effectively, other respondents felt that time should not be a problem if the programmes were planned accordingly.

#### **7.3.3.1 Lack of Councillors' and Politicians' Support**

The research recorded a significant number of respondents (42% or 5) ranked lack of councillors' and politicians' support as 5. However, 25% (3) ranked it as 1. When interviewed, these respondents expressed their frustration about the lack of councillors' and politicians' support, as few decisions made were contradictory to conservation plans, policy and efforts (Quotation 9). As discussed in Chapter Two, the system of councillors in the local authority is noted to be political appointed as opposed to being elected or representing the local people. Hence, their attachment to the local community as regards to heritage conservation is doubtful.

##### **Quotation 9**

*"Political masters must be tackled first as they are the decision-maker. Should call them separately; explain them on the importance of heritage conservation".*

*Respondent 11*

This has resulted in conflicting outputs of development between conservation efforts and so-called 'new development', such as in the issue at hand in the core conservation zone, i.e. the development of 'Padang Pahlawan' (the Central Park/field where Malaysian Independence was proclaimed in 1957) which is under construction for a new building complex as well as the proposed 'Viewing Tower'. These new developments are incompatible new and modern developments approved in the name of economic development within the 'supposed-to-be-conserved' heritage conservation zones.

#### **7.3.3.2 Lack of Experts**

A total of 75% (15) respondents answered that there were no conservation experts in their organisations dealing with work on conservation especially in the State and LA for Penang, and Malacca, Taiping Municipal council, KL City Council and FDTCP at Federal, Regional and State levels. In the case of MBMB, besides the present officers in the planning section, there is a Conservation Unit established to look after all

conservation matters in its area. Nonetheless, there is no expert or officer (previously there was one architect who left to join the MoCAH), leaving a technician who is short-handed in capacity, while required to shoulder all the responsibilities of the Unit.

Conversely, the other 25% (5) respondents considered as having experts were the JMA and MoCAH. These experts have comparatively very limited knowledge and specialist background in conservation, but although inadequate, they execute their responsibilities based on long-term experience in dealing conservation works as well as on-the-job training courses on heritage conservation matters that they were sent for. As discussed in Chapter Two and Five, such an example is an architect who was formerly in Malacca and the other officer whom was in the Department of Museum before. Another case is exemplified in the Quotation below.

#### Quotation 10

*"People seek advice and decisions on the nation's conservation effort from me, but I am not an expert. And I believed we have none in the government...Maybe Dr Ameer from JKR knows a fair bit, on techniques....but he lacks knowledge in government policies and planning decision, Rosli from Kementrian Warisan (MoCAH) knows a fair bit due to problems faced when he was in Malacca".*

*Respondent 9*

### 7.3.3.3 Lack of Community Interest

Whilst there is a growing interest in community taking parts in government's conservation initiatives, there is the issue of lack of community interest. This issue of the community's lack of interest was raised by a few respondents from the authorities and other stakeholders. Some of these communities showing a lack of interest are those who are more concerned if the involvement initiative would bring any direct benefit to them (refer to Quotation 11). The different ethnic group indicates different interest among them. However, Portuguese and Malays are among the communities that showed particular interest to protect their culture, values and place.

#### Quotation 11

*"If the project is affecting (area or building) them, they will involve. They are concern if they can get (make) benefit, e.g. business. But if you can have an expert to explain them then they can understand. But so far, I have never heard of any property owner who is proud of their properties/buildings. The Portuguese only proud of their area for their survival. But they are using the heritage to protect their survival. Like in the case of Kg. Morten, it is a case of conservation of heritage i.e. the Malays in the town area but I guess the issue at hand is the financial aspect, if the government do not take the initiatives to protect Kg. Morten, it will be taken over by other developer and it will surely change the image of the area. By location, Kg. Morten is very strategic for new development especially housing".*

*Respondent 13*

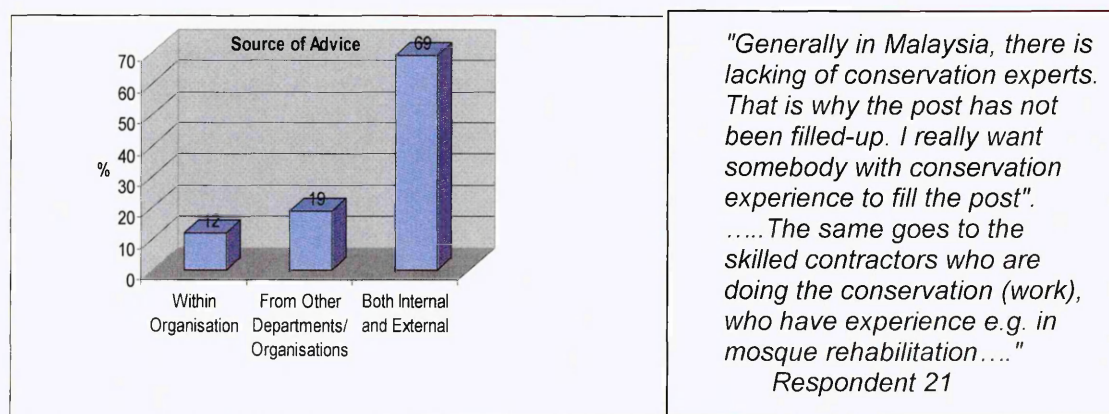


However, noticeably, those who were not interested or did not get involved in the process were not aware of the value of conserving their properties and the city in general. Authorities believe that the individual members of the community only looked at the effort from the point of view of self-interest and any benefits to them. So, the need arises for more appropriate awareness programme by the authorities to disseminate the importance of upholding values, culture of ownership and sense of belonging to the historic environment and efforts to conserve it.

#### 7.3.3.4 Capacity to Conduct Participation Exercises

Not surprisingly, with the problems of a lack of officers and experts in their organisation, and the demands of resources and techniques by participation initiatives, most authorities could often not manage them in-house. This is indicated in Figure 7.9 (below) which shows that only 12% (2) got their advice internally within their own organisations, 18% (3) got advice from other organisations and about 70% (11) said they initiated joint-effort initiatives with external resources. These external resources of advice came from other departments, private consulting firms, as well as institutions of higher education. In such cases, the bigger area coverage, resource-intensive and/or innovative approaches, such as focus groups and opinion polls, are more likely to be contracted-out to some extent. In most cases, authorities worked with other parties when carrying out development studies like the LP studies and other large-area coverage projects with other governmental departments or universities and private planning firms.

**Figure: 7.9: Capacity to Conduct Participation Exercises**



#### 7.3.3.5 Poor Participation Techniques

A significant number of respondents (42% or 5) ranked poor participation techniques as 3. It is also ranked 1 and 2 by 17% (2) of respondents each while 25% (3) ranked it as 5. As discussed earlier in 6.4.2.2, the techniques used are mainly confined to the

traditional methods, as required by law. Although there were moves towards a more innovative use of participation techniques but it was hampered by the lack of resources, i.e. officers/experts and financial constraints, as well as poor guidelines or frameworks for effective involvement exercises (see Quotation 12).

#### Quotation 12

*"Public meetings are not useful.....Nobody asked for your view/opinion....."*

*Respondent 20*

*"Direct complaint in the Malacca website - Yes but we do not know what is the outcome. Suddenly, there is a result about the tower project - 60% agree and 40% do not agree.....It is difficult to carry out a well organise (involvement exercise) like in Denmark, because our knowledge is insufficient".*

*Respondent 11*

*"Time, there is also complaint to the authority is slow in deciding. This relates to number one issue i.e. no guidelines".*

*Respondent 2*

#### **7.3.3.6 Lack of Finance**

From the total number of conservation related authorities interviewed, only about 18% (3) operated their own historic building grant programme, which generally had an overall percentage allocation of 25% to 80% of their total budget. They were actually the JMA and the MoCAH. The other 82% (16) of respondents did not have any allocated budget for heritage conservation, let alone for community involvement exercise. This is among the most common area of concern in relation to the inadequacy of resources available to provide a satisfactory conservation service. It is clear from their comments that most officers dealing with conservation matters are working under considerable pressure and unable to provide a good service.

35% (7) of the authorities do have budget for conservation projects, other than grants like area enhancements or research. The agencies with such a budget are the JMA, PERZIM, Penang Local Council and Penang State Planning. This indicates that Penang conservation efforts was given due attention, as it has a budget allocation for conservation projects. This is in direct comparison to that of Malacca, where the local authority (MBMB) has no specified annual budget for leaving them to rely mostly on PERZIM (state agency), to bear full responsibility for complying with State preservation law (PCCHE).

#### **7.3.3.7 Lack of Law and Regulations**

The obvious lack of comprehensive law and regulations was one of the major issues confronting conservation efforts, especially in relation to community involvement. More than 50% (10) of respondents voiced the opinion that the legislation and regulation

driver is the main mechanism for encouraging governments and agencies to implement participatory approaches. Respondents confirmed that this is because the lack of comprehensive conservation legislation reduces the need for conducting participation exercises, as it implies a non-compulsory requirement on the part of the authorities (Quotation 13). Additionally, even within the present law community involvement in conservation efforts was not implemented fully or accordingly.

#### Quotation 13

*"When you talk about law and regulation, there are, but not comprehensive enough to address the heritage problem but then again even with the existing present law it has not been fully implemented".*

*Respondent 2*

*"Issue at hand is we are trying to enhance the efforts to maintain the buildings, and to ensure the policy and guidelines is enforced.."*

*Respondent 21*

### 7.3.3.8 Poor Involvement Process

When describing the problems of inefficient involvement processes the stakeholders raised them in terms of improper organisation for managing the process; the problems of coordination among the agencies presently initiating the exercises; and the existing policy or related law being inadequate for the agencies to implement them. All these results in slow and bad decision making by the authorities, as demonstrated in Quotation 14.

#### Quotation 14

*"There is no organisation who really getting the community participation".*

*Respondent 4*

*"How do you coordinate, when you actually carry out. The process is not complete".*

*Respondent 20*

*"Because the law is such that the decision is final even if you make an objection, but the laws said they have decided as the political decision is made". I think it is difficult to overcome, thus, regard it as an executive order by State Authority (unless the people want to challenge it).*

*Respondent 13*

*"Policy is top-down manner".*

*Respondent 6*

One respondent even highlighted the lack of participation as being due to the authorities which deal with involvement initiatives conducting them merely to fulfil the required laws (see Quotation 15). Therefore only the minimum initiatives according to the laws are maintained.

#### Quotation 15

*"Lack of participation whereby the participation exercises i.e. sometimes the authorities do participation exercise but is only lip services".*

*Respondent 2*

#### 7.3.3.9 Lack of Awareness

Respondents raised the issue of lack of awareness among the community as they think that community members were not exposed enough to heritage conservation efforts and the value of their role in the conservation planning process. As discussed earlier (6.3) the community was not exposed to the conservation awareness as early as during the schooling years and is not in the education system (Quotation 16).

#### Quotation 16

*"Not much awareness, so you need to explain to the community e.g. the Fort. People are not aware of the implementation what they are doing to destroy the monument because people are not genuinely purposely destructive especially the old people. It (Awareness) is lacking in our culture and in the education. The history of Malaysia, 1957 will not happen if 1956 has not happened. Therefore, there is a series of events..... There is no added value of buying and promoting culturally tradition, it applies across board, whether your building, food, dress, artefacts. Very discerning! And this community all levels are not taught and now to be discerning and how to value our customs and practices. I see kids in school are not taught that".*

*Respondent 20*

When asked why this is, respondents related to it as a pay-back for of the rapid urbanisation that towns in Malaysia are facing. As a result, information needs to be processed so fast that there is not much time to internalise it and everything was done as a matter of scheming through, on the surface. Thus, in getting the community to be involved, awareness programmes are crucial. They should be made aware of the invaluable heritage properties in their area and that conservation is part of development, which means that while changes for betterment and prosperity should be encouraged, progress should not lose sight of the invaluable history and yesteryear achievements of a historic area. While changes are inevitable for progress, the need for managing the changes and conserving the valuable heritage should never be forgotten (see Quotation 17).

#### Quotation 17

*"So your question about community involvement; if you want to have conservation, you have to have the community who live in the community believe, that the environment is valuable. If the building is old, it is worse-off, not developed not modern. Modern is always (thought as) glass, steel and KLCC. Here (in Malaysia) development is (regards as) entirely as something new. The whole question of development means better".*

*"Here, it is very consumer driven economy. We do not have accountable, local governance at local level".*

*Respondent 20*

In addition to the above point, respondents also cited difference between appointed local councillors and elected representatives in other countries, such as in the UK or the US system (discussed in Chapters Two and Three) as also emphasised by respondent 20 in Quotation 18 below. In an elected local councillors system, if the local community do not agree or are not satisfied with the councillors, they can voice their disagreement with the elected members and their actions. By contrast, in the State Government-appointed system of the local councillors in Malaysia, the issue of representativeness and accountability to the public are very much lacking. Consequently, in this respect, the achievement of local governance advocacy as promoted in the Local Agenda 21 has yet to be realised.

#### Quotation 18

*"Yes, if you are an elected member, if I am not satisfied and do not agree with you, I can speak against you without fear or favour. Whereas in our system, people have lost touch of that. You feel it is part of the tradition, you know if he happens to be the YDP (President of the Local Council), but if he corrupts, he corrupts if he does not care for you, why must he be your YDP?"*  
*Respondent 20*

### 7.3.4 Purpose and Benefit of Community Involvement Initiatives

There are equally balanced views on the extent to which the results of involvement exercises impact on the decision-making process, i.e. half (50%) of authorities think that participation initiatives are often or fairly influential on final decision-making and none think that they are only occasionally or not at all influential.

Figure 7.10 (below) shows the main purpose of stakeholders undertaking community involvement exercises. The main purpose that was ranked highest is to increase community/public awareness with a median score of 2, it is also to meet the statutory requirement which has been ranked second. These are then followed by the need to gain information on community views. Hence the purpose of involving the community/public is quite clear to the relevant authorities.

**Figure 7.10: Main Purpose of Community Involvement Initiatives**

	Purpose A	Purpose B	Purpose C	Purpose D	Purpose E	Purpose F
Mean	2.67	3.25	2.92	1.85	3.36	5.67
Median	2.50	3.50	3.00	2.00	4.00	6.00
Std. Deviation	1.557	1.357	1.084	.987	1.629	.577

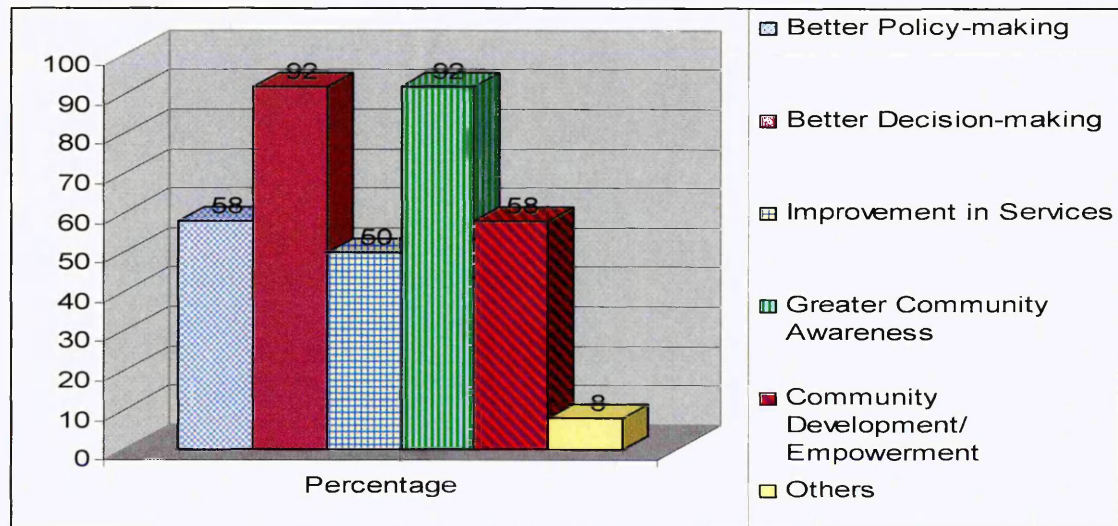
A - To meet statutory requirements  
 B - To decide between particular options  
 C - To gain information on community/public views

D - To increase community/public awareness  
 E - To develop/empower local communities  
 F - Others



When provided with five (5) different alternatives, as described in Figure 7.11 (below), almost all the stakeholders (92% or 11) indicated that 'better decision-making' and 'greater community/public awareness' are the most important benefits of consulting the community, followed by better policy-making, community development/empowerment and then improvements in services' which were 58% (7), 58% (7) and 50% (6) respectively. Further to this, about 8% (1) mentioned the need to minimise the gap between public/community and authority and to reduce sensationalisation of issues through the media.

**Figure: 7.11: Benefit of Community Initiatives**



#### Quotation 19

*"Without the community in the planning process you will never be able to have it. In older urban heritage area, the community is older, they have had never to go to speak up for yourself, as they are not encouraged to go and state your state unlike England, you are to take possession of your environment".*

*Respondent 20*

As described in Quotation 19 (above), a respondent emphasised the importance of community involvement in the conservation planning process and made a comparison to that of the British system. This is clearly to say that, the involvement of local communities can contribute to better decision-making in conservation programmes. To strengthen this point, it was found that the UK's DETR (1977) advocates this so that the local people can help to understand the problems and needs of a particular conservation area. It is to generate ideas for tackling a particular problem that would not have been thought of otherwise and can help determine priorities for expenditure, so that the maximum benefit is achieved for a given sum of money. This enables the

community to mobilise resources not available to statutory bodies. Furthermore, it is noted that resources may take the form of money raised, for example, from individuals, or trusts; help in kind contributions secured from businesses; or in the form of people's time and effort.

As a whole, authorities and other stakeholders converged on the idea that involving the community has the benefits of assisting them in better decision-making and in policy making, as well as enhancing greater community awareness. This is especially needed in assisting them in the identification of local heritage and values, as well as local needs. This can then help them to determine the problems and getting feedback on the existing service delivery and its improvement. It is evident that authorities support the role of community organisations. Community committees are able to deliver programmes to certain sections of the population, for example young people, with greater success than statutory organisations, because they have better links within the community, and can adopt a more user friendly attitude. The same is true for professional voluntary organisations.

### 7.3.5 The Community's Roles

**Figure 7.12: Authorities' and Other Stakeholders' Response on the Community Role**

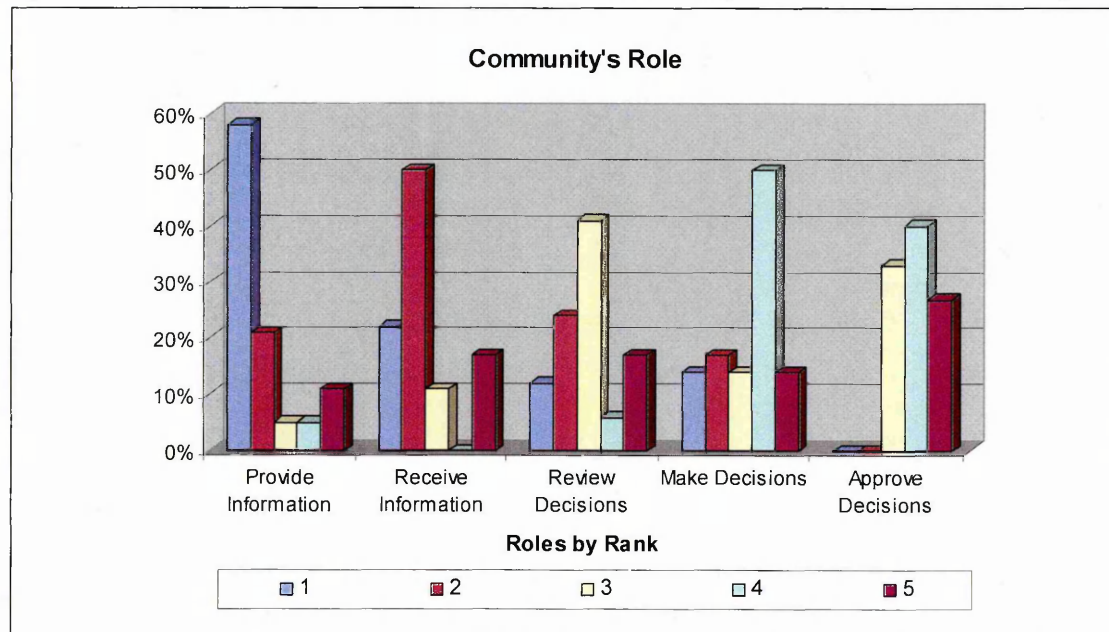


Figure 7.12 (above) describes the response of respondents on the role of community in conservation planning. From the findings, it is found that the main community role is to first provide information and opinion in order to assist the authority in coming out with the plan of the conservation area. This was indeed was the first reaction of the authorities surveyed as 58% (11) ranked it first as the main role of the community. As wrong information leads to bad planning, the community has to give the correct

information. Vis-à-vis, it is essential for the authority carrying out the planning of the conservation area to provide people at all levels of community with the right information. Secondly ranked was the community to receive correct information (50% or 9), while 41% (7) ranked community's role to review decisions as third, 50% (9) ranked making decisions and 40% (6) approve decisions as fourth in importance.

On the other hand, in order for the community to provide and receive information and be involved in the making and review of decision, some respondents suggested that it would be more effective if the authorities planning the conservation projects engage with the community as explained in here:

#### Quotation 20

*"It is more effective if we penetrate to them for community involvement, we have to do hard work. Where consultative approach is concern, it is always the case government create something so call consultant and expect the ordinary person on the street to automatically understand and participate in the programme, you never consult them, so it would be good (to reverse it). You go to that community, understand what programme they are doing. So penetrate into their programme".*

*Respondent 2*

As discussed earlier, while legislation and policy drivers are one mechanism for encouraging authorities to implement involvement approaches, another is direct pressure from interested groups of the community. Applying 'bottom-up' pressure can help ensure that different voices within each community are heard in the decision-making process. Unlike in the UK, such pressure may take the form of organised action, such as public protests, consumer boycotts, demonstrations and lobbying. Conversely, the Malaysian scenario will have to go through a very democratic and diplomatic way as demonstration and public protest are unallowable acts in Malaysia. Nonetheless, it may be good to carry out the lobbying as well as consumer boycotts, since there are some parties that will never take up the initiatives unless confronted.

### **7.3.6 Disadvantages of Community Involvement Initiatives**

About 33% (4) respondents claimed to have experienced some sort of negative effect when carrying out participation initiatives. It would seem most likely that authorities have experienced negative effects relating to public perceptions and managing public involvement. About 33% (4) of the authorities responding to the survey felt and were concerned that public participation initiatives lead to consultation fatigue amongst the community. This, according to them, is because there have been lots of studies carried out in Malacca.



Most authorities (67% or 8) expressed the view that involvement exercises did not result in negative effects on their work. 33% (4) of respondents had, however, experienced negative impacts because the initiatives led to consultation 'overload' and captured only the views of dominant groups, which may not be representative of the wider community. It also raised public expectations which the authority could not meet, thus slowing down the overall decision-making process. Other than that, it may raise public expectations which the authorities cannot meet and places additional burdens on existing officers and members; and in financial terms. All these four aspects of negative impacts were ranked the highest by 40% (5) of the respondents.

It is logical that involvement can at times be uncomfortable for those with responsibility for conservation planning and programmes. The community and the public will challenge opinions, priorities and value judgments put forward to them by the authorities and perhaps will question the integrity. This is justified by the response given that all of them said the participation initiatives carried out have fairly and often been influential on final decision-making in their authority. However, this should not be a reason not to involve the community; but officers need to be prepared to justify choices that were made to others.

### **7.3.7 Circumstances When the Community Should Not Be Involved**

A total of 83% (10) authorities specified that there were some circumstances in which the community and public should not be consulted. As spelt out in Quotation 21 (overleaf), there were situations in which authorities chose not to involve the community or public mainly when it involved issues of confidentiality; internal management issues; clear policy statement and, activities that are prescribed by law. The authorities choose not to involve the community as the above issues may raise unnecessary public fears as well as the community may not be able to come up with realistic opinion that could influence the decision. They also emphasised that issues that are in broad consensus within the community and issues requiring a quick decision should not be made as problems in community involvement exercises.

#### **Quotation 21**

*"Confidential issues, since we are multi-cultural issues, it is very sensitive issues".*

*Respondent 6*

*"Items d, f and e should not be a problem. There is always an approach for conflict resolution".*

*Respondent 7*

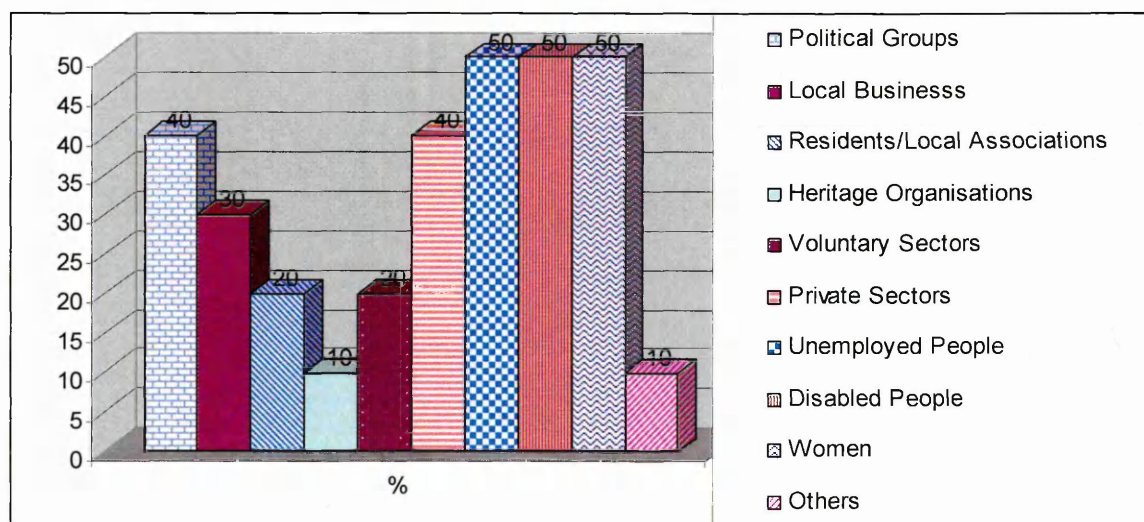
*"These two are not major setbacks. Quick decisions always (lead) to later problems.*

*All decisions pertaining to city development should be thoroughly considered".*

*Respondent 9*

Similarly a total of 83% (10) of respondents said they had problems of involving particular social groups. They faced problems in getting unemployed, disabled people and women (50% or 5 respectively) while the private sectors and political groups (40% or 4 respectively) to involve effectively in their exercise (see Figure 7.13). Nevertheless, this would not stop them to continue with their effort in getting these groups to be involved in their future initiatives.

**Figure 7.13: The Community Groups that the Respondents Have Had Difficulties Engaging**



However, when asked to rate the overall impact of participation initiatives on the final decision-making in their authorities, they felt that the impact of participation initiatives are fairly and often are influential (50% respectively). None said that there was no impact. This indicates that they recognised the importance of the initiatives and that the community's views are vital in deriving decisions.

### 7.3.8 Challenges

Other discussions focused on the other relevant topics in relation to involvement initiatives. This included the rise of self-appointed spokespersons or champions. The absence of any formal local community organisation created a vacuum along the line of communication between some communities and the authorities involved (see Quotation 22).

*"The focus was based on one or two persons' views on what they think should be. Endangered shops should be retained as it is. Afraid of all the new changes but it was over-emphasised. They become champion".....Cheng Ho Teng's trustee invited all the endangered business; hand picked to condemn the State Government and the Local Authority. There were no representatives from the government and no transparency....."*

*"The conservation activists, but they cannot represent the local, they are just championing".*  
Respondent 23

*The ones who speak up are only one or two...."*

*Respondent 22*

Consequently, some members of the community, out of dissatisfaction and frustration with the authorities concerned, have turned to the media. This, according to a respondent, has made them self-appointed champions and has been damaging to the image of Malacca and the efforts of the relevant authorities.

The authorities involved highlighted their efforts in conserving Malacca, which is an on-going process and considered themselves to have made good progress in terms of working within the constraints of resources, either financial or a lack of officers and experts. Whilst local authorities are clear about the benefits that engaging the public can bring, as demonstrated by the widespread use of participation initiatives across the different levels of government, the survey suggests authorities still have some concerns over the negative effects of the initiatives on their work. About 88% (17) of authorities ranked 'lack of resources' as the most important problem in implementing participation and this probably influences the types of initiatives authorities use.

### **7.3.9 Suggestions**

Respondents were asked for suggestions for further improvement that could encourage communities to participate and become involved in conservation projects. The suggestions proposed by the respondents are listed in Figure 7.14, overleaf.

**Figure 7.14: Suggestions**

<b>Suggestions\Focus Groups</b>	<b>No. of Responses</b>
Commitment of Councillors and Politicians	4
More Officers/Expert	5
Systematic Involvement Techniques	2
- Reverse Technique	1
Community Issues and Identification	5
Improve Facilitating Legislation and Policy	9
Financial/Incentives	7
Implementation, Evaluation and Enforcement	3
Community Focus/Values	5
- To Retain Owners/Residents	2
Awareness Programme & Training	10
Improve Involvement Process	9
Committee/Leaders Represent Community	5

The main suggestions made by respondents were improvements in awareness programmes and training, improvement of facilitating legislation and policy as well as improvements to the overall involvement process. Other relevant suggestions included the need for commitment of councillors and politicians; systematic involvement techniques; financial/incentives backing; more officers/experts; community focus and values; community issues and identification; leaders or committee representing each community group as well as to retain owners and residents in the area. These suggestions were further emphasised in the interviews, as indicated in Quotations 23 – Quotations 30.

#### Quotation 23 - Awareness Programme

*"The public must be full aware of value and importance of conservation.....Because what is lost is lost!"*

*Respondent 13*

*"Take the opportunity to educate the members of the public. At the same time, to explain how this plan can be used to achieve the objectives. It is not enough just to merely talk about the policies, to describe at great length about the justification and argument".*

*Respondent 2*

*"Awareness and education is important. Simple things like people owned heritage properties/houses, they do not know about lime wash, because they never used it before".*

*Respondent 3*

*"Education at the early level.....Pilot Project should be there to show these people e.g. LA21 the community should participate actively in the project".*

*Respondent 11*

#### Quotation 24 - Improve Involvement Process

*"Should include the locals representing each community...Networking from the community to the government and the higher institution".*

*Respondent 11*

*".....More so the case for community involvement at the plan-making stage because the less community involvement during the participative (process) then the plan becomes lopsided, it becomes the authority's plan, and then it becomes a plan used by the authority for their objectives which is not good"....."It is more effective if we penetrate to them for community involvement, we have to do hard work".*

*Respondent 2*

*"When you have a series of map the GIS, you don't have culture layer, when you talk about community involvement, how do you put that interface, it is very complex..... and you have another set of complex ....but the relationship with built environment does not crossover.*

*"Without the community in the planning process you will never be able to have it".*

*Respondent 20*

#### Quotation 25 - Political Commitment

*"...demonstrate the political will within our national context. It is how our society operates.....if there is political will, people will follow.*

*Because by its very action, it is not what to be the kind of CM (Chief Minister), he is genuinely interested in the development of Malacca".*

*Respondent 20*

*Political masters must be tackled first as they are the decision-maker. Should call them separately explain them on the importance of heritage conservation.*

*Respondent 11*

#### Quotation 26 - Systematic Involvement Techniques

*"So it would be good (to reverse it, you go to that community understand what programme they are doing.*

*"To increase facility - facility means how we can discuss about link between community and authority. We should think about this link which is in all form".*

*Respondent 2*

#### Quotation 27 - Financial

*"If this is carried out by the LA, they need financial assistance". ....*

*"We have started to call Bank Islam to come up with a mechanism for revolving fund but under the MoCAH".*

*Respondent 4*

*"Government have to give some incentive (especially to owners) - indirect incentives through income tax or assessment tax".*

*Respondent 21*

*"To increase the budget. (e.g. in Denmark).....They must go and find some fund, maybe sponsored by a private or corporate company".*

*Respondent 11*

## Quotation 28 - Community Focus and Values

*"So your question about community involvement if you want to have conservation, you have to have the community who live in the community believe, that is the environment is valuable.....take consideration owners, not that they don't want to say it. It is they do not know how to say it".*

*Respondent 20*

## Quotation 29 - Leader of Committee Represents Community

*"It is difficult to carry out, you must have a good community leader who talks and people would listen to them"..... We called up Dato' Gan (the chairman), he will then call his community and decide what time to close up the road, etc. so, it need a strong community leader. So, we don't have to talk to all of the people".*

*Respondent 22*

*"They are supposed to be represented by MHT, at the same time should separately call them. Can have MHT but also other community should be called in.....You must create resident association".*

*Respondent 23*

*"JKKK (village) and JKKB (town) to discuss on the community for involvement".*

*Respondent 13*

*"Where in the community level there should be a champion or a leader of the community that practising the way towards sustainable development".*

*Respondent 11*

## Quotation 30 -To Retain Owners and Residents

*"The main concern was how to bring back the people and community into the enclave. It is quite difficult since the properties belong to the present owners"*

*"...to promote and highlight the economics of heritage and the direct benefit of conservation projects to community at large e.g. promote conducive living environment".*

*Respondent 7*

### 7.3.10 Other Suggestions and Information

While specific suggestions were made, respondents put forward other suggestions which included the wider context of the conservation movement. The other suggestions included community self-help and volunteering; conservation guidelines and implementation; studies carried out in Malacca; information about Malacca; other worldwide good examples; interpretive centres and incubators for conservation in Malacca as well as revenue capture mechanism for the local community.

These suggestions highlight and further strengthen the existence of conflict between the heritage conservation movement and tourism development. This conflict is in regard to achieving a balance between cultural management and tourism (Hamzah and Noor, 2003). Presently, this is seen to be happening especially in the civic area where the bulk of the tourist arrivals to the city is concentrated, with its resources which are robust enough to accommodate the large groups while the old quarter area is suffering

from absentee owners and building obsolescence, not forgetting the congestion in its narrow streets. In terms of the conservation of private properties, the survey revealed that it is essential for the provision of financial aid, as well as technical expertise, to assist the less well-off owners of heritage buildings in repair and renovation. So far, the PERZIM, as the main body entrusted by the State of Malacca, is perceived as being incapable of implementing its tasks. This was strongly stressed by a respondent as in Quotation 31.

Quotation 31

*"They (the State Government) do not have an implementation body. They have their enactment but have not used it fully, though they have PERZIM, PERZIM can declare buildings for conservation however, but their concentration is only on public buildings ...Heritage buildings belonging to private owners need to be addressed. Presently, if the owners want to conserve they can ask for technical assistance from the LA, however, no financial help is given....and this is very discouraging".*

*Respondent 13*

The research reveals that the process of gentrification is gradually taking place in the conservation area, especially by the new artisans from outside Malacca. Their less-than-authentic souvenir shops and street cafes have created a lot of discontent from conservation activists. A distinct battle exists between these local activists and the authorities over the real and perceived development threat and the main conservation guidelines adopted in the historic core. Even among the levels of government, the different goals and objectives of development can be seen. One respondent stated that the State government and the tourism authority are focusing on tourism at the expense of Malacca's unique cultural heritage while the LA (MBMB) considers tourism as not being its core business, as they are more responsible for servicing the residents/communities living in their area. Notwithstanding those points, all levels of government have taken steps to improve their efforts to promote heritage conservation and tourism (a proposed coordination and implementation process chart is illustrated in Appendix G) in a sustainable manner. This means that they are aiming to:

- conserve heritage;
- promote tourism (economic); and
- quality of life/environment.

Studies in the case study area have multiplied since the proposal for Malacca city's inscription into the World Heritage Listing (WHL) was made known. This is a common feature of consultation fatigue in that people suspect that a decision may already have been taken, despite the organisation claiming to offer community the chance to influence the decision to be made. Some respondents reasoned out such suspicions by citing previous examples/experiences where they believe this to have been the case.

Thus, the community and other stakeholders need to be informed of what the progress is from time to time. This is strongly supported by respondent 20 (see Quotation 32).

#### Quotation 32

*"In terms of plan, the people are not having full knowledge of it. In terms of the previous study - JICA study is not made available because it is confidential. Why not? What about the action plan for the implementation? What are the outcomes? Who are the responsible agencies? There is no follow-up action to the plan. The report came out, but it goes to certain people. They did the upgrading of the pedestrian mall. The actions have actively not made life better for the residents/community. So, they had to do things to compensate for the problems that have been created by some things that supposed to make the environment better".*

*Respondent 20*

Without doubt, tourism based on the conservation of heritage resources in Malacca is a legitimate industry which is able to maximise the potential of the local cultural resources, as well as the local economy. This must be understood by planners and conservation experts. Without careful planning and management, adverse impacts are bound to arise at the expense of the cultural resources and local community.

Another aspect of challenge is categorised as a 'threat'. Six (6) respondents gave information that could be categorised as threats to the conservation movement in Malacca as decision made by government indicate that views given either by the relevant authorities and community were not taken on board. Generally, these threats are basically around the issues of new development especially on the proposed viewing tower in the conservation zone, the businesses and shops like the food court and handicraft were not of the local products and the business hours that have been extended as well as the issue of dilemma faced by heritage properties' owners (see Quotation 33).

#### Quotation 33

*"Malacca's situation is threatened by development, etc.....now shops left and right adjacent now flourishing) food court and handicraft court brightly coloured, activities extend into midnight and the products are from Thailand or Indonesia, no local products".*

*Respondent 23*

*"Here (in Malaysia) development is entirely as something new. The whole question of development means better".*

*Respondent 20*

*"I told the Mayor, we are going for the WHL but now there is the proposal of the tower in the conservation area".*

*Respondent 20*

*"That is why in the case of revolving tower, my immediate response is no.....If you set the precedent like the tower, you would face the issue when other people would come with some other outrageous proposal to destroy the image of Malacca".*

*Respondent 11*

At the international level (the Hoi An Protocol), it is recognised that the pressure to compromise conservation standards in the pursuit of higher tourist numbers is a



serious threat to the authenticity and integrity of heritage. The State and LA have responded to this by implementing several reactive measures to show its commitment to heritage conservation as a prerequisite for listing (Hamzah and Noor, 2003). It is worth noting that a realisation of the conservation process takes a long time and committed concerted efforts; it cannot be achieved in a short time. This is supported by one of the respondents (Quotation 34) who said:

Quotation 34

*"In Malaysia, a lot of the time, we do not 'be', we do not 'do', and we simply want to 'have'. So, in conservation we simply 'be' it. Most of the time, we need to be, the people be, they are what they are and then they naturally do and when you do, they naturally have it. We do not 'Menghayati' (appreciate). Just like the Prime Minister said, first the infrastructure, then the mentality".*

*Respondent 3*

#### **7.4 EMERGENT FINDINGS OF STAKEHOLDERS DATA ANALYSIS**

Drawing from the analysis of the statistics and the open-ended answers of the questionnaire survey, it emerges that there are issues confronting conservation efforts in Malacca. Several factors have prompted a rethinking of how the authorities or government sector should conduct their planning process by involving the community and other stakeholders. Earlier findings indicate that community involvement has been, basically, to fulfil a statutory requirement (as in SP and LP of TCP Act 172) and somewhat selective for the other studies. Although the present process of top-down heavy approach due to statutory requirements, greater bottom-up approaches coming from the community committee/associations and/or the community as a whole is becoming inevitable and vital. This is clearly to accomplish the demand for community involvement that reflects broader governance in the planning process of conservation projects.

In terms of level of involvement, involving communities in the case study area mainly varies from informing them of what is proposed, receiving information and opinion from them to the level where the community can be involved in making decisions and later reviewing the decision made. On the other hand, this full level of involvement, as portrayed by the role of community that the stakeholders perceived, has not been fully exercised. It is worth noting that the difference between these levels is the relative balance of power and control between the participants and the relevant authorities.

While the methods of present involvement approaches (mainly the traditional types in accordance to the law), there are moves towards applying more innovative methods.

The general involvement process which has obvious weaknesses (as compared to the literature discussed in Chapter Three) demands improvement. This can be done by recognising the most appropriate level of community involvement which has implications for the selection of the most suitable methods and tools. The application of suitable techniques for actively involving the community is the appropriate approach (in terms of ladder of involvement refer to sections 3.3.2 and 3.3.3) for deciding and acting together.

The benefits of involvement process will help with better decision-making, as well as greater community awareness, especially in terms of the interlinked nature of problems facing them. Most importantly, it helps in defining the problem and identifying the solution from a wide variety of viewpoints. Since there are problems in identifying proper community issues; community involvement is most meaningful when it is used to assist in defining values of properties and conservation planning issues, rather than when it is limited to a review of decisions already made. Whilst authorities are clear about the benefits that engaging the public can bring, as demonstrated by the use of participation initiatives, the survey suggests authorities still have some concerns over the negative effects of the initiatives on their work. Nevertheless, early and continuing community participation is essential to the broad acceptance of conservation planning decisions. Participatory processes can improve implementation, as decision or policy will be more effective if a broad coalition of stakeholders support the proposal and work together to deliver it. It can, thus, increase public trust, as openness to conflicting claims and views increases the credibility of the final decision. The process involves integrating the life of general people as tradition and social culture are represented mainly by life of the different groups or community. Therefore, the implementation of conservation projects demands frequent dialogue and negotiation among beneficiaries and communities, as there are considerable differences between needs and aspirations of different mix culture and ethnicity of stakeholders. Additionally, politics and value judgments influence conservation decisions.

The findings describe the issues confronting the stakeholders especially the government/authorities in implementing the community involvement process. Comprehensive law and regulations as regards to the conservation efforts are still in their infant stage, as they had just been passed in late 2005 and it is yet to embrace an inclusive community involvement process. The lack of resources in terms of financial backing and officers and experts has contributed to an increase in workload of the present officers and staff, leading to an increase in 'consultation fatigue' and delay the planning process. In terms of managing expectations and obtaining a consensus, authorities face difficulties in choosing the appropriate method and scale for the

process. As much as they need to choose the appropriate level of community involvement, they need to ensure all stakeholders have equal access and capacity to participate and not to bias on the middle class community representation. Given that experts in conservation management are in short supply, authorities need to develop a professional network to build capacity within organisations and provide critical evaluation for participatory processes. Furthermore, Malacca is experiencing rapid development pressures (especially in terms of its tourism industry), as well as gentrification in the old conservation quarters which create threats and challenges for the State and the local authority.

The process in general is inefficient. It lacks systematic technique, inadequate communication and awareness and there is an imbalance of power and control. It needs coordination and collaboration both between stakeholder organisations and between stakeholders and community. Hence, an effective process is relevant to address people's hopes and fears, respect the diverse opinions of different cultural backgrounds and values; provide a sense of ownership, create on-going relationships and more commitment from/among stakeholders and politicians and, ultimately, more so strengthens existing networks that facilitate bottom-up planning and community empowerment.

## **7.5 CHAPTER SUMMARY**

This chapter presented the outcome of the first phase of the data collected for the case study area, i.e. the questionnaire interviews survey. While the quantitative data employed a computer-aided statistical analysis procedure (SPSS); the open-ended questions were analysed with the use of NVivo software and complemented with manual (matrix) analysis. The major part of the chapter was the presentation of data analysis of the questionnaire surveys, supported by the qualitative analysis that suggested most patterns and nodes emerged from the data collected are valid. The open-ended questions were carried out to investigate further and validate the patterns and themes. The emergent findings of authorities' data analysis justify that there are issues confronting the community involvement process in conservation movements in Malaysia, especially regarding the involvement efforts undertaken by the authorities. Nonetheless, the views from the community, which is the main stakeholder of the conservation effort, are vital to strike the balance with those present practices of the authorities in developing the proposed community involvement framework for Malaysia. The next chapter (Eight (8)) will discuss on the analysis and findings of the community interviews to establish validity of developing a framework for community involvement in conservation planning.

## **CHAPTER EIGHT**

### **8. COMMUNITY DATA ANALYSIS**

#### **8.1 AIMS OF THE CHAPTER**

This chapter presents the second stage of data analysis which discusses the qualitative data derived mainly from the community primary data collection through the focus group (FG) meetings. The main part of the chapter contains the presentation of different themes and patterns of issues from the perspectives of the various communities that have emerged from the data analysis. The analysis, as categorised in various sections, covers community involvement approaches, issues and suggestions. The chapter highlights the emergent findings of the community analysis and concludes with a summary.

#### **8.2 THE COMMUNITY INTERVIEWED**

The community living within the case study area has been thoroughly discussed in Chapter Four (4). The community that was chosen for the Focus Group (FG) interviews was explained in detail in 5.6.4 and 5.7.3 of Chapter Five (5) and in 6.3.1 of Chapter Six (6). Briefly, as a reminder, the six (6) FG meetings were carried out for communities of Kampung Morten, Kampung Chitty, Jonker Walk and Chinese Business Committee, Portuguese Community, Baba and Nyonya community, as well as Malacca Heritage Trust (MHT) were mainly based on the ethnic structure of each community as discussed in Chapter Three and Five. The discussion has covered the FG participants' background including ethnicity as well as gender class. All this was done as a method to triangulate and counter-check the findings of the FG which represented the whole community for the study area. The data analysis of the FG interviews is discussed in the following sections.

#### **8.3 QUALITATIVE DATA ANALYSIS AND FINDINGS**

As discussed in Chapter Six (6), the FG meetings were selected and organised using the list of community groups provided by MBMB (which were found to be based on different community ethnicity and location). The FG interviews obtained information and views on the level of success of conservation efforts carried out by the relevant authorities; the approaches taken; the main issues; the roles of the community in

conservation planning and suggestions for improvements. The analysis of the qualitative data from the FG meetings was undertaken by carefully examining the issues discussed from the perspective of the communities. Prior to the examination, cross-checking to reaffirm the comparability of data against the categories or themes drawn from the research questions was carried out. As performed in the quantitative analysis, the qualitative analysis process was re-checked to ensure that the conceptual categories were not overlooked and to facilitate the data analysis across board. The main FG analysis result is as summarised in Figure 8.1 and Figure 8.2 on the following pages. The discussion was done by cross referring to these two ranges of figures through out the analysis.

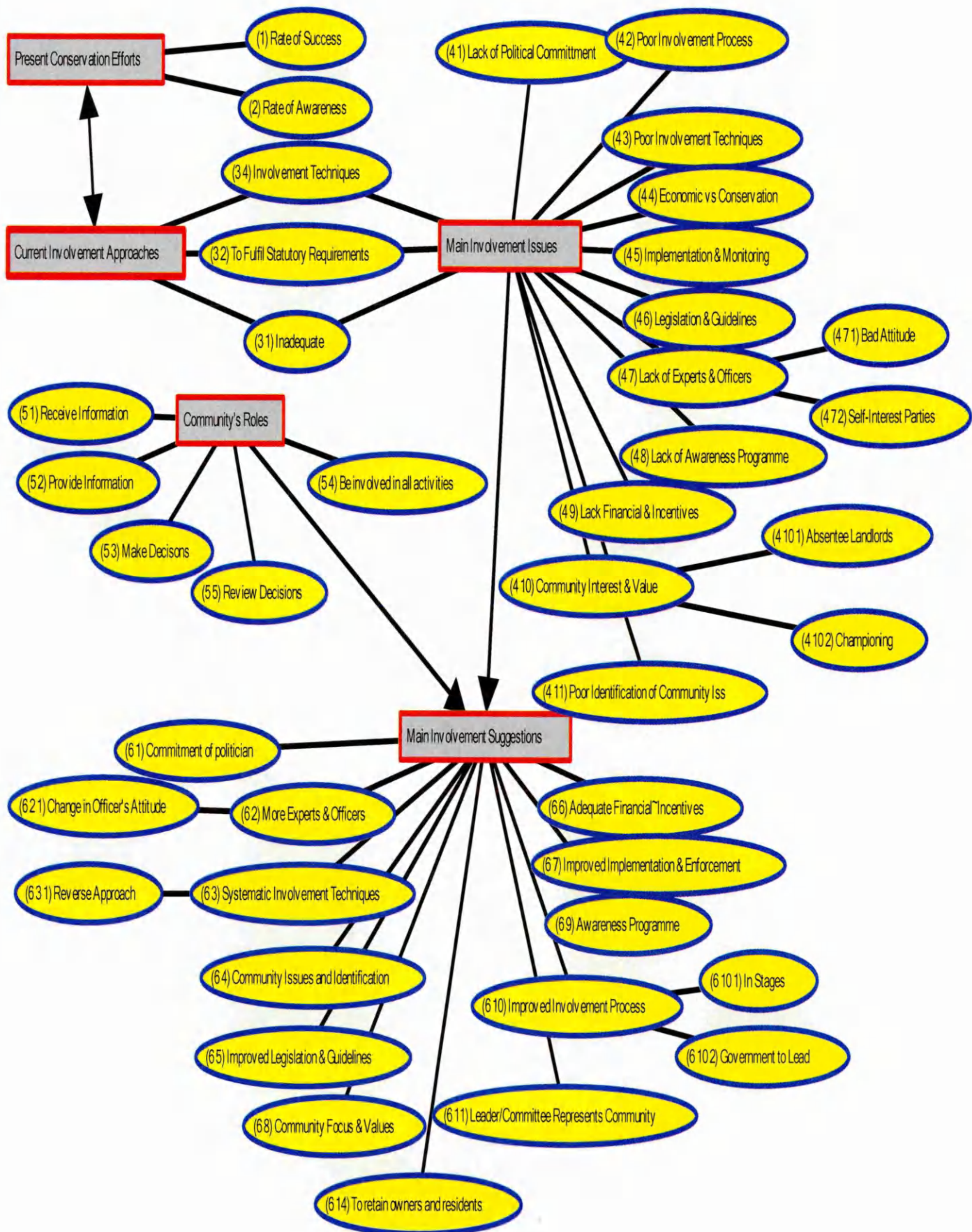
**Figure 8.1: Focus Groups Matrix Analysis I - Contact Summary Sheet**

Focus Group (FG)	Level of Conservation Success	Main Views of Community Involvement Approach	Main Issues of Community Involvement*	Main Role of Community in Conservation Planning	Main Suggestion for Community Involvement Improvements**
FG1	<ul style="list-style-type: none"> <li>Unsuccessful On a scale of 1-10, it is rated as 1.</li> </ul>	<ul style="list-style-type: none"> <li>They only did a lip service.</li> <li>Approaches are inadequate.</li> <li>Selective community or individuals are invited.</li> <li>Community participation only to fulfil requirements, actually decisions have already been pre-determined.</li> </ul>	<ul style="list-style-type: none"> <li>Lack of commitment from people in power.</li> <li>Lack of transparency by the 'tyrants'.</li> <li>Decisions are always top-down.</li> </ul>	<ul style="list-style-type: none"> <li>Need to make decisions (after providing information), in order to do that, need to receive information</li> </ul>	<ul style="list-style-type: none"> <li>Government should identify relevant groups or communities.</li> <li>More feedback should be sought.</li> <li>Feedback and input should be taken seriously.</li> </ul>
FG2	<ul style="list-style-type: none"> <li>The government has done a little bit but more to be done.</li> </ul>	<ul style="list-style-type: none"> <li>Quite limited to publicity in the media, will know if you read the papers.</li> </ul>	<ul style="list-style-type: none"> <li>They only did a lip service.</li> <li>Need to have more suggestions and also opinions from community about conservation projects</li> </ul>	<ul style="list-style-type: none"> <li>This community is always at a freehand to help especially in conservation; they only need to approach the management of the community.</li> </ul>	<ul style="list-style-type: none"> <li>To improve the channel of communication is to channel all through our management committee. We represent the community.</li> <li>Give more detail information.</li> <li>Give more correct information.</li> </ul>
FG3	<ul style="list-style-type: none"> <li>Ok (fairly successful), but still a bit slow.</li> </ul>	<ul style="list-style-type: none"> <li>To a certain extent they do come to us but certain things you do not see, they just implemented.</li> </ul>	<ul style="list-style-type: none"> <li>Community are not bothered with the authorities' proposals or plans unless directly affected by plans.</li> <li>Tenants do not pass on notices or publicity circulars to the owners.</li> <li>Professionals in the conservation movement have self-interest.</li> </ul>	<ul style="list-style-type: none"> <li>We should receive information; make decision as well as review them.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare, go ahead, get the feedback, and then prepare for any changes, because any ideas sometime can be better than your idea. So you get the credit of implementing the project, the project is as a whole is successful.</li> </ul>
FG 4	<ul style="list-style-type: none"> <li>So far quite happy but there are more to be done</li> </ul>	<ul style="list-style-type: none"> <li>The authorities will publicise in the papers (media). But, residents do not read what is written, if they come across they will enquire from the leadership for this village who are also in the dark.</li> </ul>	<ul style="list-style-type: none"> <li>It is difficult to get the authorities, to have meetings with them.</li> <li>No feedback since there are no minutes (from meetings held), hence no follow-up.</li> <li>Suggestions made to the authority were pushed under the carpet.</li> </ul>	<ul style="list-style-type: none"> <li>Community supporting the government (by providing information) but we need to receive information. We should help the authority in making decision.</li> </ul>	<ul style="list-style-type: none"> <li>Residents do their part, the authority need to do theirs. If consulted, we would help the authorities in their projects.</li> <li>They must not ignore our suggestion or come up with empty promises.</li> </ul>
FG5	<ul style="list-style-type: none"> <li>Successful</li> </ul>	<ul style="list-style-type: none"> <li>All residents are given the opportunity to voice up their opinions and complaints.</li> <li>Some complaints were given but poor response from the LA.</li> <li>We know what have been programmed only after the local media disclosed them</li> </ul>	<ul style="list-style-type: none"> <li>Information is not relayed to all the people.</li> <li>So, the problem is that the decisions made by the authorities are not comprehensive as it was made on an ad hoc basis.</li> <li>Community are not united.</li> <li>Lack of law enforcement.</li> </ul>	<ul style="list-style-type: none"> <li>LA should give/ disseminate more information to the community especially the old generation.</li> <li>Representatives of this community should be in the Conservation Committee at the local level (help to make decision).</li> </ul>	<ul style="list-style-type: none"> <li>Effective law enforcement, more sensitive to comments and requests from the community.</li> <li>Efficient and immediate actions must be taken.</li> <li>Provide special officers for regular monitoring conservation areas. Officers responsible for the programmes should be more responsible and dedicated.</li> <li>Get all body and agencies related to conservation activities to be involved.</li> </ul>
FG6	<ul style="list-style-type: none"> <li>Fairly successful for individual ones only.</li> </ul>	<ul style="list-style-type: none"> <li>No consultation. Usually it is a monologue. Things have been decided.</li> <li>Opinion voiced but is not looked into.</li> <li>The public participation carried out by the local authority is to meet statutory requirements only.</li> <li>The notice or letter for meetings was sent out at the last minute.</li> </ul>	<ul style="list-style-type: none"> <li>The recommendation made during the workshop was unheeded.</li> <li>Conclusions of each workshop left on shelf to decorate the library only.</li> <li>The new residents do not have the attachments to the area.</li> <li>Many of the community are not aware of the questionnaire surveys carried out.</li> </ul>	<ul style="list-style-type: none"> <li>The community should receive information, then provide information, helping the authority in making decisions and reviewing decisions.</li> </ul>	<ul style="list-style-type: none"> <li>First, the area needs to have a community.</li> <li>It should involve total community participation, especially those who have been residents there for several generations.</li> <li>Then, their views should be given serious consideration if planning for that space (area) encompasses the desire for the community to remain.</li> </ul>

Note: \* Detail issues discussed as in Figure 7.3

\*\* Detail suggestions discussed in Figure 7.5

**Figure 8.2: NVivo Model of Research Data Analysis**





### 8.3.1 Level of Conservation Success

In starting the Focus Group (FG) meetings, participants were asked for their assessment of the level of conservation success in Malacca. Various levels of assessments were provided by the communities, ranging from 'fairly successful' to 'unsuccessful' (see Quotation 35). This is due to the fact that they considered the government has done a fair bit in conservation and community involvement efforts, but there was still much more to be desired. In fact, FG 1, comprising of professionals in the area of conservation, considered the efforts as unsuccessful, and rated it as only 1 on a scale of 1 – 10 where 1 was the lowest score. As professionals with greater exposure to and knowledge of the field, their expectations of the government's efforts were certainly higher than what were practiced. While FG 6 rated the efforts, as fairly successful for individuals only not the efforts as a whole (which is unsuccessful). The only group which rated the level as successful was the FG 5 community, where they were quite happy with the conservation efforts carried out by the authorities. Comprising of mainly the Malay community, culturally they are the people that are well known for being complacent about and thankful for the efforts of government.

#### Quotation 35

*"Unsuccessful."*

*"On a scale of 1-10, the members rated it as only 1".....but implementation is still unsuccessful.*

*"Sad to say that the government takes years of the efforts to conserve, without realising what they are using (the buildings for). Now, not much is left".*

FG 1

*"Fairly successful. Successful only individual projects".*

*"Conservation exercises were carried out by the individuals but I do not know of any Government conservation programmes carried out towards this end".*

FG 6

*"We want the government to help us in conserving the temple, because it is one of the very ancient temples, where the architecture itself will tell that it is worth conserve that will be a great help to us.*

*The government has done a little bit not that they have not done anything".*

FG 2

*"The efforts can be seen clearly as successful.*

*Through my experience I got the feedback from the tourist especially from the Europe that it is this village has the attraction compared to the other places in Malacca, is like a pearl left".*

FG 5

*"Conservation efforts are ok (fairly successful), but still a bit slow".*

FG 3

*"So far we are quite happy, but there are more things to be done."*

*"We are not happy 100% of what is happening".*

*"We are not happy because they do half but do not do another half".*

FG 4

In general, the level of conservation effort in Malacca is considered fairly successful with expectations that the government could put more concerted effort into the advancement of conserving the historical city of Malacca.



### 8.3.2 Community Involvement Approach

When asked to give views on current community involvement and its process, the FG participants were less positive. They believed that many residents were that disconnected from consultation. Generally, their main views were community involvement exercises carried out by the relevant authorities was quite limited or inadequate and considered the exercises were only to fulfil the statutory requirements; however, in actual situations decisions had already been made. Some groups got to know about a programme planned for their area only after it was released in the media. This negative view was strongly supported by two groups as indicated in Quotation 36.

#### Quotation 36

*"Community participation only to fulfil requirements or cosmetic only, in actual fact, decisions have already been pre-determined. Issues discussed are normally minor ones only, most of the times, the major decisions on development have already been predetermined or decided for".*

FG 1

*"What consultation? Usually it is a monolog, it is not an analogue. Usually things have been decided. It is just the people voicing their opinion that it is not suitable, difficult for us. But it is not looked into. No, I feel it is inadequate because usually, a meeting is called to inform the community on what has been decided. Whatever the views, it has already been decided".*

FG 6

Nevertheless, other groups considered the authorities' efforts could be either minimum or more to fulfil the statutory requirement (see Quotation 37).

#### Quotation 37

*"To a certain extend they do come to us but certain things you do not see, they just implemented".*

FG 3

*"In terms of the consultative approach, they have done some sort of general kind like publicity in the media; so if you read the papers or you see the banners you would know.....They only did a lip service".*

FG 2

*"Normally, the authorities either publicise in the papers (media) first. But, to many of the residents, they sometimes do not read what is written in the newspaper, if they come across they will enquire from the leadership for this village. We (as the leadership for the community) in turn, are also in the dark when authorities have not explained to us about the detail."*

FG 4

*"So far, we are not consulted".*

FG 5

However, for one group, a few of the members of the community are quite satisfied with the approach taken by the authorities (Quotation 38).

*"The residents are informed and we (the village security committee) will help to distribute (to ninety units of houses) through notice and call all the community. All residents are given the opportunity to voice up their opinions and complaints".*

FG 5

The types of approach taken by the authorities are generally as specified by the law (under the provision of TCP Act 172), which are the more traditional forms, (e.g. exhibitions and public meetings; media release; and question and answer sessions) that have been used by Local Authorities for some time. There is very limited use of any other types of approaches, like customer-oriented and innovative methods (see Quotation 39).

#### Quotation 39

*"It is just the people voicing their opinion that it is not suitable, difficult for us. But it is not looked into.....The notice or letter for meetings was sent at the last minute ".*

FG 6

*"The residents are informed and we will help to distribute to (90 units of houses) through notice and call all the community. All residents are given the opportunity to voice up their opinions and complaints.*

*Some of complaints given by the community, but no action taken from the officers/agencies involved, hence, poor response from the LA.*

*So, the people are not open enough to voice up their opinion".*

FG 5

*"No questionnaire survey. Focus Group...., can't remember, yes they did, but more to show what plans they have. Publicity and exhibition (yes). All were organised by MBMB. They do contact the neighbourhood".*

FG 3

*Normally, the authorities are either publicise in the papers (media) first  
Suggestions made to the authority were pushed under the carpet.*

FG 4

Generally, the community expressed its negative perceptions towards the authorities' present practice and efforts. They questioned the consultation process which they considered to be inadequate and ineffective. To them, the process, is unclear as they could not put across their views and that information was not well disseminated.

### 8.3.3 Main Issues of Community Involvement

From the FG discussions, a long list of issues emerged, summarised in Figure 8.3. Most of the issues centred on weaknesses in the authority's approach to public consultation. Group members offered some explanations as to why there appeared to be a lack of engagement. These ranged from the lack of commitment from those 'in power' to a lack of information and awareness, as well as poor by the authorities efforts in the involvement process.

**Figure 8.3: Community Involvement Issues**

<b>Issues\Focus Groups</b>	<b>FG 1</b>	<b>FG 2</b>	<b>FG 3</b>	<b>FG 4</b>	<b>FG 5</b>	<b>FG 6</b>	<b>Total</b>	<b>Rank</b>
Lack of Councillors/Politicians Support	√	√				√	3	4
Lack of Officers/Expert - Bad Attitude - Self Interest Parties	√	-	- √ √	-	√ √	√	3 2 1	4
Poor Involvement Techniques	√	√	√	√	√	√	6	1
Poor Identification of Community Issues	√	√	-	√	√	√	5	2
Lack of Facilitating Legislation/Policy	√	√	√	-	√	√	5	2
Lack of Financial/Incentives	-	√	-	√	-	-	2	5
Issues of Implementation and Lack of Enforcement	√	√	√	-	√	√	5	2
Lack of Community Interest and Values - Absentee of Owners			√ √		√	√ √	3 2	4
Lack of Awareness Programme & Training		√			√	√	3	4
Poor Involvement Process	√	√	√	√	√	√	6	1
Others - Conservation vs. Economic	√		√	√		√	4	3
Other Complaints	√	√		√		√	4	3
<b>Total</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>6</b>	<b>9</b>	<b>12</b>		

From the above figure, it can be seen that all the communities' opinions converged in that the main issues related directly to poor involvement techniques and processes, as this issue was ranked the highest (as in Quotation 40 overleaf). On top of that, almost all (five out of six groups) agreed that poor identification of community issues; lack of facilitating legislation and guidelines; and issues of implementation and lack of enforcement were among the main community involvement issues and ranked the second. Other factors that hinder their involvement are the conservation versus economic factor, lack of community interest and values; lack of councillors'/politicians' support; lack of experts in the area and lack of awareness programmes and training given to the communities by the relevant authorities. There were also complaints made by the authorities, as discussed in Chapter Seven (7). The following sections will discuss these main issues.

*"Decisions are always top-down. State Government is adamant and arrogant, e.g. in the case of Padang Pahlawan (Pahlawan field) and the viewing tower".*

*"The people in power themselves are unclear of the conservation objectives, what important things and values to conserve and how to go about in conserving".*

*"Lack of commitment from people in power...lack of transparency by the 'tyrants' ".*

FG 1

*"Property owners do not live in the area. Tenants do not pass on notices or publicity circulars to the owners, therefore owners do not know of the government's plans. Not enough publicity from the government, even in the media".*

FG 3

*"The recommendation made during the workshop was unheeded. Conclusions of each workshop left on shelf to decorate the library only.....The notice or letter for meetings was sent at the last minute. ....Many of the community are not aware of the questionnaire surveys carried out. While views put forward during the public hearing or meetings held were not entertained. For opinion polls one can vote as many times".*

FG 6

### **8.3.3.1 Poor Involvement Process and Techniques Used**

Drawing from the above findings, the views on the approach taken by the authorities were that they are still lacking and ineffective. The key issue was believed to be that consultation was meaningless because the authorities have actually made up their mind already and that consultation is merely a way of 'ticking the box'. Group participants expressed their concern over why there appeared to be a lack of engagement. These ranged from a lack of information received and the absence of confidence that their views would be taken on board, to the use of inadequate involvement methods. Many in the community doubted that their views would make any significant impact as the decisions made. The groups felt that insufficient information is the programmes only after the media had released them. A few groups felt that the community need more information and that it should be provided in more places, accessible by the residents, and that the language used should be easy for them to understand, especially for the older generation. They also felt that besides information, they should be getting feedback on the outcome of the process and that both information and feedback should be continuous.

It was felt that there was need far greater awareness about awareness about the conservation planning process and improved knowledge of the planning system as a whole. The researcher felt that most members of the FGs were unaware of the system within which the conservation efforts are practiced.

On the other hand, one of the FG (Portuguese) worked hard to ensure they participated in the authorities' conservation efforts by going directly to the authority to have

discussions or propose programmes of their own within their settlement (see Quotation 41).

#### Quotation 41

*"It is difficult to get the authorities, to have meetings with them!" Since the authorities didn't come to us, we take pro-active initiatives to meet the authorities and propose our own programmes to them.*

FG 4

The issue of not getting feedback from the relevant authorities after attending the participation exercises was raised by four groups. The communities felt that the authorities should receive whatever comments and opinions were channelled through the participation exercises and to know whether their views were being taken aboard.

#### 8.3.3.2 Poor Identification of Community Issues

It was noted that poor identification of community issues brought up by many FGs. This, they said, was due to the fact that the community did not quite welcome the proposal of new development. The other factor was that communities were not aware of the authorities' efforts to carry out the consultation process. They also felt that, because the exercises were only targeted at a certain community, only few of them participated. They considered that the authorities are bias because those exercises were targeted at the middle class groups rather than the general local communities. These then led to wrongly or poorly identified of heritage values to be conserved (see Quotation 42).

#### Quotation 42

*"The problem of community is that they are fear of the development".*

FG 2

*"Since the issue was only made to certain people only, just representatives. Before that can be done, they should call all the residents".*

FG 5

*"What important things and values to conserve and how to go about in conserving".*

FG 1

Overall, it is felt that the issue of poor identification of community issues is a result of inadequate and ineffective consultation processes carried out by the authorities. Since not many members of the community turned up for the exercises due to lack of notification of the exercises beforehand, coupled by the feeling that by the community

was not taken seriously, hence the real issues faced by the community were not being appropriately tackled or overcome.

#### **8.3.3.3 Lack of Legislation and Issues of Implementation and Enforcement**

As discussed by the authorities, communities raised the issue of lack of legislation and policy as one of the major problems in implementing effective community involvement in decision-making. FG members felt that there was a lack of guidelines for them to become involved effectively in consultation exercises, as discussed in the earlier sections. They further stressed the lack of proper policies and guidelines for them to upkeep their properties, as well as on the enforcement (see Quotation 43 below). To them, even within the present law and policy, there were many hiccups and loopholes that have allowed for illegal renovations and development.

##### **Quotation 43**

*"I think they should be very strict control on changing even the roofscape. (Permission) for hotels or other activities according to the authorities is allowed as long as they follow the height control in the core area. I think every house has different treatment, you can't have a common thing (for all). "*

*FG 6*

*"Lack of law enforcement".*

*FG 5*

*"Authorities are too restrictive on renovation efforts in conservation areas even in the interior of buildings. Some rules or restrictions are not conducive or appropriate in the present times. When guidelines are too restrictive, owners are not bothered with maintaining or conserving their buildings and buildings are left to deteriorate".*

*FG 6*

Therefore, it seems that with the lack of comprehensive conservation legislation and guidelines, there is an unclear and inadequate involvement process. The consultation exercises were not implemented fully, or only to fulfil the minimum requirement of the present planning system. Thus, this had led to improper implementation and had impeded the enforcement of the conservation work required.

#### **8.3.3.4 Lack of Community Interest**

In the findings of Chapter Seven (7), the authorities did raise the issue of lack of community interest, and the same issue was also raised by the community themselves. It was quite an interesting finding about this issue that was highlighted by one of the FGs. One of the participants of the FG admitted that the residents or owners of those living or owned properties/businesses in Jonker Street were motivated by self-profit and business-oriented benefits. This was glaringly demonstrated in the FG meeting for

this particular group. Even during the FG meeting, the researcher had to wait for more than two hours to get the meeting started in which the choice of venue (Hokkien Association/Chinese temple at Jonker Street), date and time were agreed by them. A few of the participants who agreed to attend came, but were more interested to see if their business President (a Dato' (Lord) was present, so they would attend the FG meeting. However, upon discovering that the President (an influential figure who is respected by almost everybody in the community) was not present, they saw no purpose in participating and left the meeting even before it ever began. This was what happened during the FG meeting where one of the participants raised the issue of the Chinese community is always busy 'making money' and that they did not give much attention to neighbourhood values and what is happening or planned in the area (Quotation 44).

#### Quotation 44

*"Community are not bothered with the authorities' proposals or plans unless directly affected by plans. Typical attitude of the present Chinese business community in the area who are more business oriented and individualistic, and are not interested in community service for public interest (unlike the Malay community who are more cooperative in community efforts). Business mentality of the Chinese community – everything is weighed in terms of personal returns".*

FG 3

It is quite an interesting opinion in that the participant in one of the FG even suggested using the 'reverse approach', where a community should be informed that their properties would be affected by the proposed plan (see Quotation 45 below). This would ensure that the communities would take heed and participate in the involvement exercise. This approach, according to the respondent, would be effective to get responses from and involvement of the property owners.

#### Quotation 45

*"One of the ways (approaches) to get the community to involve, is to go through the reverse approach by not to say or to threaten them but to say that their properties are going to be affected by certain development, then only they will come forward"*

FG 4

As raised by the authorities about the lack of interest of community in the involvement process, it is noticeable that even the community brought this issue up during the meetings. As discussed in Chapter Four, history has proven that they were not encouraged during British colonial times, and in Chapter Three that the continuing elitist nature of the local government structure after independence and the abrogation of the system of local government can be seen as contributing to some of the constraints to effective participation in the Malaysian context. Thus, it is very important

that the community be made to be involved in the planning of their area. This can be achieved when there is a clear process and benefits for the community to participate and put forward their views effectively, and these views should be thoroughly considered.

#### **8.3.3.5 Formal Organisation Representing the Community**

Another issue is when the community wants to be represented by its own committee, as in the case of FG 2 (see Quotation 46) and FG 4 communities. An appointed team or spokespersons who could represent the views and opinions of the local community arising from matters that were identified by the residents and community in the area.

Quotation 46

*"The Chitty community is always at a freehand to help especially in conservation; they only need to approach the management of the community (representative)."*

FG 2

The absence of formal local community organisations or collective representation has hindered the establishment of a line of communication between the residents and the relevant government agencies (Hamzah and Noor, 2003). This inevitably creates self-appointed spokespersons who, at times, can have self-interested motives, although they are said to be very pro-conservation. Consequently, Hamzah and Noor (2003) stressed that, instead of discussing problems and issues with the relevant authorities through the 'proper channels', grievances are expressed through the electronic media to the press and to the extent of surfacing issues to the UNESCO Regional Office.

#### **8.3.3.6 Lack of Councillors or Politicians' Commitment**

Another interesting issue raised was the political masters (in some instances including the authorities), who were perceived as not being committed to conservation planning and were only interested in attracting tourists at the expense of Malacca's cultural heritage's conservation movement, as described in Quotation 47. Various examples were quoted on the issue of contradiction where new and modern developments were allowed in conservation areas, as opposed to conserving the built environment of these areas.



#### Quotation 47

*"Contradiction in objectives for conservation and development decisions where new developments are allowed in the conservation areas for the purpose of economic or tourism development (instant money).....New development outweighs conservation efforts, where valuable buildings are destroyed, in the name of development for tourism. New developments making Malacca lose its identity and historical values".*

FG 1

From another perspective, the LA was perceived as disregarding the promotion and management of urban tourism as part of their core business, hence less effort was made to understand the impacts of tourism on the cultural heritage management on either physical, economic, social or community factors. More often than not, new tourist-attracting development commands higher income-generating potential than cultural heritage conservation projects and goods. Hence, conservation zones are blighted by new and modern developments which affect the identity of the conservation areas.

This perceived and actual lack of commitment by the decision maker needs attention, as decisions made would obviously affect the conservation efforts that are carried out and may also affect whether or not Malacca Historical City will be inscribed as a World Heritage Site.

#### **8.3.3.7 Lack of Officers and Experts**

The issue of a lack of officers and experts in the conservation field was also raised by a few FG members, because they thought that, with very limited officers, especially ones who are experts in conservation would lead to weaknesses in the implementation and monitoring of conservation works. In relation to this a few FGs suggested the authorities should have more experts in the field (see Quotation 48).

#### Quotation 48

*"Provide special officers for regular monitoring conservation areas. Officers responsible for the programmes should be more responsible and dedicated".*

FG 5

*"MBMB need a special task force to assist those with good intentions and not bridle those with more problems. For this, they need honest and capable staff".*

FG 6

#### **8.3.3.8 Lack of Finance and Revenue Capture Mechanism**

Another prominent issue is the lack of public funding for the less well-off property owners and the community to keep and maintain their cultural heritage properties, leaving buildings un-restored or un-maintained. Even JMA and PERZIM, whose responsibilities for maintenance are limited to public buildings, have a very low budget

(about 20% of the total annual budget) whereas MBMB as the local planning authority, has no budget at all for conservation. This issue is made worse by the lack of experts in heritage management and conservation (this aspect has been discussed in the authorities' analysis).

It is worth noting that some opinions can be categorised as being more about the conservation issues that are not directly related to this research project, i.e. 'conservation versus economy'. Hamzah and Noor (2003) maintain that proposals from earlier studies on visitor management strategies do not specifically recommend the revenue capture mechanism. This would ensure that part of the income from tourism could be reinvested into building/area conservation.

There were complaints made by various FG; one FG had 15, while the other two FGs had two complaints each. Generally, complaints focussed on issues of authorities' negative efforts in conserving the historical elements in the conservation core zones in Malacca, hence ineffective implementation of conservation projects

#### **8.3.3.9 Conflict of Cultural Heritage Conservation and Tourism**

Generally, FG participants felt that tourism was important for the area. However, they were of the opinion that the local community should be able to participate in its development and influence the way it is carried out. It is noted from the interviews and information gathered during the primary data collection that Malacca is experiencing an increase of tourist arrivals (domestic and international) to the city, particularly in the conservation zones. The introduction of new activities, such as the Jonker Walk, has helped to achieve an increase in tourists but it is of concern to the conservation movement because it promotes the invasion of less authentic trades into the area and poses threats to the older trades of the area. This situation has seen the mushrooming of souvenir shops and street cafes in the old quarter area. Gentrification is gradually taking place with the influx of artisans and art college graduates from Kuala Lumpur.

##### **Quotation 49**

*"In terms of the conservation and tourism, they walk hand-in-hand very well, but we should have our priorities. Our priority is preserving the heritage. But structurally they shouldn't over change. But we should make the heritage houses liveable and adapting to re-use but not to an extend of changing a temple into discothèque".*

FG 6

As indicated above in Quotation 49, participants were concerned about the present and possible negative effects arising from tourism, such as the increase in the level of noise and the marginalisation of the original trades in the area.

### 8.3.3.10 Lack of Public Awareness Programme

The issue of lack of public awareness programmes was still an agenda although much has been said about it in tandem with the voice and effort of Local Agenda 21. Nevertheless, from studies carried out, it was found that for the past three years the State Government and the LA, i.e. MBMB in collaboration with other agencies including the NGOs (like MHT), Federal Government and Japan International Cooperation Agency (JICA) organised extensive but 'low profile' public education programmes to educate the local professionals, heritage managers and the community, as well as the public at large on the conservation matters. There is also currently the public education and empowerment programme under Local Agenda 21 for the historic inner city implemented by MBMB. It was found that from the public participation exercises, MHT has increasingly been given a prominent role in the conservation committees and is seen as a resource and facilitator during public participation workshops and public dialogs. Some members raised the need for education and awareness programmes (Quotation 50).

Quotation 50

*"Education and awareness should be inculcated in the younger generation at an early stage".*  
FG 1

In the Malaysian education system, heritage is taught as part of national history in the curriculum, which is a core subject both in primary and secondary schools and teacher training colleges (UNESCO, 2002). In universities, conservation is taught as part of the planning and/or architecture courses within their Faculties of Built Environment, or equivalent. Quite recently, a few universities have created courses in conservation at Masters level. However, as suggested, heritage and conservation awareness programmes need to begin in the early stage of the general education system.

### 8.3.3.11 Absentee Landlords, Lack of Local Organisation and Emergence of Local Elites

Quotation 51

*"New developments and commercial activities and change in ownership in Jonker Street since 1960s, making living environment not conducive and displacing the original residents i.e. only two families are left, neighbourhood ties are lost".*

FG 6

As indicated in Quotation 51 above, and with the repeal of the Rent Control Act, new development and commercial activities in the old quarter has resulted in many tenants

leaving the area. There is a big proportion with vacant properties and very few owner-occupiers. The problem of neglect in building maintenance occurs in about eight (8) in every ten (10) buildings requiring repair (JICA, 2002). Hamzah and Noor (2003) stress that this has resulted in a lack of social cohesion and without any form of local organisation and collective representation. The role of cultural asset managers is assumed by local elites, such as clan associations, the business community (such as Jonker Walk Committee and Chinese Chamber of Commerce) and temple trusts. They further add that most of the tenants are marginalised and are only concerned about their rising rentals.

Many owners who do not live in the area do not bother updating the authorities with their recent correspondence addresses. Therefore, most of the time the owners do not receive notices or information of what is planned by the authorities or invitations to consultation meetings (see Quotation 52). Their properties are either left vacant or rented out to tenants who have no interest on the authorities' plans for the buildings or the area and have no interest in participating in consultation forum arranged by the authorities.

Quotation 52

*"Property owners do not live in the area. Tenants do not pass on notices or publicity circulars to the owners, therefore owners do not know of the government's plans. Not enough publicity from the government, even in the media".*

FG 3

The same point was raised by a member of FG 6 who no longer lives in the area (although was raised in the neighbourhood) as most of the community found the area is no longer conducive to a pleasant living environment (Quotation 53). The new development of Jonker Walk with its weekend night market has changed the 'life style' of the original residents where they have no more privacy as an area for living quarters.

Quotation 53

*"Frankly speaking, all of the original community have given up; really fed-up since Jonker Street is no more a place of stay (home) for them, so they have moved out. They cannot park their cars in front of their houses especially if heritage issue. It has been a big problem to the people here because they are rather not happy with the way things have been going on. Everybody thought this place is for tourists not for the local people".*

FG 6

It was reported that during earlier local authority's conservation initiatives of the area, the FG 6 community had participated and voiced their opinion but were turned down (see Quotation 54).

*"In fact, they have protested aggressively when the municipal wants to pedestrianised this street. Because the need for the traffic flow, when you want to change it into a market place".*  
FG 6

The emergence of local elites and new residents was raised as an issue. It has been a consequence of many original residents and owners leaving the area allowing the intrusion of new occupants from outside the area, including new tenants and new groups of artisans and those with commercial values and motives. The inexistence of a 'sense of belonging' to the area, contributes to the lack of concern towards conserving the valuable heritage areas and the surroundings. As newcomers to the area, these people were seen as lacking any sense of attachment to or pride of the area's history or heritage value (see Quotation 55).

Quotation 55

*"The new people or residents, they said they should be allowed to change their houses; they do not have the attachments to the area".*  
FG 6

Voluntary programmes for heritage conservation are very limited. The MHT, which was established in 1999, is the only voluntary heritage organisation that brings together all related professionals, especially architects). It also supported by the local community from various ethnic groups. Unfortunately, it is claimed that its membership has not increased for quite sometime.

### 8.3.3.12 Self-Interest

Further discussion saw another interesting point being made. The FG members accepted that involvement in the conservation planning process seems to be dominated by interest groups, e.g. architects and engineers, etc. One FG was concerned with the self-interest of professionals when assisting the authorities in the decision-making process (see Quotation 56). This may implied that there is bias on the middle class community representation. These representatives claimed to be concerned with the heritage and its conservation while trying to 'push' their expertise in the field for economic benefit.

Quotation 56

*"There again, a lot of architect with self interest, they want to get involve in this kind of project because there is a big money coming in for them. That is why many heritage owners, got angry, because the architects let themselves involved the money treatment without sincerity".*  
FG 3

The FG member even went on to suggest that the government should take the lead in initiatives so as not to let the private practitioners take control of the system, as described in Quotation 57.

#### Quotation 57

*"So, I feel the most important, that the government, the body with all the access to the all the expertise, and all the knowledge that is needed to consult in the area that should be done by the government in the first stage. It is only then that you come back to the public with the experts around who will give their opinion".*  
FG 3

It was felt by some members of the FGs that many professionals (who claimed to be volunteers) and non-governmental bodies had self-interested motives, as these professionals had their own firms and were taking contracts for conservation works. These groups of professionals even claimed to be better-off in terms of knowledge about most conservation works and were championing conservation efforts. These professionals could actually be the group within the community that could help foster greater understanding of the importance of conservation and could pave the way for the other community members in assisting the authorities in making right decisions of conservation planning efforts in their areas as practiced by the Planning Aid groups in the UK.

#### **8.3.3.13 Lack of Trust**

The research reveals the question of trust of the community towards the authorities' efforts to reflect accurately the local community's comments and opinions. The research also reveals that there is significant distrust of the LA by the FG members as they viewed authorities as working to pre-determined agendas. There is distrust about who oversees and judges/decides it. They called the exercises 'lip service' and 'to fulfil legal requirement but views and suggestions were never taken into account' and what make things worse was they were never informed of the outcomes (see Quotation 58 overleaf).

*"Only selective community/individual invited. Community participation is only to fulfil requirements or cosmetic only, in actual fact decisions have already been pre-determined.....Issues discussed are normally minor ones only, most of the times, the major decisions on development have already been predetermined/decided".*

FG 1

*"Suggestions made to the authority were pushed under the carpet".*

FG 4

*"What consultation? Usually it is a monolog, it is not an analogue. Usually things have been decided. It is just the people voicing their opinion that it is not suitable, difficult for us. But it is not looked into.....No, I feel it is inadequate because usually, a meeting is called to inform the community on what has been decided. Whatever the views, it has already been decided and even the contractors for the jobs were present".*

*".... While views put forward during the public hearing or meetings held were not entertained. For opinion polls one can vote as many times..... So far, all government funded projects target at removing existing community. How to live in a place where one needs to stay awake until past midnight?*

FG 6

Examples of distrust of the government's efforts stem from events such as the very low fine imposed for the demolition of pre-war shop houses in the core heritage zone and its support for a controversial proposal to build a revolving tower in the buffer zone. All this, despite criticism by the community and public and a declared commitment to the conservation of Malacca. Communities were worried about illegal renovations, displacement of old trades to make way for trades catering to tourists, and a thriving birds' nest industry<sup>14</sup> using heritage buildings. They blamed the authorities for persisting with the Dataran Pahlawan project, despite the on-site discovery a few years ago of the remains of Porta de Santiago bastion (one of four on the fortress built by Alfonso d'Albuquerque) as well as objections by some parts of the local community.

Furthermore, there was an interesting debate about outcomes of participatory approaches, i.e. whether or not opinions expressed were seriously taken into authority's plan. Some thought that such a report would be 'seen through the council's eyes' and would consequently be invalid. In essence, this came down to a question of trust.

### 8.3.3.14 Others

Central to their comments was the question of what constitutes community involvement or consultation. They said that it should be about not just informing people but genuinely taking on board their views.

<sup>14</sup> Often an opportunist source of income, in which enterprising people take the birds' eggs for financial profit either illegally or by renting/purchasing properties and make a 'colony' out of the business.

The community wants to be notified in advance that the involvement exercise is to take place. They also stressed that information must be made available by the authorities at all times. MBMB should provide information direct to the community by post or hand delivery ahead of time and make sure that the community safely receives the information. They further viewed that the programme should allow enough time for the community to respond.

They pointed out that the local authority should measure responses and comments and report to the local community the views expressed (feedback). In terms of the method chosen for the exercise, it should be appropriate for the local community and for the size and importance of the proposed projects. It is felt that the involvement process should be in stages and iterative to take into account any changes resulting from the initial stage. This is to determine that in carrying out these exercises the main aim to sustain the community in the area is achieved (see Quotation 59).

Quotation 59

*"In addition to that, their views should be given serious consideration if planning for that space encompasses the desire for the community to remain. Hopefully the planning includes the plan to sustain the community and not only sustainable commercial enterprises which have no relation or concern for the existing residents and community."*

FG 6

One of the FG participants felt that the authorities should go ahead with preparing the plans; however, they need to get feedback from the communities that could help in complementing the authorities' initial ideas hence resulting in a successful project implementation (see Quotation 60).

Quotation 60

*"Prepare, go ahead, get the feedback, and then prepare for any changes, because any ideas sometime can be better than your idea. So, you get the credit of implementing the project, the project as a whole is successful."*

FG 3

#### **8.3.4 Main Role of Community in Conservation Planning**

The FGs were asked about the community main roles in conservation planning (see Figure 8.4 overleaf). They were of the opinion that they need to help the authorities in making decisions in which they first need to receive sufficient information and after



which providing information. They may well help the authorities in reviewing the decisions.

**Figure 8.4: Community Roles**

<b>Roles\Focus Groups</b>	<b>FG 1</b>	<b>FG 2</b>	<b>FG 3</b>	<b>FG 4</b>	<b>FG 5</b>	<b>FG 6</b>	<b>Total</b>	<b>Rank</b>
Make decisions	√	-	√	√	-	√	4	3
Approve decisions	-	-	-	-	-	-	0	-
Review decisions	-	-	√	-	-	√	2	4
Receive information	-	√	√	√	√	√	5	2
Provide information, opinions	√	√	√	√	√	√	6	1
Others (be involved in all activities)	-	√	-	-	-	√	2	4

From the findings, it appears that the main role of the community is to first provide information and opinion in order to assist the authority in developing a plan for the conservation area. This is indeed the first reaction of the authorities surveyed as being the main role of the community. As wrong information leads to bad planning, the community has to give the correct information. Thus, it is essential for the authority carrying out the planning of the conservation area to provide people at all levels of community with the right information. This then, followed with receiving the right information; making decisions, as well as reviewing decisions.

Additionally, there is a suggestion by two groups that they, as the community, need to get involved in all activities carried out by the authorities in their area. This is a positive action, as not many communities would be willing to be involved in all the activities organised and planned by the local authorities.

As maintained by Wilcox (1994), the five (5) levels of involvement are not strictly alternatives and each rung of the ladder incorporates the lower rung. Hence, in order to involve the community, it is essential to inform them first and it is a precondition for the community to decide together with the authorities concerned. The desire of increasing their roles in conservation planning process, therefore calls for a framework agreed by both the authorities and the community be established.

### **8.3.5 Main Suggestion for Community Involvement Improvements**

Further discussion saw a number of interesting points being made on suggestions for improvements towards better community involvement. The group members accepted that involvement in the planning process is important and that their role as community

to help in making decision is a prerequisite. They proposed some suggestions (see Figure 8.5) on how the authority can better improve the involvement process.

All groups agreed that the whole involvement process should be improved. There was total agreement on the suggestions on aspects of the need to have more officers and experts in conservation, requirement of a more systematic involvement technique with proper community issues and identification and improved facilitating legislation and policy. While awareness programmes and training are a prerequisite for the community and the officers involved, there also needs to be a system of monitoring and evaluation. This is to ensure that whatever is planned is implemented according to the agreed schedule and resources allocated.

Most communities faced financial problems in the conserving their properties. The UNESCO (2000, 2003) studies emphasised the threats to the preservation of historic cities and towns including Malacca from various quarters, in particular the loss of historic structures and replacement of old structures with new buildings, as a result of economic pressure to redevelop valuable property and land.

**Figure 8.5: Community Involvement Suggestions**

<b>Suggestions\Focus Groups</b>	<b>FG 1</b>	<b>FG 2</b>	<b>FG 3</b>	<b>FG 4</b>	<b>FG 5</b>	<b>FG 6</b>	<b>Total</b>	<b>Rank</b>
Commitment of Councillors/Politicians	√	√			√		3	5
More Officers/Expert	-	√	-	-	√	√	3	5
- Change in officers' attitude			√	√	√	√	4	
Systematic Involvement Techniques	√	√	√	-	√	√	5	2
- Reverse Technique			√					
Community Issues and Identification	√	√	√	√	√	√	6	1
Improved Facilitating Legislation/Policy	-	-	√	-	√	√	3	6
Financial/Incentives	√	√	√	-	√	√	5	3
Implementation, Evaluation and Enforcement	√	√	√	√	√	√	6	1
Community Focus/Values	√		√	√		√	4	3
- To Retain Owners/Residents						√	1	
Awareness Programme & Training	√	√	-	-	√	√	4	3
Improved Involvement Process	√	√	√	√	√	-	5	2
- In stages			√			-	1	
- Government to Lead	-	√	√	√	√		4	
Committee/Leaders Represent Community		√			√		2	6
<b>Total</b>	<b>8</b>	<b>10</b>	<b>11</b>	<b>6</b>	<b>12</b>	<b>10</b>	<b>54</b>	

MHT, being a non-governmental organisation (NGO), comprises of many professional members who are quite knowledgeable about heritage conservation. This group has suggestions on almost all the categories above. The Chitty group, whose members are generally comprised of non-professionals, also have suggestions in all of the categories as well. This indicates that most residents in this community group are aware of the importance of what is best (in their opinion) to keep their community together and that development meets the need and values of their community.

The research also recorded several instances of the community voicing out that they were frustrated because they did not know how their views were used since there was no feedback on the results of consultation or on the final decision.

#### **8.4 EMERGENT FINDINGS OF THE COMMUNITY QUALITATIVE DATA ANALYSIS**

These findings indicate that the community wants a more comprehensive and efficient involvement process carried out by responsible officers and experts. They feel strongly that there should be more consultation and that the authorities, especially the LA, should make every effort to ensure that the local community is able to contribute towards good planning decisions and policies. This includes the identification of the community and the relevant issues.

The consultation methods currently used by the authorities concerned are generally ineffective and seen, basically, to fulfil only the minimum requirements of the law. Hence, communities were not able to put their views across the board. This leads to decisions being made that are not comprehensive as they were made on an ad-hoc basis. The involvement approaches/techniques must suit the various types of community and people they are directed at; and that involvement could also be extended to educating the public concerning town planning processes based on the TCP Act 172.

Information is not well disseminated, as many claimed that they know what has been proposed only after local media had disclosed it. First, they should receive correct information and that the information be made available for the whole community. They strongly believe this is important because the local community need to be aware of all the facts, constraints, programme, etc. if they were to make reasoned responses.

The community wants to play a greater role in the planning process, not only by receiving information, but also by providing views and opinions. They would like to

assist the authority to make and review decisions. In other words, they would like to be involved in all the activities organised by the authorities and be notified in advance that an exercise is to take place. This means that they would like an early involvement, before the LA come to any form of conclusions or final plans. They also want to be consulted directly or through their group/village committee representatives. Community committee/representatives believe that they could play a greater role in the process, but were hamstrung by a lack of resources and a lack of experts and guidance about the consultation in which they could be involved. However, there appears to be a silent majority amongst the community representatives or even the general community that does not get involved in the process. There are some who thought that the authorities are practising biasness to target to certain groups and the middle class community representation. This calls for an improved involvement process that must be carried out in stages as well as for different groups of community. They showed preference for involvement methods such as in small community group meetings (like the focus group) which allow for better interaction. One group even went on to suggest the reverse approach (by informing the community that their property will be affected by the plan) in order to attract more people to become involved in the process. At present, they do not feel strongly enough about issues to cause them to engage with the system and, consequently, they go unrepresented.

Others felt that community involvement should be an on-going process and not a one-off event, with the local community provided with information on a regular basis and particularly when prospects had changed considerably. They were also concerned that responses and comments given should be analysed carefully to ensure due weight was given to those affected by the proposals. There was a belief among FG participants that for community involvement to be successful, there needs to be a change in attitude by authorities, especially the LA, e.g. by giving a written feedback on the community involvement progress and that community involvement be carried on by a clear set of guidelines to ensure a standard approach is applied. The consequences of these findings are far reaching. Conservation planning is a top-down process, e.g. not allowing enough time to build a consensus and the implementation of conservation efforts maybe delayed, or halted altogether, because of a failure to properly understand local values, needs and sentiment. Then this creates a question of trust between the community and the authority performing the exercise.

What is surprisingly interesting is that it was noticeable that many groups are not really aware of the planning system and its process to really understand how conservation planning fits in with the whole conservation effort for their area. This was clearly evident during discussions in the FG meetings. Thus, what is needed in the first instance, is an

awareness programme on the planning process in conservation, followed by education about the value of their role in public participation in the planning process. Eventually this warrants a shift in culture and the normal practices by the authority and the planning process towards more extensive and genuine public participation, which involves real response to feedback. That shift in culture calls for the right process with standard guidelines being installed. The FG members accepted that involvement in the planning process seems to be dominated by interest group or the professionals, e.g. architects, etc. There are interested parties that claimed to be concerned with the heritage and its conservation while trying to 'push' their expertise in the field for economic benefit.

Information should be provided and disseminated in advance and should include relevant planning policy. The LA should provide information direct to local people by post or hand delivery. More information, both about specific proposals and about associated issues such as policy background, needs to be provided. The LA that is actually managing the project should provide written feedback on the involvement programme and provide details of changes that have been made to the proposals following involvement process. Consequently, there should be a clear set of framework or set of guidelines to ensure a standard approach. This is clearly evident from the meetings held where FG members strongly felt that a clear set of guidelines should be laid out for consultation on planning matters to which all those involved could adhere.

In terms of getting the political and council members' commitment, they should be supportive of conservation efforts and should play a key role in measuring responses and comments and then give feedback to the local community of the views expressed, as practised in the UK. The consultation methods used should be appropriate for the local community and for the size and importance of the proposals. Any consultation must start with good information about the issue and those being consulted need to be told their views will be sought. Effective consultation activities need to be made relevant to the local community affected. Processes and techniques need to reflect the make up of the local community. The organisations carrying out the consultation need to go beyond the statutory requirement and should define who is going to be consulted right from the start. Attention should also be paid to making sure that different groups by diverse culture and age are given the opportunity to voice their views.

## **8.5 CHAPTER SUMMARY**

In the previous chapter, the different themes and categories related to community involvement in conservation planning were identified from the analysis of the authorities' and other stakeholders' interviews. This chapter then presented the outcome of the second phase of the qualitative analysis of data collected from the Focus Group meetings/interviews. The data was analysed both manually, as well as by the NVivo software. The analysis categorised in various sections covers community involvement approaches, main issues and suggestions and the roles of the community in the conservation planning process. The emergent findings from the community qualitative analysis were then underlined. Next, in Chapter Nine (9), the results of these findings will be compared to the authorities' data findings towards a concluding reconciliation of perspectives to draw conclusions for the research. This proposition will be adopted to augment the best practice framework for involving the community in conservation planning, which will be presented in Chapter Ten (10).

### 9. CONCLUSIONS

#### 9.1 AIMS OF THE CHAPTER

This chapter follows the data analysis discussed in the previous chapters, where the results of findings and the various views of the stakeholders are compared and arranged towards a concluding reconciliation of perspectives. It begins with comparing the summarised sets of views from the perspectives of both the authorities and the community, as discussed in Chapters Seven (7) and Eight (8), and striking the balance between extending community participation as a component of developing citizens' rights in a society and the desire to keep the process of preparing plans moving forward as speedily as possible. This final part of the chapter concludes the research work by reaffirming the research aims and objectives, revisiting the research questions, whilst the implications of the community involvement framework identified by the research and the areas for further work and research to augment the study on community involvement are proposed. The chapter ends with a summary.

#### 9.2 COMMUNITY AND AUTHORITIES' VIEWS COMPARED

Findings of the analysis in Chapters Seven (7) and Eight (8) indicate the differing and similar views and opinions of the stakeholders, viewed from their respective perspectives, in relation to the whole issue of efforts in community involvement in conservation projects. Such a situation necessitates the relevance of interfacing the views and perspectives of stakeholders towards a concluding reconciliation which would provide the basis for the improved development framework. In approaching the process, findings culminating from the analysis of both the community and the authorities' views were compared based on the selected main themes.

As discussed in the aims of the research, it is a critical reflection on the elements of best practice internationally in this field and an analysis of contemporary practice in Malaysia. As a consequence, the key points to be highlighted here is that the contemporary practice in Malaysia would be able to adapt to some of the key themes in the literature discussed especially in Chapters Two (2) and Three (3). The main thing is that community involvement is identified as a solution in communication and lead consensus to the plural society with different interests and values and the existence of imbalances on the democratic system whereby certain interests are under-represented.

The comparison demonstrates that there has been an absence of an effective framework of community involvement process within the planning system. In line with the earlier findings, although Act 172 incorporates the element of public participation in the planning process, it is limited to the general preparation of development plans as in Structure and Local Plans. A separate and more holistic approach towards community involvement in conservation planning is still inexistent within the ambit of Act 172, or any other related legislation.

The range of perspectives of the two (2) sets of views of the community and officialdom is quite a complex mix and taken from the understanding of the majority of views from each set of groups and hence, is simplified for discussion and is summarised into six (6) main themes in Figure 9.1. Bearing in mind that in Chapter Five the discussions on different levels of the authority and ethnic characters of the community in the study area were done in 5.7.4 and 5.7.3 respectively, therefore further elaboration is unnecessary. Consequently, the overall key similarities and key differences between the two sets of views are condensed in Figure 9.2 on the following pages. The discussion on these sets of views is as in the following sections.



**Figure 9.1: Community and Authorities' Views Compared**

Main Themes	Perspective	
	Authority	Community
<b>Involvement Process</b>	<p><b>Present process undertaken with lack of resources and unsystematic approach.</b></p> <ul style="list-style-type: none"> <li>• Lack of comprehensive law and policy, as well as guidelines.</li> <li>• Insufficient resources.</li> <li>• Difficulty in obtaining a consensus from different communities; choosing the appropriate scale for the process.</li> <li>• Considers community lack of interest and 'sense of belonging'</li> <li>• Community/public is unwilling to participate and uninterested</li> <li>• Fear of an increase in workload and managing expectations</li> <li>• Inadequate knowledge and expertise</li> </ul>	<p><b>Process is inadequate and ineffective:</b></p> <ul style="list-style-type: none"> <li>• Unclear of the process.</li> <li>• Unable to put across their views</li> <li>• Information not well disseminated</li> <li>• Not getting feedback/outcome of exercise</li> <li>• In some cases no consultation at all</li> <li>• Selective community or individuals are invited.</li> <li>• Feels that community participation only to fulfil statutory requirements, and decisions have been pre-determined</li> <li>• Dominated by interest groups.</li> <li>• Unaware of the planning process in conservation is crucial.</li> </ul>
<b>Involvement Techniques/ Methods</b>	<ul style="list-style-type: none"> <li>• Mainly traditional types as required by the law</li> <li>• Use of new/innovative methods is very limited due to limitation of resources.</li> </ul>	<ul style="list-style-type: none"> <li>• Techniques and methods are inadequate and ineffective</li> <li>• Publicity limited, only through the media, community get to know only if they happen to read about it.</li> <li>• Need to use Reverse Technique, wherever possible.</li> <li>• Methods are more 'top-down' in nature where decisions have been pre-determined.</li> </ul>
<b>Levels of Involvement</b>	<ul style="list-style-type: none"> <li>• Most appropriate level of involvement has implications for the selection of the most suitable methods and tools; this determines the level/ladder for deciding together.</li> <li>• To ensure that all have equal chances to participate, thus need to determine the level of involvement.</li> </ul>	<ul style="list-style-type: none"> <li>• First, the area needs to have a community.</li> <li>• Should involve total community participation, especially those who are long-term residents.</li> <li>• Their views should be given serious consideration if planning for that space (area) encompasses the desire for the community to remain.</li> </ul>
<b>Trust</b>	<ul style="list-style-type: none"> <li>• Element of distrust of the representatives of community as some dominate and may not represent the majority.</li> <li>• Frustrated over the decision maker, as some decisions are against what the authorities are working on or planned for.</li> </ul>	<ul style="list-style-type: none"> <li>• Distrust of the intention of the authorities, regarded exercises as 'lip service' and 'only to fulfil legal requirement' but views and suggestions not taken into account</li> <li>• Never informed of the outcome on decision after consultation.</li> <li>• Distrust about who oversees and decides on projects; communities perceive decisions as always politically-linked and contradict the actual intention in conservation efforts.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>• Better decision-making and greater community awareness.</li> <li>• Helps define problem and identify solutions</li> <li>• Clear about benefits of engaging community but concerns over negative effects on their work.</li> </ul>	<ul style="list-style-type: none"> <li>• Could play a better role in assisting the authorities in planning and development of their area.</li> <li>• Would benefit if conservation efforts could generate income for communities.</li> </ul>
<b>Community's Role</b>	<ul style="list-style-type: none"> <li>• To provide information and opinion</li> <li>• To receive the correct information</li> <li>• To review decision</li> <li>• Assisting in making decision</li> </ul>	<ul style="list-style-type: none"> <li>• To provide information and opinion</li> <li>• To receive the correct information</li> <li>• Making decision</li> <li>• Reviewing decision</li> <li>• Community wants to play a significant role</li> <li>• Community supporting the government (by providing information) but need to receive information.</li> </ul>

**Figure 9.2: Summary of Similarity and Contrasting Issues from Both Perspectives**

Main Themes	Perspective	
	Similar	Contrast
<b>Involvement Process</b>	<ul style="list-style-type: none"> <li>• Lack of comprehensive law and policy, as well as guidelines.</li> <li>• Insufficient resources, especially in terms of officers and experts.</li> <li>• Considers community lack of interest and 'sense of belonging'</li> <li>• Inadequate knowledge and expertise</li> </ul>	<p>Authority -</p> <ul style="list-style-type: none"> <li>• Present process is undertaken with lack of resources and unsystematic approach.</li> <li>• Difficulty in obtaining a consensus from different communities; and choosing the appropriate scale for the process.</li> <li>• Fear of an increase in workload and managing expectations</li> </ul> <p>Community - Process is inadequate and ineffective, i.e.:</p> <ul style="list-style-type: none"> <li>• Unclear of the process.</li> <li>• Unable to put across their views</li> <li>• Information not well disseminated</li> <li>• Not getting feedback/outcome of exercise</li> <li>• In some cases no consultation at all</li> <li>• Selective community or individuals are invited.</li> <li>• Feels that community participation only to fulfil statutory requirements, in actual fact decisions have already been pre-determined</li> <li>• Dominated by the interest groups.</li> </ul>
<b>Involvement Techniques/ Methods</b>	<ul style="list-style-type: none"> <li>• Mainly exercised the traditional types as required by the law</li> </ul>	<p>Authority -</p> <ul style="list-style-type: none"> <li>• Use of new/innovative methods is very limited due to limitation of resources.</li> </ul> <p>Community -</p> <ul style="list-style-type: none"> <li>• Techniques and methods are inadequate and ineffective</li> <li>• Publicity limited, only through the media, community get to know only if they happen to read.</li> <li>• Methods are more 'top-down' in nature where decisions have been pre-determined.</li> <li>• Need to use Reverse Technique, wherever possible.</li> </ul>
<b>Levels of Involvement</b>	<ul style="list-style-type: none"> <li>• To ensure that all community have equal chances to participate, thus need to determine the level of involvement.</li> <li>• Should involve total community participation, especially those who have been residents for several generations.</li> </ul>	<p>Authority -</p> <ul style="list-style-type: none"> <li>• Most appropriate level of involvement has implications on the selection of the most suitable methods and tools. This determines the level/ladder for deciding together.</li> </ul> <p>Community -</p> <ul style="list-style-type: none"> <li>• Their views should be given serious consideration if planning for that space (area) encompasses the desire for the community to remain.</li> </ul>
<b>Trust</b>	<ul style="list-style-type: none"> <li>• Mutual elements of distrust on both sides.</li> <li>• Frustrated over the decision maker as some decisions are against what the authorities are working on or planned for.</li> <li>• There is distrust about who oversees and decides on projects, where communities perceive decisions as always politically-linked and contradicts the actual intention in conservation efforts.</li> </ul>	<p>Community -</p> <ul style="list-style-type: none"> <li>• Distrust on the intention of the authorities, regarded exercises as 'lip service' and 'only to fulfil legal requirement' but views and suggestions were not taken into account</li> </ul> <p>Authority -</p> <ul style="list-style-type: none"> <li>• Element of distrust towards the representatives of community as some dominates and may not represent the majority.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>• Better decision-making and greater community awareness.</li> <li>• Helps identifying of local values and needs.</li> <li>• Helps defining problem and identifying solutions.</li> </ul>	<p>Authority -</p> <ul style="list-style-type: none"> <li>• Clear about benefits of engaging community but concerns over negative effects on their work.</li> </ul> <p>Community -</p> <ul style="list-style-type: none"> <li>• Would benefit if conservation efforts could generate income for communities.</li> </ul>

<b>Community's Role</b>	<ul style="list-style-type: none"> <li>•To provide information and opinion</li> <li>•To receive the correct information</li> <li>•To review decision</li> <li>•Assisting in making decision</li> </ul>	Community - <ul style="list-style-type: none"> <li>•Community supporting the government (by providing information) but need to receive information.</li> <li>•Community wants to play a significant role and making decision</li> </ul>
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### 9.2.1 Main Issues

The main issues in the community involvement process from both perspectives could be elaborated on as follows:

On the authorities' part, relevant issues include a lack of comprehensive law, insufficient resources; lack of councillor's and decision-makers' commitment, fear of an increase in workload and 'consultation fatigue', as well as fear of increase in managing expectations; difficulty in obtaining a consensus between different communities; and choosing an appropriate scale for the process. The non-existence of a comprehensive legislative framework impedes the need to carry out consultation as it implies a non-compulsory requirement on the part of authorities and would hinder application of local authorities for budget allocation from the federal government. Additionally, authorities exercising the consultation work need to choose the appropriate level of community involvement and to ensure that all stakeholders have equal access and capacity to participate. As has been stressed, there is a need for the establishment of teams of conservation officers and experts, preferably at all levels of government, to assist in the conservation planning process in terms of research and training, as well as giving technical assistance. As good practice, a professional network needs to be developed to build capacity within organisations and provide critical evaluation for participatory processes. In addition, in view of the fact that Malacca is experiencing rapid development pressures and the challenges ahead, it seems unlikely that MBMB will be able to properly address its responsibility for managing the conservation efforts of its historic environment without more resources (expertise and financial backing). It needs comprehensive legislation and policies, as well as a community involvement framework, guidelines and performance indicators, as in the best practices.

In contrast, most communities have negative perceptions of the authorities' efforts. These negative perceptions reflect the community's and public's distrust of authorities' involvement exercises. Past experience has led them to believe that they were not taken seriously, but only consulted for the purpose of fulfilling legal requirements. Community members, however, understand that the authorities concerned are lacking in officers and experts.

Different community groups have the feeling that the authorities practiced bias in handling the different community groups. Some community members were absent from the discussions and involvement exercises due to a lack of interest and sense of belonging; while few thought that the process had a hidden agenda and their views would not be taken into account. Furthermore, information given by authorities is incomplete and the community did not receive feedback of the outcome of the exercises. Property owners, especially those who no longer live in the area, are more interested in seeing financial returns, rather than spending their money on maintaining and restoring their historic properties, which is unlikely to increase significantly rental or property values. Property owners who have stayed in the area are also reluctant to spend money on work that conserves architectural or historic integrity, but which does little to improve living conditions. Even if they were living there, they were more concerned with their own interests and the return of benefits to them. Moreover, most owners claimed they do not have the money and expertise to conserve their properties.

Consequently, this advocates a rethinking of how the relevant authorities should conduct their community involvement initiatives in the planning process. This calls for specific guidelines, expert technical advice, as well as incentives from the relevant authorities/government. The various themes of the findings from both views on the issues are deliberated in the following sections.

### **9.2.2 Involvement/Consultation Process**

Communities are unsure as to what constitutes 'community involvement' or 'consultation'. It is felt that the current system of involvement is merely to fulfil the legal requirement and does not take their views seriously. On top of that, there were community complaints of not knowing the outcome of the exercises, as information was not well disseminated, and there was no feedback from the authorities on whether or not their views had been taken aboard. They thought that only selected communities or individuals were invited to consultation exercises and these exercises were generally dominated by interest groups. Although some members of the community are seen as not interested in participating due to a lack of community spirit, most community groups considered that there is a lack of comprehensive policy or guidelines to enable them to participate efficiently. Thus, the community wants a more comprehensive and efficient process from the relevant authorities. In comparison to that, most authorities' responses were more concerned with the lack of guidelines, as there was no comprehensive law or policy on conservation on how to achieve more community involvement. Authorities found it difficult in obtaining a consensus from different communities and that the community was unwilling to participate as they showed a lack

of interest and sense of belonging. A few of the authorities interviewed feared an increase in workload and managing expectations, but still, suggested they should go to the people, i.e. they expressed their commitment to involve the community and other stakeholders. Nevertheless, without proper guidelines, sufficient resources (experts, staffs and money) and apathy from the community, as well as commitment from the political side, the process is likely to fail.

Authorities seem to willing to devote time to explain how consultation affected the final decision, but what is found in the present situation is that the process is very much only to satisfy the minimum requirement of the law. Hence, more effort towards this should be initiated, like having discussions (or even present the findings, if necessary) or providing a written report of the outcome to be examined by the community. Reporting back contributes to an increase in trust of the authorities that is very much diminished in the community. It is understandable that not all views from the community can be incorporated in the plan, as some are actually not related issues or comments and the local council will have many other factors to consider. These considerations might include the requirements of national, structure or local plan policy, physical factors, environmental requirements and the economical or financial constraints. Nonetheless, views of the local community, as well as other stakeholders, must be weighed alongside all these factors and these results should be reported back to them. This implies that confidence in the planning process can only be improved if people affected by potential development are properly notified about what is happening and how they can make representations.

The findings suggest that a more effective involvement process is needed. This implies that the process should begin with notification, continue with an appropriate form of involvement method for securing local views, followed by a reporting stage (where all views are reported back to the community), and finally a notification stage of how the proposals have been changed as a result of the views expressed. This also includes situations where certain comments or views have been rejected and to give an explanation of why this happened. Because most people's first involvement with the system is notification in the media and exhibition as well as public hearing during (publicity stage) the structure planning stage, hence the local plan (especially the preparation of the Special Area Plan) needs greater emphasis on involving people in consultation on local matters.

### **9.2.3 Involvement/Consultation Methods**

The community felt that the methods used in the consultation process were inadequate and ineffective, as well as being of a top-down approach in nature; and that publicity

was limited to the media. They even suggested the reverse technique, where necessary, targeted at the relevant community to inform them that they would be affected by the proposed programme or project. The relevant authorities, on the other hand, are frequently comfortable with the present limited consultation methods and they feel insecure about moving towards a more participatory framework to involve the community. In addition, it is believed that there is a fear that any greater involvement by the community in the decision-making and policy process means less government control over policy outcomes. Although the government opted and aimed for local governance and Local Agenda 21, it remains unclear whether it intends to involve the community and public more broadly in its planning process or it wants to remain firmly in control of those processes.

It was clear from the findings that many authorities still rely on traditional consultation techniques that require individuals to be sufficiently motivated to turn up to events like exhibitions and public hearings or respond to questionnaires. Consequently, they tend to get low response rates dominated by those motivated by the process. There are very few authorities that are using techniques such as focus groups or more innovative styles of consultation that can be targeted at particular sections of the local population and will elicit a response from those not normally motivated to get involved. Thus, this suggests the types of techniques used to gather views is vital to the success of attempts to increase community participation targeting among those who currently choose not to get involved in the process or the silent majority. On top of this, the preference for smaller group meetings (like the focus group), as well as using the most appropriate method for the situation would be more effective for specific target groups in engaging the community into the process.

#### **9.2.4 Levels of Involvement**

In determining the appropriate level of community involvement, the area first needs to define its community. This is rooted in the issue that fewer owners and residents are living in the core conservation area. This needs to be tackled by creating a more conducive living and business environment for the owners who have been residents there for several generations, but who now shy away from the area. The community proposed that consultation exercises should involve the whole of the community at every level of the process. The views of the whole community must be given serious consideration if the planning for that area is to create an environment that will retain its traditional residents and business. The authorities agreed to these views and recognised that most appropriate level of involvement involves the selection of the most suitable methods and tools. In this way it determines the level/ladder for deciding

together and choosing the appropriate scale for the process. Since the authorities need to choose the appropriate level of community involvement before embarking on the exercise, they also need to ensure all stakeholders have equal access and capacity to participate.

It is quite clear that the community want to be involved in all levels of the authorities' planning stage. However, authorities need to determine the right level of involvement at which the community and other stakeholders need be involved. This is to ensure that all of them have equal chances to participate. The level of involvement should not stop at stages of information and consultation; it should now go up the ladder to deciding together and acting together. Then, when the community is ready, the relevant authorities will support independent community that wants to carry out its own initiatives.

### **9.2.5 Trust**

As discussed above, trust is a key issue for communities and other stakeholders. They do not trust those doing the consultation programmes to reflect accurately their opinions and comments. They thought that they were not taken seriously, but consulted only for the purpose of fulfilling legal requirements. For example, although the government said they supported conservation, the demolition of pre-war shop houses in the core heritage zone and a controversial proposal to build a revolving tower in the buffer zone were very much criticised by the community and public but still went ahead. They were worried about illegal renovations, displacement of old trades to make way for trades catering to tourists, and a thriving birds' nest industry using heritage buildings. The authorities have also persisted with the Dataran Pahlawan project, despite the on-site discovery a few years ago of the remains of Porta de Santiago bastion (one of four on the fortress built by Alfonso d'Albuquerque). This implies that the decision-making was contradictory to the original aims of conserving Malacca, the declared Historical City of Malaysia.

Different groups have the feeling that the authorities showed bias in handling the different community groups. It is quite clear that the real question is not about who undertakes the consultation, but about who oversees and makes the decisions. If the authorities (in the case of Malacca city, the federal/regional authority is assisting the local authority in the involvement exercises, especially in the development plans preparation), then the effectiveness of that consultation could be judged by the local authority (including the councillors) and the state authority. The researcher felt that the local councillors should be part of the consultation working team to get the community involved according to the guidelines (framework) laid down. These guidelines can then

be tested by implementing a pilot project as has been carried out during the JICA study for Malacca. These guidelines could be extended to consultations on planning applications. However, it will require local authorities to develop the expertise necessary to assess consultation and there would, at least, be a requirement for training of their officers to achieve this.

Disconcertingly, the research also revealed significant distrust of local authorities themselves of the community. This element of distrust was the result of concern that the representatives of the community, as well as a few dominant individuals, may not represent the majority. Most officers interviewed also expressed their frustration over decisions that contradict to what they are working on or planned for, e.g. Malacca as a well conserved historical city.

It is clear from the findings that there is a relationship based on mutual distrust between the authorities and the community, i.e. the community distrusts the motives of the government in conservation efforts and the government appears to have some doubt about whether to trust some community committees/representatives or individuals. Concerns within the community relate to the authorities' real intention and the ineffective approaches of the consultation exercises that suggest no real interest in the community's views. It shows that community committees want to play a bigger role in the decision-making process itself, if there are to be good planning outcomes in delivering community empowerment. The authorities on the other hand, would like to trust community committees and representatives to represent genuinely their community. This is really a two-way process that needs to be improved and strengthened. It is noteworthy that the final decisions on major planning matters are made by the appointed politicians whose role is to reflect the interest of the community but was found contradictory in some cases. Hence, these politicians themselves should be trustworthy to make decisions based on the accurate assessment of local views.

#### **9.2.6 Lack of Resources**

There are clearly significant concerns in local authorities about the resources available in each organisation to carry out the involvement exercises. Most officers interviewed were concerned that an established process would mean more responsibilities and demands on their time. Although they know that time should not be a problem, if programmes were resourced and planned properly, they think that these additional responsibilities will require more staff and training as there were no experts in their organisations. This then, would certainly need more money. On the development control side, the relevant officers would require training so they were better able to



assess whether or not community have been consulted effectively and fairly. However, the changes would mean an expanded consultation role at the local plan stage.

Due to the lack of capacity to conduct participation exercises, most authorities could not be managed in-house. With the present practice, most authorities initiate joint efforts with external sources and hired consultants, higher institutions of learning staff and students and even contract staff to cover the busy periods associated with participation exercises on a local plan preparation.

The community claimed that there was a lack of resources in terms of financing to conserve their properties. They also claimed a lack of guidance on how to carry out repairs, as well as poor implementation and monitoring of the works done from the relevant authorities, although they were aware of the present lack of experts and staff in the organisations.

This suggests that only with sufficient resources (staff, time, money and training) could the authorities fully carry out their responsibilities and duties with the community participating in the planning process, as well as the implementation of conservation programmes.

#### **9.2.7 Benefits**

For the authorities, involvement by the community could assist in the identification of local values, needs and problems, as well as inform policy-making at the local level and help improve local services. Hence, this could foster better decision-making and greater community awareness in conservation efforts. It could also provide feedback on the effectiveness of service delivery and identify where greater co-ordination with other organisations and agencies was needed. For the community, involvement allows local people to identify their own needs and priorities and opens up decision-making processes that could help build a sense of belonging. They would be grateful if the efforts could generate income and benefit for them in economical terms. Thus, the community believes that it could play a better role in assisting the authorities in planning and development of its area with proper guidance and by taking them seriously, while the authorities agreed that involving the community in the planning process would facilitate better decision-making and greater community awareness. This, to them, would help in defining problems and identifying solutions, especially now that Malacca is going for World Heritage Listing. Nevertheless, although authorities are clear about the benefits of engaging the community, they have concerns over the negative effects on their work such as consultation 'overload', the increase in public expectations which they could not meet and slowing down the overall decision-making

process. This infers that, with effective guidelines, and scheduled programmes properly laid down and equipped with sufficient resources, this could resolve the problem and benefit both the public agencies and the community or public as a whole.

### **9.2.8 Community's Role**

Authorities recognised that communities could play a vital role in decision-making at various stages/levels: providing information, reviewing a decision, assisting the authorities in making a final decision. The community in turn, wants to play a greater role, not only to provide information, but also to receive accurate and full information. They would also like to play their role in making decisions. As in the ladder of participation (Arnstein, 1969 and Wilcox, 1994, 2003) the higher the community empowerment the higher and more significant role the community could play. There is another community - the interested parties - claimed to be concerned with the heritage and its conservation but, at the same time, tries to 'push' their expertise in the field as well as benefit financially from the experience. Thus, while both the community and authorities converge to agree on the desirability of increasing the role of the community, this must be guided by a framework agreed upon by both sides. Whilst ensuring the authorities carry out their responsibilities effectively, the interest and welfare of the community should be well safeguarded.

### **9.2.9 Summary of Findings**

As evidenced in the Malaysian case and, as exemplified in the case study findings, the main issue lies in the effectiveness of approaches taken for community participation. At the same time, as the findings reveal that the declining interest in public participation/community involvement in the development plans preparation is the result of unsatisfactory responses to earlier efforts carried out. As a whole, the findings converge to suggest that the practice of community participation in Malacca can be considered as having fallen short in regards to representation and lack of members of the community to participate. It is essential that the authorities have the responsibility to fully realise the potential of community opinion and encourage them to become more involved in the planning of their areas. The same goes for the councillors and politicians who need to commit fully to carrying out their tasks since they are the ones who will make the final decisions. This would then ensure a strong cohesion of trust between the community and the authorities, as well as politicians. By working as a partnership, it can help to develop credibility and trust and lead to more flexible and creative responses to making collective decision. This cannot be achieved without a framework for community involvement in the planning process.

Based on the evidence of findings and the comparison of the findings to the holistic and best practice approach, what has emerged is a framework of principles and a clear statement of roles and responsibilities that encompasses existing collaborations and would enhance more systematic relationships in the future at the local planning level. In terms of trying to apply these to the current practice in Malaysia, however there are barriers that would need to be overcome. This is especially true in terms of its plural society with different political, social and economic circumstances as discussed in Figures 9.1 and 9.2.

The government needs to include the provision of community involvement in the newly passed National Heritage Act, 2005, as well as in the amendment to the TCP Act, 172. It is important to protect and safeguard the local sensitivities and value systems of the inhabitants of these areas while planning for their conservation and upgrading. Subsequently, it is a prerequisite that resources should be made available through departments related to conservation movements, especially the MoCAH (and especially the JMA) and MHLG particularly the FDTCP and Department of Local Government to enhance their capacity to increase collaboration with the other government agencies as well as other stakeholders like the NGOs and private sectors. The collaboration of these parties should take on a greater role in policy development, implementation and evaluation; represent community and public interests and views; connect with community and public all across Malacca and Malaysia in general. This ensures better governance through greater public accountability.

The above culminating findings collectively suggest the need to improve Malaysian practices of community involvement in conservation planning and the adoption of a best practice framework. The approaches identified significant opportunities for improving the system which will be explained in the framework development in Chapter Ten (10). Nevertheless, it is quite clear that the main implication of improving the system is that an education and awareness programme will be fundamental to its success.

### **9.3 EDUCATION AND AWARENESS PROGRAMME ON THE PROCESS**

The conservation planning process inevitably relies mostly on the planning process in Malaysia, i.e. the TCP Act 172. Few officers and participants in the authorities and stakeholder groups involved in this research said that most members of the public do not understand the planning process. As such, the main thing to do is to improve on the education and awareness of the importance of conservation of the invaluable heritage especially in the case study area. As evidenced from the FG interviews, there is still a

lack of conservation awareness and the need for the community to be more involved in the planning process. Furthermore, general education about the planning system is also very much lacking and that it is an important first step towards improving the levels of public participation in the process. This effort helps to foster a more general understanding of why the planning process is important, how it works, how it can benefit the community and public at large and how it can be influenced. However, it is understood that usually most people in the community only get involved in the process when it will directly affect them (either as applicants or as objectors). Consequently, more general education and awareness programmes are needed. This can be done through more accessible and direct information to the community and other stakeholders (like interactive websites; direct telephone lines and distribution of pamphlets) while more awareness programmes such as seminars and focus groups targeting to especially the community itself is a prerequisite.

Another important factor is that planning officers do not have the necessary skills to work with the community and the public at large. There are very few experts in the area of conservation in the country. Furthermore, the present staff, especially those in the planning profession, seems to have no official on-job training to carry out effective consultation exercises. As such, a training programme for planners that includes educating them about conservation and its value to the community, as well as about the need to relay information and to listen and negotiate, is vital to equip them to face people and situations. Likewise, the councillors and the politicians who are responsible for making the final decisions need to equip themselves with this knowledge, as well as gaining a better understanding of local views and needs.

Clearly, education and awareness programmes are fundamental for the community, the authorities, politicians, as well as the public at large. With knowledge of the planning process, the importance of heritage conservation and the significant role of the community in helping to shape the vision of the Historical City of Malacca could be realised. The following sections will present and discuss the conclusions of the research work by reaffirming the research aims and objectives, revisiting the research questions, the implications of the community involvement framework identified by the research and the areas for further work and research.

#### **9.4 RESEARCH AIMS AND OBJECTIVES**

As stated in Chapter One (1), the aim of this research was to develop principles of community involvement in conservation planning in a practice-oriented framework for Malaysia, utilising both a critical reflection on the elements of best practice

internationally as drawn from the literature and an analysis of Malaysian contemporary practice as identified through empirical work. In meeting the aim of the research, the objectives underlined were:

1. To identify and evaluate the role of community involvement in urban conservation movements in Malaysia;
2. To critically evaluate the differences between the Malaysian system to that of established community involvement best practice in other countries;
3. To corroborate the fundamental variables that are integral to an effective involvement process;
4. To propose a framework for community involvement in conservation projects in Malaysia.

The research embarked on the process and methods appropriate to achieve the research aim and objectives. As discussed in the earlier chapters, especially in Chapter Five (5), the research project employed both primary and secondary research data collection. The secondary research was conducted through an extensive literature review. Following the issues identified from the literature review, a case study was conducted for Malaysia (MBMB area in Malacca Historical city) as the primary research strategy with community interviews (Focus Groups) and authorities, and other stakeholder questionnaire/interview surveys. Six (6) main community groups living in the case study area and twenty three officers at all levels of government (federal, state and local) as well as private, NGO and academia were interviewed. The case study data for the community focus group interviews were analysed qualitatively, while for the other stakeholders' questionnaires and interviews, the analysis included both quantitative and qualitative approaches. Based on the culminating findings of analysis of the primary and secondary sources, a framework for community involvement in conservation planning was presented.

In enabling this, the research was structured to achieve the aim and objectives as follows:

#### **9.4.1 Objective 1 – Evaluation of the Role of Community Involvement in Urban Conservation Movements**

In essence, the findings under Objective 1 demonstrate the relevance of community involvement in conservation planning. There is a noticeable gap between the Malaysian practices compared to other developed countries.

In relation to this objective, Chapters Two (2) and Three (3) of the research deliberated on and demonstrated the following key points:

- The significance of conservation planning to city development and land use planning and the problems faced by the conservation movement in Malaysia;
- The research recommends a definition of community involvement in conservation planning and highlighted the important contribution of community involvement to conservation projects;
- The existence of the noticeable gap between the practices of community involvement in the Malaysian system compared to other developed countries.
- The multi-faceted nature of community participation, varying according to local circumstances;
- Four main factors of community involvement best practice characteristic in conservation planning that were worth emulating.

Fundamentally, the research uncovered the fact that all the related research converges to suggest that heritage conservation needs to be interrelated more systematically with other physical, economic and social regeneration programmes. In this regard, the literature reviewed acknowledged the significance of conservation planning to city development and land use planning. It showed, without doubt, that links and support between land use planning and the legislative, financial, governmental policy and community involvement factors could provide the needed resources for successful conservation planning. Having contextualised some of the variables that shaped the topic of discussion, the research then focused on providing the full understanding of the current approach to community involvement and community involvement best practice. Due to the inexistence of a clear definition of community involvement in conservation planning, the research consequently recommends a definition of community involvement that includes the elements of continuous process of active participation of the community to enhance heritage and cultural values in conservation planning. It acknowledges the relevance of community involvement and its unequivocal role as one of the determining factors in the success of conservation planning.

The literature reviewed indicated the apparent existence of a noticeable gap between the practices of community involvement in conservation planning carried out in the Malaysian system to that of the other developed countries discussed. The gap which relates to the lack of emphasis on the value of the community in conservation planning leads to the unsuccessful sustenance of conservation efforts and projects. Presently

Malaysia may not be ready for a radical change to have the third party rights planning appeal (TPRA) system because what is needed is the basic development in the present consultation provision. It is a challenge for Malaysia to introduce systems of appeal like the TPRA in the long term, besides introducing the role of elected members in assisting to making planning decisions. However, this can only be achieved once its public consultation initiatives have been developed.

This underpins the belief that, besides reconciling commendable international practices, conservation planning in Malaysia needs to be improved in tandem with the aims of Local Agenda 21 in achieving sustainable development, where the emphasis is to empower the public and all sections of the community to be involved in decision-making and consider the social and community impacts of decisions. This reinforces the conviction that community involvement is unique by its own nature and its approaches must be able to accommodate the influence of the relevant variables or factors that shape the community involvement element in conservation planning. In addition, the continually changing nature of conservation projects within the context of the conservation movements, exacerbated by reforms taking place, makes community involvement approaches increasingly complex and requires the delicate management of social inclusion issues.

Community involvement in decision-making is not only based on the belief that it is right for the public to be involved in decisions which affect them, but also on the objective of enriching the planning system to be more effective and to work better in practice. The nature of community participation is multi-faceted, with many variants depending on histories and stages of development, ideological, political, economic and cultural contexts and institutional arrangements. A practical framework is necessary, spelling out what the conservation is about, who needs to join in, how it is to be set up, what methods/techniques need to be employed, followed by monitoring and modification exercises.

Successful involvement is more likely to be achieved when the local community agrees upon the problems faced, assists in developing clear strategies as early as possible and authorities that are prepared to invest time and resources in building the capacity of local organisations. Strategies should be comprehensive, although their shape and content will vary according to local circumstances, values and requirements. Hence, the decisions made would be more likely to be of a better quality and to be better implemented and respected. Above all, involvement requires teamwork, both within stakeholder organisations and between stakeholders. An effective process makes a positive difference to the community, to the organisation initiating the process, and to

the public as a whole. In turn, successful community engagement promotes active citizenship and increased trust in political decisions.

Learning from the Best Practice in Community Involvement, the characteristics of the best practice approach and the holistic approach could mainly be categorised into four pertinent factors, namely:

1. *Community Focus*, i.e. empower all sections of the community to participate in decision-making and consider the social and community impacts of decisions;
2. *Policy and Approach*, i.e. community involvement is a dynamic cyclic process and the approaches within each involvement activity will continually evolve, therefore requiring the need for flexibility and adaptation;
3. *Process and Procedures*, i.e. the holistic conceptualisation of the whole community involvement approach is fundamental for understanding the effective community engagement process; and
4. *Evaluation and Monitoring*, i.e. a scheduled evaluation and monitoring system is vital.

Briefly, the best practice approach indicates that community involvement is effective if the involvement process is clear, with agreed objectives and starts from a consensus on the problem. It is driven by a strong mandate from all stakeholders, who have a commitment to the process and to implementing the outcomes. The process needs enough time to develop mutual respect and trust, compatible ways of working, good communication and agreed processes for collaborative decision-making. It also requires good leadership and effective management. The challenge is to look at how this can be achieved in the Malaysian situation, in which different people with different ethnicity and background can play an active role in deciding and acting together whilst greater political equality can be attained by communicative processes. In short, the underpinning concepts of community involvement and community involvement best practice have been thoroughly reviewed. The key elements of community involvement best practice have been accomplished and identified and this has been adopted in the investigations towards establishing a framework for community involvement in conservation projects for this research.

#### **9.4.2 Objective 2 - Evaluate the Differences between the Malaysian System and Established Community Involvement Best Practice**

In essence, the evaluation and summary of the literature review and best practice approach uncovered that the present Malaysian community involvement in conservation planning practice and provisions is ineffective.



In enabling informed judgements to be made by evaluating the differences between the Malaysian system and established best practices, Chapters Four (4) and Five (5) highlighted the following key points:

- The existence of an ineffective approach and absence of an appropriate framework to evaluate the effectiveness of community involvement in urban conservation planning in Malaysia;
- The current Malaysian experience in public participation can be considered as only providing information and consultation;
- The selection of the case study area and the historical link of the location of plural communities within the respective conservation zones;
- Appropriating the information gathering process according to the culture and priorities of the respective ethnic community groups, as exemplified in the empirical research.
- Justification of the variables identified in the literature review which spelt out the dependent variable and independent variables;

Based on the emerging analysis, the findings demonstrate that there has been an absence of research and an appropriate framework to evaluate the actual effectiveness of community involvement in urban conservation planning needed by the sector in Malaysia, and the few studies discussed in this research have not provided a positive scenario for community involvement provision. Although the Town and Country Planning Act, 1976, Act 172 incorporates an element of public participation, it is limited to the general preparation of development plans, as in Structure and Local Plans. The only public participation requirement within the planning of conservation projects is made statutory through this Act. Therefore, it is the public in general, not the community of the planned area specifically, that is involved in the planning process. A separate and more holistic approach towards community involvement in conservation planning specifically is still non-existent within the ambit of Act 172, or any other related legislation.

Despite the existence of various techniques to engage the community in the planning process of conservation projects, and after twenty (20) years of experience in formulating developments plans, the exhibition method is still the only commonly and widely used technique employed by many local authorities to invite the members of the community to make representations and objections on plans. Critics on the public participation carried out by a few local authorities in development plan preparation have

noted that the number of visitors to exhibitions has been low and the number of written comments has declined. In terms of levels of involvement, according to Arnstein's and Wilcox's ladder of participation, the Malaysian experience can be considered as only at level one and two, i.e. providing information and consultation. There are no specific guidelines or frameworks of approach for whom and what levels of involvement need to be predetermined before the planning process begins. Additionally, findings of previous studies show that the declining interest in public participation in the preparation of SPs is the result of unsatisfactory responses to earlier efforts. The conclusion of literature review and evidenced in the Malaysian case that the main issue lies in the ineffectiveness of approaches taken for community participation. This underpins the belief that a framework of the provisions for the enhanced community involvement, based on best practice, will be able to accommodate the influence of relevant variables or factors that shape the approaches of community engagement in conservation planning in Malaysia.

The empirical research deliberated in Chapter Five (5) has provided meaningful lessons in terms of appropriating the information gathering process to the culture and priorities of the respective community groups. Undertaking the data gathering process in the empirical research has provided the learning experience of how relevant is the need for combining various techniques of information collection towards achieving a more complete set of data. The multi-approach method or methodology triangulation is needed as, no matter how well the information collection process is planned, adjustments have to be made on-site to suit the local needs and patterns of the various communities. In responding to this, the research information gathering process utilised multi-approach techniques, such as observation, questionnaire surveys through the post and e-mail, 'leave and pick up later', face-to-face interviews and FGs, as well as personal meetings with leaders and groups of communities. All this was done as a method to triangulate and counter-check the findings of the FG.

More importantly, the empirical research process has proved how different communities respond and have different priorities in their responses towards the FG meetings organised. While most communities respond positively towards participating in the FG interviews, one particular group which its participants' attendance was very much determined by the presence of their leader. When eventually this leader did not turn up, they left. They had hoped, in short, to hijack the meeting for the purpose of advancing their proposals. As a result, the turn out for that particular group was rather disappointing. Nevertheless, responses from the officials from the respective authorities were encouraging in providing relevant information and managed to reveal issues faced in their efforts to promote conservation planning.

Chapter Five (5) also underlined the variables derived from the literature review and best practice approach. The working framework for the research was developed and spelt out the dependent and independent variables that were confirmed (in objective 3 follows) by findings based on data empirically collected for the case study area.

#### **9.4.3 Objective 3 - To Corroborate the Underlying Variables that are Integral for Effective Involvement Process**

Fundamentally, the findings under Objective 3 confirmed the underlying variables which are vital for an effective community involvement process. These factors include the involvement process; techniques used; level of involvement; as well as other variables that determine the successful involvement process.

In relation to this objective, the research highlighted the following essential factors:

- A lack of a point of responsibility in conservation efforts amongst key players between the Federal and State agencies;
- The emergent findings from the authorities' data analysis indicated the main issues of the lack of comprehensive laws, insufficient resources, lack of councillors' and decision-makers' commitment and lack of community interest.
- Negative perceptions of the communities towards the efforts of the authorities.
- Six (6) main elements described the range of views from the authorities and the communities and the main issue identified was the ineffectiveness of approaches taken for community participation;
- The findings affirmed that the practice of community participation in Malacca has fallen short in regards to representation and lack of commitment and willingness of members of the community to participate;
- Working in a partnership environment can help to develop credibility and trust, and lead to more flexible and creative responses to making collaborative decisions.

Following the evaluation of the Malaysian system in the earlier chapters of the literature review, Chapter Six (6) presented and introduced the case study area for the research. Malacca, being a city with a rich and colourful heritage past and heritage asset, was chosen as the case study area for the research to promote community engagement in the development of conservation projects for other conservation areas in Malaysia. In

describing the conservation zones within Malacca city, the research discovered the historical link that had influenced the location of communities within the respective zones. As a nation with a complex historic past resulting in the present multi-ethnic population base, the communities in the conservation zones include the varied groups of Chinese, Malay, Indian (or Chitty) and Portuguese.

Authorities and procedures in conservation discussed, indicate the various key players in the conservation scene in Malacca city. With the responsibility shouldered concurrently between the federal and state agencies, the point of responsibility in conservation efforts amongst key players is somewhat vague. While conservation legislation at state level is meant to provide the required powers and facilitate conservation efforts, limited resources in terms of funds and experts have contributed to its drawbacks. On the other hand, while it is encouraging to note the newly passed federal legislation on national heritage conservation, it is unfortunate that the Act is silent in addressing the element of social inclusion of the communities, especially in involving and consulting the local communities in the planning and conduct of conservation projects.

Chapters Seven (7) and Eight (8) have presented and highlighted the outcome of the data analysis and its findings based on data empirically collected for the case study area. These chapters offered to justify the variables identified in the literature reviewed earlier which spelt out that the dependent variable is the community involvement approach framework and the independent variables are the legislation and policy, project variables in terms of resources (qualified staff, money and time); and commitment and trust among the communities and other stakeholders; the involvement process (includes the methods used and level of involvement) and the awareness and training programmes, especially to the community and public as a whole.

The authorities mainly faced the issues of lack of comprehensive law, insufficient resources and lack of councillors and decision-makers' commitment. They faced difficulty in getting the community to participate in the activities they planned, as there was lack of community interest. This, then, led to difficulty in obtaining consensus from different ethnic communities. They faced problems in choosing the appropriate scale and method for the process. The lack of a comprehensive law impedes the need to carry out consultation as it implies a non-compulsory requirement on the part of the authorities and would hinder efforts in budget application by local authorities from the federal government.

Thus, there is a need for the establishment of teams of conservation officers and experts, preferably at all levels of government. The teams would be responsible for

assisting the conservation planning process in terms of research and training, as well as giving technical assistance to build capacity within organisations and provide critical evaluation for participatory processes.

The emergent findings of the authorities' data analysis confirmed that there are issues confronting the community involvement process in conservation movements in Malaysia, especially those involvement approaches undertaken by the authorities. Nonetheless, the views of the community, who are the main stakeholders in conservation efforts are vital to strike a balance with those present practices of the authorities in developing the desired community involvement framework for Malaysia.

In general, it was apparent that most communities have negative perceptions of the authorities' efforts. Community members understand that the authorities concerned are lacking in officers and experts; however, the general issue of poor involvement processes and methods reflected why the community and public distrust authorities' involvement exercises. Different community groups have the feeling that the authorities practiced bias in handling the different community groups and targeted to the middle class community representation. The participation exercises were dominated by interest group or the professionals. Some community members were absent from the organised discussions and involvement exercises due to a lack of interest and sense of belonging; while few thought that the process has a hidden agenda and that, as always, their views would not be taken into account. Furthermore, in the opinion of the communities, information given by the authorities was often incomplete and the communities did not receive any feedback on the outcome of the exercises. They also think that their economic status is more important than spending their money on refurbishing their properties - money that they could not afford on properties that they may not even be staying in or using themselves.

The main findings in Chapter Nine (9) conclude that the main variables gathered were actually condensed and simplified from the comparison made between the range of perspectives of the two sets of views of the community and officialdom. The variables are summarised into six (6) main factors namely: the involvement process; techniques used; level of involvement; as well as other variables that dictate the fundamental parameters in attaining successful involvement, which include trust, benefit and the role of the community. The findings from the community qualitative analysis justified that there are issues confronting community involvement in conservation movements in Malaysia and these findings converge to support the existence of a gap between Malaysian practices and that of best practice. The understanding of the political, economic and social framework in Malaysia is imperative and how they relate to this

discussion as regards to the potential of applying the framework in the contemporary Malaysian system and in particular in relation to conservation Malaysian planning.

As evidenced in the findings of the Malaysian case and as exemplified in the case study findings, the main issue lies in the ineffectiveness of approaches taken for community participation. As a whole, the findings converge to suggest that the practice of community participation in Malacca can be considered as falling short with regards to community representation and lack of members from the community to participate. It is essential that the authorities have the responsibility to realise fully the potential of community opinion or comments and encourage them to become involved in the planning of their areas. The same goes for the councillors and politicians who need to commit fully to carrying out their tasks since they are the final decision-makers. This, then, would ensure a strong cohesion of trust between the community and the authorities, as well as the politicians. Working in a partnership environment can help to develop credibility and trust, and lead to more flexible and creative responses to making collective decisions. A framework for community involvement in the planning process is, therefore, a prerequisite for sustainable development.

The culminating findings from the stakeholders' analysis collectively suggest the need to improve the Malaysian practices of community involvement in conservation planning. The research recognises the need for the adoption of a best practice framework and identifies its significant for improving the system, as explained in the framework development in Chapter Ten (10). Since the proposal of the community involvement framework would inevitably affect the present system, especially in terms of more organised consultation stages, effective methods and appropriate monitoring systems by the authorities, the government needs to include the provision of community involvement in the newly passed National Heritage Act, 2005, as well as the need for an amendment to the TCP Act, 172.

Based on the data analysis, the lack of conservation awareness and the need for community involvement in the planning process is evidenced. Furthermore, general education about the planning system is also very much lacking and that it is an important first step towards improving the levels of public participation in the process. Consequently, more general education and awareness programmes are required. This could be done through more accessible and direct information to the community and other stakeholders, while more awareness programmes, such as seminars and focus groups targeting especially the community itself, is a precondition. Likewise, with very few experts in the area of conservation in the country and the present staff, especially those in the planning profession who have practically no official on-the-job training to

carry out effective consultation exercises, add to the problem. As such, the planners' training programme that includes educating them about conservation and its value to the community, as well as to relay information and to listen and negotiate, is vital to equip them to face people. Importantly, the councillors and the politicians who are responsible for making the final decisions need to equip themselves with this knowledge, as well as a better understanding of local views and needs.

Lessons from the Best Practice model adopted for the research denotes effective involvement processes must have clear, agreed objectives and start from a consensus on the problem. It is driven by a strong commitment from all stakeholders to implement the process and its outcomes. The process needs sufficient time to develop mutual respect and trust, compatible working methods and good communication in making decisions agreed by all. This proposition is adopted to augment the best practice framework for involving the community in conservation planning.

#### **9.4.4 Objective 4 - To Propose a Framework of Community Involvement for Conservation Planning for Malaysia**

In line with this objective, a framework of community involvement in conservation planning for Malaysia is recommended. The practice oriented framework comprises of its key principles and six (6) main elements to guide the reform process. Its implementation requires an investment in terms of resources, and related education and awareness programmes.

This research has offered recommendations to address the weaknesses in community involvement in the conservation movement in Malaysia. The key suggestions made are as follows:

- Three key principles that are vital in shaping the development of the framework;
- The context within which the proposed framework for community involvement in conservation planning is developed;
- The proposed community involvement framework to consist of six (6) main elements;
- Additionally, there are three (3) fundamental forms of investment for an effective implementation of community involvement process in conservation planning, i.e. qualified staff, time and money.

The proposed framework of community involvement propositioned by the research is within the conservation planning system. Nonetheless, it is worth noting note that the proposed framework is based on an improvement to the present conservation system, without tackling the planning system as a whole, as well as embedding the salient features of lessons learnt from the consultation Best Practice explored. The incorporation of characteristics of a best practice approach and the holistic approach drawn for the application of community involvement is specifically for the local planning level and could appropriately be applied to conservation planning in Malacca Historical City.

Evidence of findings, as established in Chapters Seven (7) and Eight (8), and the interfacing of the perspectives, as has been spelt out in Chapter Nine (9), of the holistic and best practice approach has facilitated the formation of the framework of principles and clarification of roles and responsibilities of all the stakeholders to encompass existing collaborations and to enhance more systematic relationships in the future at the local planning level. It also validates that there are particular implications in the way the Malaysian system is because of the different mix-cultural and political scene of the different ethnic groups in the community and other stakeholders' structures. With the need to strike the balance between meeting the community criticisms that were identified and meeting the authorities' assessments, the aim of the research is achieved by developing and formulating the community involvement framework for the research. This is done firstly by establishing three (3) key principles that are vital in shaping the development of the framework and for any changes to take place, namely:

1. The process of gathering community views needs to be more formal and more thoroughly pursued;
2. The process towards community participation must take into account the need to be transparent, as well as the incorporation of a mechanism for 'reporting back';
3. In adopting the above principles, however, the process must not slow down activities so much that it may affect the whole process.

Following the principles set earlier, the context within which the proposed framework for community involvement in conservation planning is developed, recognises that conservation planning in Malaysia is a relatively new field and there was no specific framework or guideline for community involvement in conservation planning available in the planning process in Malaysia. This proposed framework will offer a best practice guide for community involvement and consultation processes in conservation planning in Malaysia. However, for a scheme or project that does not comply wholly with the proposed best practice framework, it can qualify as good practice, as long as it adheres



to the important features. The research advocates that every situation needs to be dealt with on its merits and with regard to its own unique circumstances and takes into consideration that the values and cultures of each place are different, as Malaysia is comprised of multi-racial communities. Thus, it is vital to acknowledge the different stakeholders' ethnic and gender class as well as their background. This is an example of an element which is affected by the problem of transferring ideas about good practice from one culture to another. Yet again, a clear guidance framework needs to be developed at national level for the establishment of model standards for community involvement and consultation in conservation planning within LPAs, based on the adopted best practice framework.

The research, in effect, has proposed that the community involvement framework should consist of six (6) main elements, namely:

- a. Emphasis on Community Focus
- b. Policy and Approach
- c. Involvement and Consultation Stages
- d. Consultation Process and Procedures
- e. Consultation Methods
- f. Evaluation and Monitoring

In addition, the research strongly advocates that there are three (3) fundamental forms of investment for an effective implementation of community involvement process in conservation planning. Involving the community needs resources, time and money. Undeniably, the execution of the consultation exercise will require consistent efforts and commitment of substantial amount of qualified staff time. Further, under the Community Involvement Framework, the different levels of government that are responsible for carrying out the involvement exercise, especially the LPA, would be required to implement and monitor the consultation process accordingly.

To further strengthen the above discussions in meeting the aim and objectives for the research, the following sections constructively revisit the research questions.

## **9.5 REVISITING THE RESEARCH QUESTIONS**

Subsequent to addressing the research objectives through the lessons learnt, it is worth revisiting and re-addressing the research questions from the research findings and lessons acquired throughout the research process. Culminating from this process, the first question "What are the factors that have contributed to the weaknesses of

community involvement in the conservation planning?" This question correlates to three (3) main factors that have contributed to the weaknesses in the systems. They are:

- There are no specific guidelines or framework for community involvement in conservation planning (and this clearly shows the differences between current the practice and implementation of community involvement to the proposed best practice framework);
- The lack of support for the community awareness and training programmes (it is clear that the people have minimal or no knowledge of the whole conservation planning process, i.e. where, when and how they can be involved); and
- The need for improvement in the involvement approaches (much more of an integral part of the conservation planning process).

In addressing the second question "Who are the parties that should be responsible?", an evaluation of the key players in the overall community involvement process is necessary. All stakeholders, especially the community, play an important role in determining the values of the heritage to be conserved. As such, it should be a requirement to involve as many people possible in the conservation planning process. This would include the local community who live in the area affected by the initiatives, as well as those people who work there and have leisure and other activities that bring them to the area. The commitment and participation of the community is especially vital to support and sustain the environment and its heritage values. Hence, all the community and other stakeholders need to undertake the important role of being involved in the overall process.

All governments at federal, state and local level, the international bodies, the business/private community, politicians, as well as the community, have their role to play in the conservation movement. While experts are needed to play the key role in defining World Heritage sites for Malaysia, especially Malacca, the government plays the single most important role in deciding what should be nominated for inscription. Importantly, community acts as the eyes and ears of the government, as well as the key player in participating and assisting the authorities in making the right decisions in implementing the conservation strategies.

## **9.6 POLICY DEVELOPMENT IMPLICATIONS**

It is without doubt that the proposed community involvement framework and the various measures of improvement would entail far-reaching implications in implementation and policy development.

As mentioned earlier, the research propounds the belief that although the focus of the research is community involvement in conservation planning, in many ways conservation cannot be separated out from the general planning process of which it is a special subset. Nevertheless, the experience in this field would suggest that the following set of changes would be appropriate, but it is recognised that they might have implications for other parts of the planning process which were not studied in detail, as it was beyond the scope of this research.

Clearly, there is a need for further work to augment the best practice framework and approaches identified for improving the community involvement process. The important areas identified and suggested, together with the recommendations, are included in the proposed framework. The framework encompasses six (6) main elements, i.e. the emphasis on community focus; policy and approach; involvement and consultation stages; consultation process and procedures; consultation methods; and evaluation and monitoring. The execution of the framework requires investment in terms of resources, i.e. qualified staff, time and money and a careful monitoring of the reform process is vital in determining the success of its implementation. The implication in terms of resources would also extend to the development of the community information data base prior to any consultation exercise.

Following the proposition for a community involvement framework for conservation planning in Malaysia, the government needs to include the provision of community involvement in the newly passed National Heritage Act, 2005, as well as in an amendment to the TCP Act, 172. It is important to protect and safeguard the local sensitivities and value systems of the inhabitants of conservation areas while planning for their conservation and enhancement.

Implementing the proposed framework would require the necessary amendments to be made or the incorporation of the parameters of community involvement in the conservation related legislation, mainly the National Heritage Act and the TCP Act. The National Heritage Act, 2005, has been passed recently by Parliament. It is considered to be a good starting point for the enhancement of conservation efforts in Malaysia, even though, as discussed earlier, provision for community involvement is not explicitly specified within it. The doubt that it can effectively get the community and other stakeholders actively involved seems to be an outstanding issue that needs to be dealt with by the government to including provision for community involvement in the new legislation. This provision should be made clear in the Act or make reference to the prerequisite in conservation planning and its counterpart Act, TCP Act 172. One of the most important elements that need to be emphasised here is the monitoring of the

implementation of this new provision. Monitoring should highlight any shortcomings and issues in the new legislation. At present, this is the sole responsibility of the LPA, but the LPA may not have the resources or the power to deal with some of the issues and shortcomings identified by monitoring. There should, therefore, be some form of statutory obligation for the appropriated level of government to respond to and address these factors. It should also be able to resolve the issue of resources, as well as other implementation issues.

Presently, major community and public participation in the planning process is embedded within the main legislation, i.e. the Town and Country Planning Act, 1976 (Act 172), and its major amendments, Act A933 in 1995 and Act A1129 in 2001. Given that it is important to protect and safeguard the local sensitivities and value systems of the inhabitants of these areas, planning for their conservation and upgrading should be initiated at the local level. The implication of the proposed framework would be that the present system is expanded and improved. Undoubtedly, this entails an amendment to the present TCP Act 172. It is sensible to strengthen the public participation within the ambit of the present planning process. The additional provision of the involvement process could be made in line with the recommendations made to implement an effective and integrated strategy that ensures the engagement of the targeted community early in the process.

The suggested consultation process within the proposed framework demands additional steps within the conservation planning process. Therefore, this may lengthen the duration of the total process, which should be given due attention by the authorities in planning the development programmes of their conservation projects.

The proposed involvement framework could be made as part of a policy within the local planning process of the historical city of Malacca, as well as other towns in Malaysia. Consequently, for an effective implementation of community involvement initiatives, the Community Involvement Framework should be implemented as part of the local planning process as in the SAP, which emphasis on the management of the plan.

The TCP Act should set the minimum standards for community involvement. In addition to the minimum standards, there should also be provision for the authorities to increase the scope of public consultation and engage directly with the wider community including the 'hard to reach' groups. These groups have been excluded from traditional consultation exercises, and new approaches need to be explored to engage them in consultation processes.

Additionally, the relevant authorities are required to design a mechanism of 'reporting back' to the community in determining the effective community involvement initiatives' implementation.

Furthermore, for other major development applications, the LPA should make it mandatory for developers to undertake their own community consultation for applications that may have a significant impact on the local community. The authorities may consider determining what comprises major development for its area and spelt them out for any planning application.

Subsequently, it is a prerequisite that resources should be made available through authorities related to conservation movements i.e. the MoCAH (especially the JMA) and MHLG (especially the FDTCP and Department of Local Government) to enhance their capacities to increase collaboration with other government agencies, as well as other stakeholders like the NGOs and private sectors. It should take on a greater role in policy development, implementation and evaluation; represent the community and public interests and views; connect with community and public across Malacca and Malaysia in general. This would ensure better governance through greater public accountability.

It is worthwhile emphasising that the main implication is in terms of sufficient resources. Capacity building for development plan preparation should comprise of enough personnel to undertake the exercise effectively. As a general guide, it may include a team of five (5) permanent officers (one project manager and four other officers) and eight supporting technical staff. This unit should be in the Planning/Development Plan Section or the Conservation Unit of the LA, with the Development Control Section taking the lead for planning applications in relation to conservation projects. At the federal level, the FDTCP and MoCAH will need to set up a similar team or task force under their Development Plans Division (or equivalent division at the MoCAH) and where possible, recruit more qualified officers and staffs for the purpose. Additionally, in terms of the financial implications, not only money needs to be allocated for the involvement exercise itself, but should also include a budget for training, as well as awareness programmes at all levels of government, especially at the local level. The proposals for LP and SAP plan preparation should be used to help set the community involvement annual budget.

With all the changes that are to take place, the fundamental implication would be that there should be more general education and awareness programmes targeted at the community and other stakeholders. The general education must encompass knowledge of the planning system, especially in terms of the importance of cultural and

heritage values, as it relates to conservation planning. These awareness programmes should begin at the earliest stage of the education system, while wider scope awareness programmes through seminars and focus groups targeting especially the community should be further enhanced before any conservation projects and their planning begin. There should be on-the-job training programmes in heritage conservation, including the art of communication and negotiation for planners, architects and related professions to equip them with the right knowledge and relevant expertise. At the same time, the councillors and politicians should arm themselves with better understanding of values and local needs as well as the necessary knowledge to assist them in making the right decisions.

Finally, the process of implementing the framework would require a careful monitoring element. This is because the recommendation of changes would necessitate the need to look at whether any particular target that the government has set would have been attained. It would also require looking at any difficulties that would be experienced along the way, as well as looking at methods used to overcome them.

## **9.7 RECOMMENDATIONS FOR FURTHER RESEARCH/WORK**

Notwithstanding the implications described above, the improved approach towards community involvement from the proposed research development framework reaffirms that the research has managed to achieve a significant contribution to research knowledge relating to community involvement in conservation planning. Nevertheless, while aligning the proposed framework to the scope of research and its design, the research extended to unfold a wider debate in the related aspects of community involvement in the conservation movement. Following the research proposal, further research on community consultation approaches and the conservation planning process are necessary to support further improvements to the involvement provisions.

The key areas of recommended further research are as follows:

- As experienced in carrying out the empirical study in the case study area (as discussed in Chapter Five (5)), there were some limitations encountered which hindered the smooth implementation of the planned activities. These limitations included the response and execution of the focus group meetings which faced some difficulties in management, time constraints and limited resources. The experience from the empirical research has succeeded in providing valuable information and knowledge about the formulation of the proposed community involvement framework. Thus, realising how such empirical research could provide useful information, it is recommended that the same study be carried

out for other conservation areas, especially Penang, being the other conserved city that is jointly nominated along with Malacca city for the World Heritage Site inscription. This should be followed by other cities and towns that are actively carrying out conservation efforts such as Kuala Lumpur and Taiping.

- Whilst the researcher felt that it was pointless to interview politicians to get their views on getting the community involved in conservation initiatives, it is reckoned that their views should be taken into consideration in the light of the negative perception of politicians' commitment. Consequently, getting their views seems justifiably sensible and desirable so as to find out how the political process acts towards the agenda. Precisely, this could be proposed as part of future work in getting wider stakeholders' views in community involvement in conservation efforts.
- This research concentrates on the present use of the methods in getting community involvement within the current consultation practice of Malacca City Council. The results are expected to be improved by taking the trend from the past (say five-year period) and the intended future use of the approaches. Hence, future research could build on this knowledge to understand how and why some approaches are more effective than others. For example, the reasons for applying the FG methods, the community plans/needs analysis or interactive websites that would increase over time, as suggested in this research. It is also suggested that this research work be implemented throughout all LPAs in Malaysia.
- It is recommended that this framework should be implemented, as a whole, as will be discussed in Chapter Ten (10). As such, a careful evaluation to implement the framework is required to keep about how it is going and what lessons can be learnt from it.
- It is recognised that it is inevitable that, in proposing the reform as in the proposed framework, the changes do not just impact on this narrow conservation field. This is because, to a certain extent, there are implications for other parts of the planning process, for example other plan-making processes, e.g. planning control and sustainable and environmental conservation. It must be noted that the research has provided the findings and proposed a framework of community involvement in the conservation planning provisions, but this forms only a part of the involvement process that is provided to the conservation planning system and does not cover the planning system as a

whole. However, this proposal is perceived to be a catalytic factor in the improvement of the planning system which should follow suit.

- Therefore, there should be a study to look at the implications of the proposal made, in terms of community involvement conservation for the planning system, as a whole. The proposed framework for community involvement in conservation planning should be implemented to pilot some changes for the beneficial of the planning system as a whole.
- The proposed involvement framework could be made as part of policy within the local planning process of the conservation city, not only in Malacca, but also other towns and cities in Malaysia. Consequently, for an effective implementation of community involvement initiatives, the proposed Community Involvement Framework should be implemented as part of the local planning process as in the SAP, which emphasises the management of the special area plan. Therefore, it is proposed that a pilot study should be carried out.
- For other major development applications, the LPA should make it mandatory for developers to undertake their own community consultation for applications which could be considered likely to have a significant impact on the local community. The authorities may consider determining what comprises major development for its area and spell them out for future planning application. These exercises would require a test or pilot study to determine their feasibility and success.
- Finally, the research also proposes the exploration of possible bottom-up or community-initiated conservation efforts, where the element of community involvement could be proposed and perceived from the perspective of the community to promote the success of conservation efforts.

## **9.8 CHAPTER SUMMARY**

This chapter has presented the comparison between findings from both the community and the authorities' views in involving the community as well as other stakeholders, in conservation planning in Malaysia. This present state of practice in Malaysia enables to respond to the key issues raised in the best practice review in terms of underlying factors that affects decisions and actions between planners and decision-makers and the difference class, race and culture of the community. In fact this provides the



foundation that some of these issues must clearly be confronted for future development in Malaysia. The approach to improving community involvement provision was done by striking the balance between both sets of views and the critical analysis of relationships of the empirical work and incorporating the salient lessons of consultation review of best practice. This is to develop a synthesis and draw conclusions which generate the principles to be taken forward for application in practice oriented framework in Malaysia. This chapter concludes the research work by reaffirming the research aims and objectives, revisiting the research questions, whilst the implications of the community involvement framework identified by the research and the areas for further work and research to augment the study on community involvement are proposed.

The next Chapter Ten (10) proposes specific implications of the research work with a practice oriented framework for community involvement which is based on an improvement in the present conservation system to be implemented in Malaysia.

# **10. COMMUNITY INVOLVEMENT FRAMEWORK**

## **10.1 AIMS OF THE CHAPTER**

This chapter builds on the conclusions of findings discussed in the previous chapters. Chapter Nine (9) concludes the research findings by striking a balance between meeting the communities' criticisms and meeting the authorities' assessment, reaffirming the research aims and objectives, revisiting the research questions and proposed the areas for further work as well as policy development implications to augment the study on community involvement. This chapter presents the extension of policy implications by proposing a practice-oriented framework for improving the community involvement process to be implemented in Malaysia, based on the best practice propositioned by the research. The research framework development is approached by establishing its principles, the introduction to the framework and then discusses its implementation.

## **10.2 COMMUNITY INVOLVEMENT FRAMEWORK DEVELOPMENT**

Based on the Skeffington report discussed in Chapter Three (3) in many ways, it is recognised that there needs to be an element of public consultation in plan making. Additionally there are various types of consultation and that planners speaking to the public about planners' idea, getting feedback about them, improving the plans, as a result of the feedback and getting more public support. However, it is said that more public engagement means more time involved in doing things. Therefore, in the democratic society like Malaysia, it is vital to make a decision about where the balance lies within its society at this point in time. It is worth to note however, that this balance changes over time. The present state of development of practice in Malaysia enables it to respond to the key issues raised in the best practice review. In effect this provides the base that some of these issues must clearly be for future development in Malaysia, with the priority in the first instance being to develop and encourage both processes of public consultation and acceptance of a role for public views in the practices of practitioners.

Consequently, in developing the community involvement framework for the research, there is a need to strike a balance between meeting the communities' criticisms and meeting the authorities' assessment of the situation. Authorities generally look at the macro level of planning; while the community looks at the micro level at which they are

more concerned with their own specific community needs and values. Therefore, it is essential to set up basic principles to guide decision-making, in particular from the findings put forward and discussed in Chapter Nine (9).

### **10.2.1 The Framework Development Principles**

In advocating the framework proposed in this research and for the related changes to take place, the research recommends that this transformation ought to be in accordance with the following principles:

1. The process of gathering community views needs to be more formal and more actively pursued;
2. The process needs to be more open and transparent; but
3. The process must not slow down the planning process so much that development in Malacca and Malaysia as a whole would be difficult to achieve.

These three (3) key principles are deemed to be essential and derived from the research so far. They will help to shape the development of the framework, the details of which will be discussed in Section 10.3.

### **10.2.2 The Context of the Framework Development**

Following the principles set out earlier, the context within which the proposed framework for community involvement in conservation planning is developed recognises the following premises:

- a. Conservation planning in Malaysia is a relatively a new field, as Malaysia is a young country compared to other well-established countries with centuries of history, such as the UK.
- b. At the time of the empirical research work, there was no specific framework or guidelines for community involvement in conservation planning available in the planning process in Malaysia.
- c. The starting point of the proposed framework is derived from the understanding of the international best practice concept developed in Chapter Three (3). This will form a Good Practice Guide for community involvement and the consultation process in conservation planning in Malaysia. As discussed in Chapter Three (3), the proposed framework must be applied within the context of the organisation or movement that implements the consultation exercise, with no single approach being dominant. For Malaysia, it would enable a significant improvement in performance and it will enable some authorities to develop their

policies and practices further. Those authorities willing to go beyond the model standard can thus aspire to best practice.

- d. As a principle, every situation needs to be dealt with on its merits and with its own unique circumstances taken into consideration, as the values and cultures of the heritage environment of each place are different in nature especially in Malaysia where there are different ethnic groups. However, a clear guidance framework needs to be developed at the national level for the establishment of model standards for community involvement and consultation in conservation planning within LPAs, based on the adopted best practice framework.
- e. Two major (2) factors were considered in developing a successful approach to community consultation:
  - To engage the communities in a way which suits the particular needs and characteristics of the different community groups; and
  - To engage in early consultation.

### **10.3 The Proposed Community Involvement Framework**

As has been discussed in Chapter Two (2), it is recognised that, although the focus of the research is community involvement in conservation planning, in many ways conservation cannot be separated out from the general planning process of which it is a special subset. Nevertheless, experience in this field would suggest that the following set of changes would be appropriate, but it is recognised that they might have implications for other parts of the planning process which were not studied in detail, as it was beyond the scope of this research.

For this research, the proposed framework for community involvement is based on an improvement to the present conservation system without tackling the planning system as a whole, as well as embedding the salient features of lessons from the consultation best practice explored. The incorporation of characteristics of the best practice approach and an holistic approach drawn for the application of community involvement is specifically for the local planning level and could appropriately be applied to the conservation planning in Malacca Historical City.

The proposed framework consists of the following main elements:

- a. Emphasis on Community Focus
- b. Policy and Approach
- c. Involvement and Consultation Stages
- d. Consultation Process and Procedures
- e. Consultation Methods

### 10.3.1 Community Focus

Before any consultation process is planned or can take place, a clear definition of the target group or the community is relevant. Preferably all sections and groups of the community should be encouraged to participate in the decision-making process, albeit at different stages and levels of involvement. Hence, it is essential to determine the exact target community to be involved and consulted in the overall process. As proposed, all stakeholders should be involved; however, as discussed in Chapter Three (3), the community can be categorised into two (2) main groups:

- a. those directly affected (the landowners, local people or residents), where possible community committee/representatives should be made to be involved directly in the consultation process. These committee groups should have strong community leaders so as to be 'movers and shakers' among their communities.
- b. those pro-conservation groups or NGOs with conservation interest;

Additionally it maybe required to consult a third group, i.e.:

- c. the wider community; where all other stakeholders are part of it and representing the cross section of the community or the concerned local public.

Hence, the organisations carrying out the consultation exercise need to go beyond the present statutory target group (the public) and should define who should be consulted right from the beginning. The first step would undeniably require 'getting to know the community'. This would include the following initiatives:

- 1. Develop a household database of the community with information on population and families through census and surveys.
- 2. Identify the socio-economic activities of each family, employment and workplace.
- 3. Identify community administration and leadership structures.
- 4. Identify community culture and specific preferences for consultation approaches.
- 5. Plan the consultation process according to community statistics, structure, culture and preferences.

This is an example of an element of the proposals, which is particularly affected by the problem of trying to transfer ideas about good practice from one culture to another. The particular nature of ethnic mix communities in Malaysia, the way the communities

relate both to each other and to the process of government has caused the author to take this particular view about this element in the proposals.

### **10.3.2 Policy and Approach**

In the three-tiered development planning system of Peninsular Malaysia, i.e. from national level planning [the National Physical Plan (NPP)], state level planning [the State Structure Plans (SSPs)] and local level [the Local Plans (LPs) of the Local Planning Authority (LPA) areas], the issue of conservation planning should be placed in the more appropriate detailed local level of planning. The nature and complexity of conservation planning requires detailed and thorough planning, development and management initiatives. Therefore, appropriately, conservation planning should be undertaken within the scope of Special Area Plans (SAPs), which involves specific planning for specially-defined local plan (LP) areas.

In alignment with the higher order planning documents, the SAPs conform to the framework and policies set by the LPs, which, in turn, conform to the policies of the SSPs. The hierarchical structure of planning documents ensures that planning and development policies are followed through from the national, state and local levels of development. Accordingly, the proposed consultation framework will be designed within the process of SAPs.

### **10.3.3 Involvement and Consultation Stages**

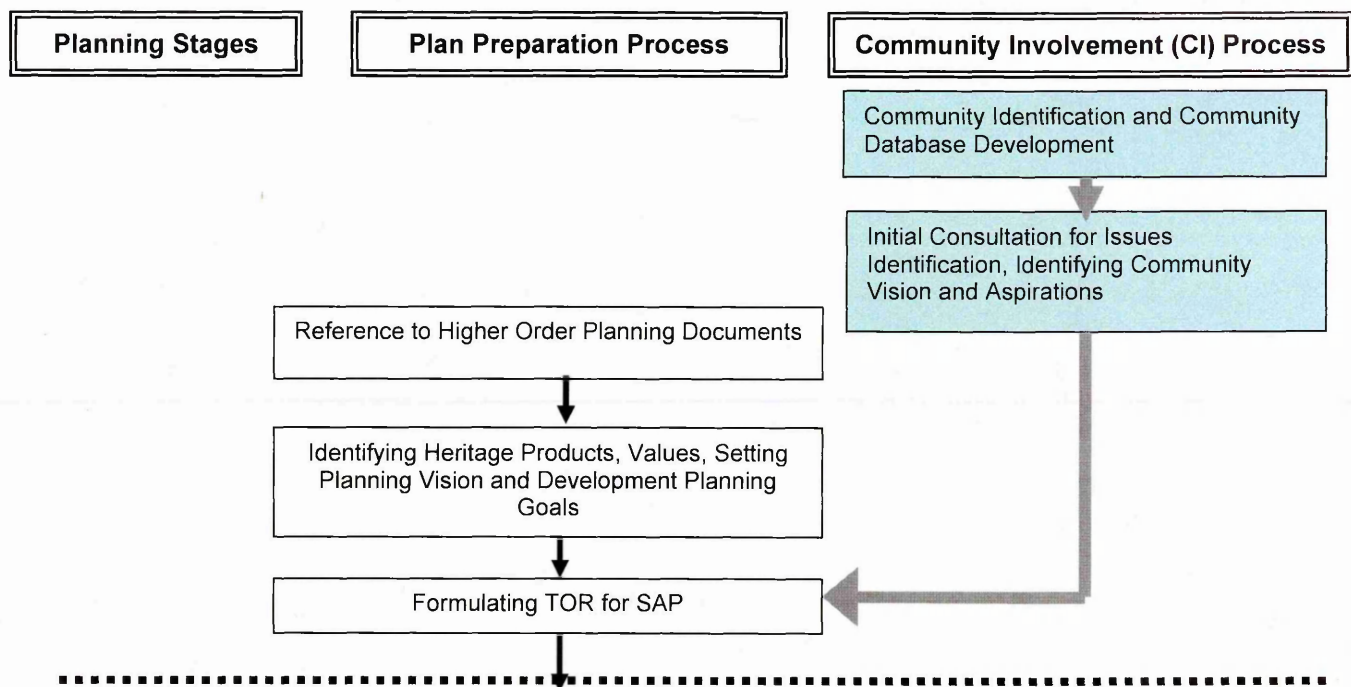
The community consultation framework is designed based on the following stages of involvement, within the scope of the Special Area Planning system. The three main stages of community consultation and involvement would include the pre-planning stage, plan preparation and plan approval and implementation, as shown in full in Figure 10.4 (p. 286).

#### ***Stage 1: Pre-planning***

It is specified by law that consultation and involvement of the community is carried out during the plan preparation stage. In the proposed framework, the exercise should begin before that, which can be called the pre-planning stage (see Figure 10.1 overleaf). This would include consulting the community for purposes of community identification, community database development, initial consultation for issue identification and identifying community vision and aspirations. These inputs will assist the relevant authorities in preparing for the preliminary plan preparation process by making reference to higher order planning documents including the NPP and the SSP. Subsequently, the authorities will be able to identify heritage products and values, as

well as determining the planning vision and development goals in formulating the Terms of Reference (TOR) for the plan.

**Figure 10.1: Pre-Planning Stage (Excerpt from Figure 10.4)**

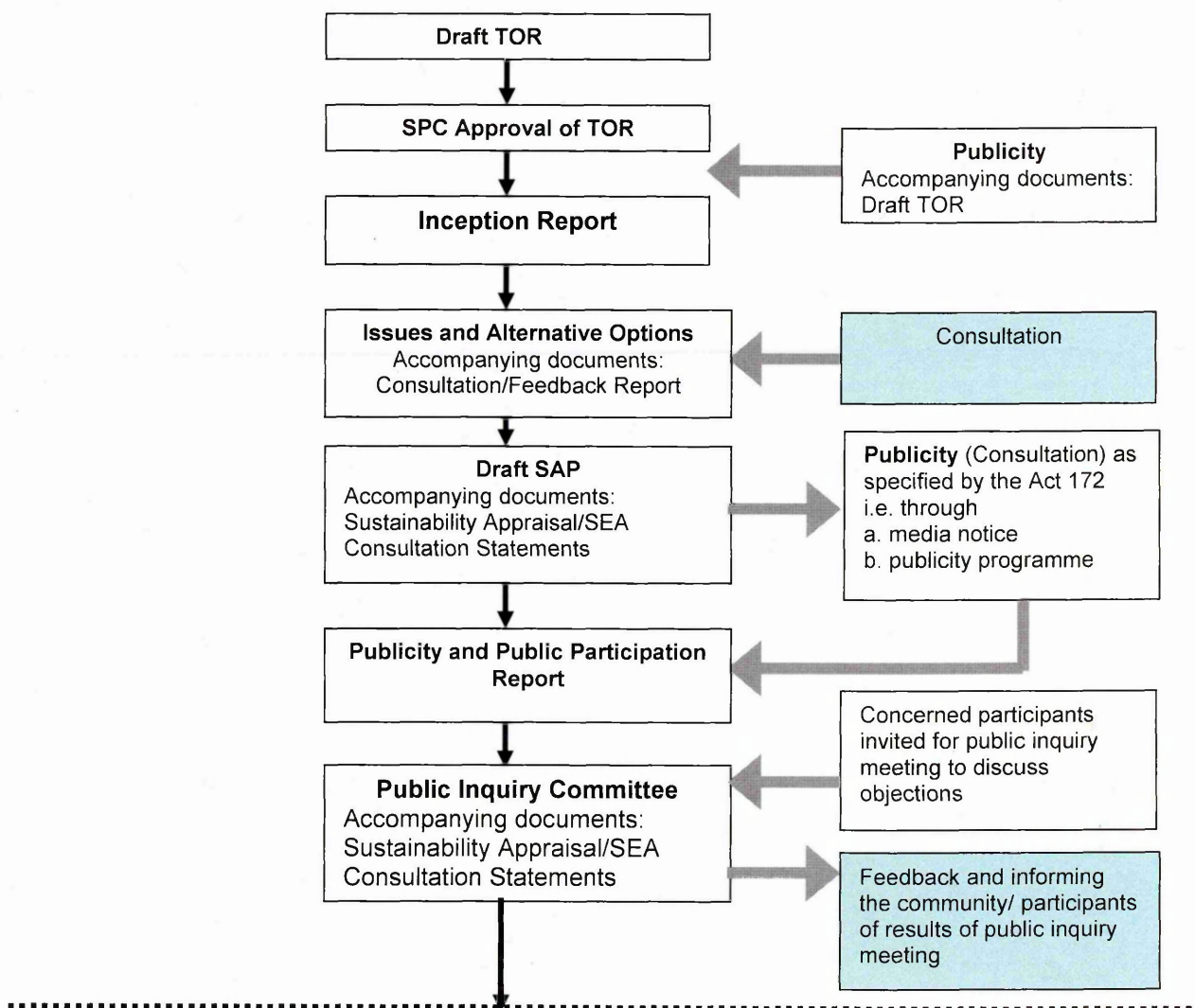


### **Stage 2: Plan Preparation**

This stage (Figure 10.2) is mainly derived from the requirement of Act 172, whereby the preparation process of SAP is done in the same manner as the preparation of LP. Thus, the main steps in the present law are adhered to, while new consultation steps are proposed to the process to enable and encourage more community and public involvement in the plan-making process. During the 'Issues and Alternative Options' phase, consultation with the community should be carried out to convey the analysed issues and formulated alternative options to gather feedback and comments. During this stage, a feedback report of the outcome of the first stage of publicity will form the accompanying document for the consultation. Since conservation planning needs a management plan, as indicated in SAP, then an additional stage of consultation is required. The main aim will be to ensure that enough feedback is made available from the specific consultation groups (which include the owners, residents, the heritage conservation body such as PERZIM, Badan Warisan and MHT as well as the international bodies) so that the document relates to international, national, regional and local settings and priorities. This will assist in generic development control and site specific allocations, policies and proposals. The other steps in this stage would include incorporating the consultation exercises during the formulation of the Draft SAP (as required by law) with a proposal of also displaying other accompanying documents such as the Sustainability Appraisal (SA) or Strategic Environmental Assessment

(SEA), whichever is relevant (for explanation of these two documents, see Appendix H), and the consultation statement; publicity and public participation report and the feedback on the results of the public inquiry.

**Figure 10.2: Plan Preparation Stage (Excerpt from Figure 10.4)**

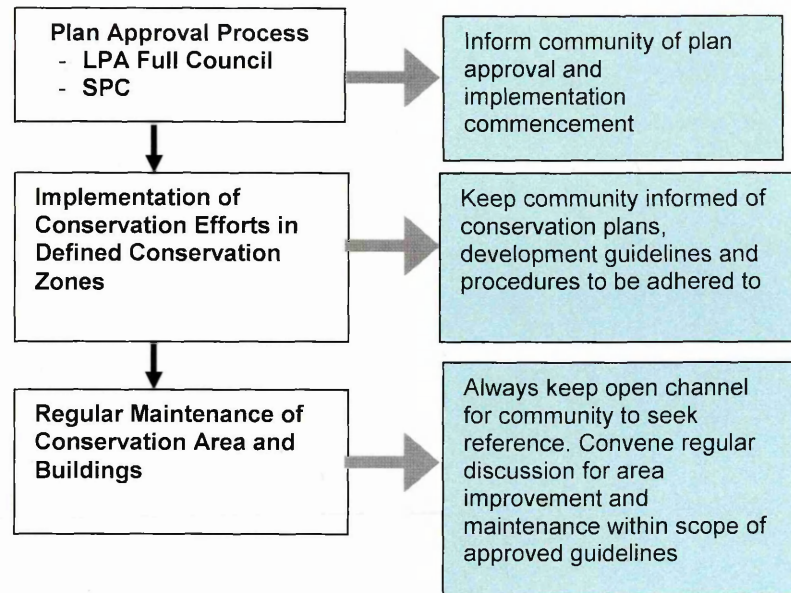


### **Stage 3: Plan Approval and Implementation**

At the plan approval and implementation stage (Figure 10.3), there are phases of approval mainly the responsibility of the State Planning Committee (SPC) and the full council of the LPA (adoption of the SAP); and the implementation of the conservation works in defined conservation zones as well as its maintenance programme carried out on regular basis. Simultaneously, the community would be informed of the plan approval and implementation commencement. It is also proposed that other procedures to assist property owners in any renovation or redevelopment work in the conservation areas should be prepared by the authority and publicised to the community. This may include the guidelines to carry out renovation and repairs, the use of appropriate materials, as well as the availability of financial aid to assist the property owners for the conservation works.



**Figure 10.3: Plan Approval and Implementation Stage (Excerpt from Figure 10.4)**



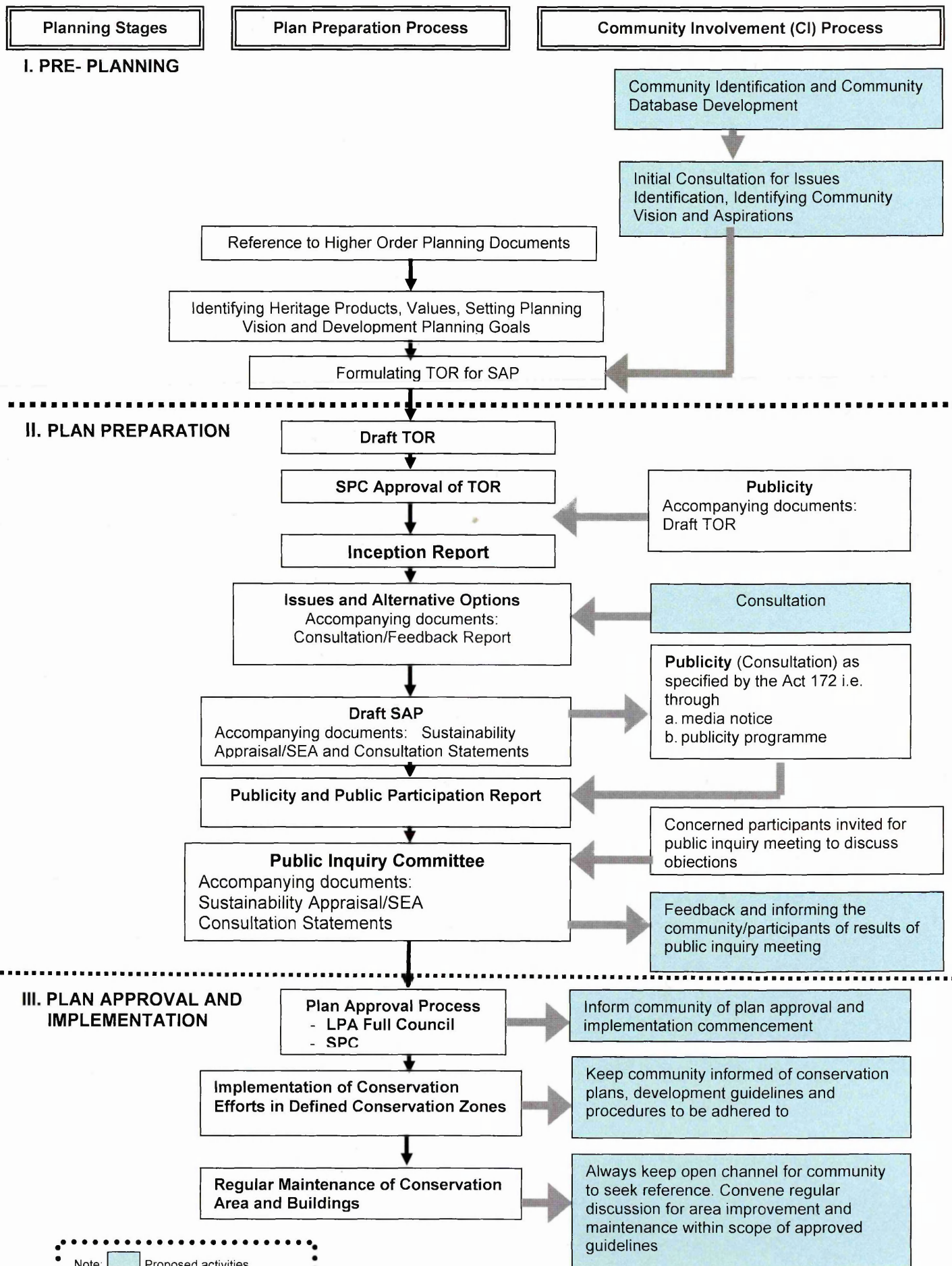
#### **10.3.4 Process and Procedures (Implementation)**

In facilitating the process of consultation and community involvement, a set of implementation processes and procedures must be designed as guiding rules to ensure the achievement of successful consultation.

The proposed implementation process and procedures include the following:

1. Implement effective and integrated strategies to engage the targeted community early in the process.
2. The local community should be notified and informed well in advance of the due date that the consultation exercise for the project or study is to begin. As proposed in the consultation stages, the overall consultation process should preferably begin at an earlier pre-planning stage to build a rapport with the community and develop a community database, as well as seek a community vision for the proposal.
3. Information about the project or study should be provided at a suitable time in advance of the start of any consultation exercise. The local council should provide information direct to local people by post or hand delivery. More information, both about specific proposals and associated issues such as its policy background, needs to be provided.
4. A structured method of approach should be adopted which emphasises a simple pathway for feedback, prompt action on feedback, and notification on the actions taken.

**Figure 10.4: Community Involvement Stages in Conservation Planning (SAP)**



4. A structured method of approach should be adopted which emphasises a simple pathway for feedback, prompt action on feedback, and notification on the actions taken.
5. The community should be asked for its views and given ample opportunities to convey its views and opinions. Views and comments could be sent directly or via a website, or by e-mail or by post. For comments made during meetings, the relevant authorities will need to transcribe them into a report.
6. The community must be made aware of its own responsibilities and obligations towards ensuring the success of the consultation process and the conservation project as a whole. The community should be made to realise that it forms the 'software' element of the project and would stand to gain from successful projects. Therefore, its continued support, serious participation and responsiveness are vital in the consultation efforts of the authorities.
7. However, the community must also be made to realise that planning for the conservation development of an area needs a macro viewpoint to the general development of the area, therefore individual and self-interest issues cannot be addressed in consultation exercises. The community must be told that not all its views can be taken into account and informed about the constraints within which decisions will be taken, e.g. national and local policy guidance like SSPs, physical and financial constraints.
8. A cut-off point for the consultation exercise should be set and then conveyed to the participants.
9. Consultation should be completed within a period short enough for those consulted to feel that the decisions emerging at the end remain relevant to the comments they made. However the period of time during which views are actively sought must be long enough to allow potential participants to reach sensible conclusions.
10. Finally, information should be published showing which comments were accepted and which were not (justification should be given for those not accepted). There is a need to also provide details of changes that have been made to the proposals following consultation.
11. For improvement on consultation quality and coordination of each LA's consultation efforts, the framework suggests a standard for consultation and community involvement, as explained in Figure 10.5, overleaf.
12. Viable funding sources must be secured in the five-year plan (with an annual budget allocation by the local authority) and with the time-frame set to be submitted to the federal government to finance conservation projects.

**Figure 10.5: Proposed Involvement/Consultation Standard**

<b>Standards Elements</b>	<b>Details</b>
<b>Clear Purpose</b>	<ul style="list-style-type: none"> <li>• Involvement exercises will only take place with definite plans for feeding relevant findings into decision-making process.</li> <li>• The exercise need to illustrate how relevant findings will be taken forward.</li> <li>• Potential limitations should be clarified at the start of the process.</li> </ul>
<b>Effective Planning and Programming</b>	<ul style="list-style-type: none"> <li>• Involvement stages must be planned and programmed according to a time table before it begins to ensure the process is manageable within the time allocated.</li> </ul>
<b>Inclusive approach</b>	<ul style="list-style-type: none"> <li>• Should enable all members of the community and the target groups including the 'hard to reach' groups to participate in the exercises.</li> <li>• All exercises should be planned to suit the needs of the stakeholder groups(s) who make up the target group.</li> </ul>
<b>Clear Communication</b>	<p><b>1. With Participants</b></p> <ul style="list-style-type: none"> <li>• Before involvement exercise begins, potential participants must be informed about the consultation aims, objectives, methods used, the time commitment required from them, how the data will be used, and the limitations of the consultation exercise that include what it will not be able to achieve or affect.</li> <li>• As soon as possible, following an exercise, the participants should receive feedback regarding the findings of consultation and how they were implemented.</li> <li>• Participants should be provided with all information they need before they are consulted, so that they can offer informed views.</li> </ul> <p><b>2. With Officers and Members</b></p> <ul style="list-style-type: none"> <li>• Relevant officers and members should be kept informed about consultation exercises to ensure that they can feed into the exercise and/or be able to inform potential participants about the exercise as appropriate.</li> </ul>
<b>Respects for Participants' View</b>	<ul style="list-style-type: none"> <li>• Consultation must be carried out to enable participants to express their views freely.</li> </ul>
<b>Proportionate Approach</b>	<ul style="list-style-type: none"> <li>• The resources used in involvement exercise and the size of that approach used should be proportionate to the scale and impact of decisions that will be made following the consultation.</li> </ul>
<b>Avoid of Duplication</b>	<ul style="list-style-type: none"> <li>• No involvement exercise should take place if it duplicates another exercise. If data protection or the law allows, consultation findings should be shared within the local authorities in the State.</li> </ul>

13. Inter-linked historic and heritage conservation databases must be developed in relevant local authorities, managed and coordinated by the federal government (MoCAH with the assistant of MHLG/FDTCP).

14. The amendment to the recently passed law, the National Heritage Act, 2005, should include a provision for community involvement in conservation planning. The Planning Act 172 should be amended to strengthen the present publicity and public participation provision. It should include the framework as a manual, if not a

policy statement that would require the preparation of a community involvement statement or document to be produced along with the development plan documents.

### ***Planning Applications***

15. For planning applications which affect the historical significant elements of the Local Planning Area, such as listed buildings, conservation areas or any historical or architecturally significant buildings and which depart from the present development plan, or affect the right of way, require a formal advertisement or site notice.
16. Once consultation has been completed, the local community and other participants should be informed of any changes to the plan or application that are subsequently made. However, there should be no need or requirement to re-consult on changes made as a result of the first consultation, providing that that consultation followed the set criteria.
17. Where a consultant/developer or any applicant undertakes consultation, the local authority would have a duty to oversee the extent to which the methodology used complies with the guidelines. Where consultation is undertaken by a local authority the oversight role should be performed by State Planning Committee (SPC) or the Committee for Public Inquiry, which is appointed by the SPC as part of the local plan inquiry.
18. A long-term approach to capacity building should be built in and supported to ensure comprehensive community involvement. Capacity building for the proposed involvement programme is explained in Section 10.4.
19. A support system should be made available to give information on the planning process and heritage conservation in particular. A continuous public awareness programme and training is vital to ensure that the community participates in an informed manner. A simple way would be to distribute free information leaflets on the planning development process, planning applications, guidance on the Local Council website. This would assist them to understand how the process works, what factors are considered and how to make effective representations.
20. For new property owners acquiring heritage property in conservation areas, guidelines should be made available to them by the authorities on the extent of renovation and redevelopment allowed within the conservation area in order to maintain the integrity of the area. This would form part of the awareness programme planned by the relevant authorities. It is especially needed for new heritage property owners, as they normally do not have any attachment to the

history and heritage values of the area and are quick to respond to market forces to redevelop the property and transform into new and modern structures.

### **10.3.5 Consultation Methods**

Since different methods suit different needs, this may call for a combination of methods, if broad ranges of participants are to be involved. Good practice dictates that methods should be tailored to the specific context, especially the level of engagement required. Therefore, methods of consultation should be appropriate to specific groups of the community. In particular, efforts should be made to gain the views of a cross-section of representatives of the local community. As discussed earlier in Chapter Three (3) and shown in Figure 3.5 on page 61, there were strengths and weaknesses in this various community participation techniques. Figure 10.6 (overleaf) therefore, proposes a range of methods of consultation for different groups and documents. This schedule attempts to include as many methods as possible, suiting various local conditions. However, where appropriate, the list could be adapted, expanded and adjusted to suit defined local community conditions to achieve maximum results.

Broadly speaking, the consultation methods must be appropriate to the type and scale of the development proposed. The core strategy for consultation methods would include options as in an interactive council website, local media, committee meetings, working group or Focus Group (FG) discussions and document publication. The various methods could also be repeated or combined to engage community responsiveness for site specific allocations and development planning policies as in the SAPs.

The consultation methods should also be suited to the needs and requirements of the various stakeholders, which include landowners, residents, interest groups, government agencies, councillors, general public and the 'hard to reach groups' like young people, women and disabled people.

**Figure 10.6: Community Involvement Methods**

<b>Stakeholders</b>	<b>Preliminary Publicity/ Core Strategy</b>	<b>Site Specific allocations/policies of LP and SAP</b>
Landowners, Residents, Residents Committee or Associations	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local media;</li> <li>• Committee meetings;</li> <li>• Working group or</li> <li>• Focus Groups</li> <li>• Draft document publication</li> </ul>	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local media;</li> <li>• Working group or</li> <li>• Focus Groups;</li> <li>• Draft document publication</li> </ul>
Interest Groups/NGO, Adjacent LPA, Business	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local Media;</li> <li>• Working group</li> <li>• Draft document publication</li> </ul>	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local media;</li> <li>• Working group</li> <li>• Focus Groups;</li> <li>• Draft document publication</li> </ul>
Federal, Regional and Local Government; Statutory Bodies	<ul style="list-style-type: none"> <li>• Draft document publication;</li> <li>• Meetings;</li> <li>• Informal discussion</li> </ul>	<ul style="list-style-type: none"> <li>• Draft document publication;</li> <li>• Meetings;</li> <li>• Informal discussion</li> </ul>
Councillors	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local Media;</li> <li>• Working group</li> <li>• Steering and scrutiny committee</li> </ul>	<ul style="list-style-type: none"> <li>• Working group</li> <li>• Steering and scrutiny committee</li> </ul>
General Public	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local media;</li> <li>• Public exhibitions</li> <li>• Citizen's Panel/ 'Planning for Real' exercise;</li> <li>• Draft document publication</li> </ul>	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local media;</li> <li>• Public exhibitions;</li> <li>• Area Focus Groups;</li> <li>• Draft document publication</li> </ul>
'Hard to reach groups'	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local media;</li> <li>• Public exhibitions;</li> <li>• Community Leaders;</li> <li>• Draft document publication</li> </ul>	<ul style="list-style-type: none"> <li>• Council website;</li> <li>• Local media;</li> <li>• Public exhibitions</li> <li>• Community; Leaders/Focus Groups;</li> <li>• Draft document publication</li> </ul>

### **10.3.6 Evaluation and Monitoring**

The different authorities that carry out the involvement exercise, especially the LA, would be required to carry out a monitoring system showing how well they performed according to the framework. The systematic monitoring should be promoted at national, state and local level. LAs should be encouraged to allocate appropriate resources to establish and maintain information by creating a database for the purpose of carrying out involvement exercises in the conservation planning process (along with their historic assets database input).

1. The monitoring system would be used to evaluate and determine:
  - The target groups reached and their level of involvement;
  - The extent to which aims and objectives were met;
  - How successful the community and other stakeholders were in finding information on the development plan documents;
  - The achievements in the community involvement exercise at each stage of the process.
2. The LPA should regularly monitor involvement and participation of all sectors of the community in issues affecting local design and the historic environment. An annual monitoring system is therefore proposed.
3. The monitoring system should include an assessment of the levels of awareness and satisfaction of the local community. The monitoring system should also record changes in participation rates, as well as the number of volunteer groups for community involvement over time.
4. The database system at local authority level should be maintained with the assistance of the State Planning Department to establish 'performance indicators' to measure performance within each involvement activity and should be linked to the system at federal level, especially the FDTCP.
5. The lessons learned from earlier evaluations should be fed into the planning stages of future community involvement exercises.

## **10.4 FRAMEWORK IMPLEMENTATION**

For an effective implementation of community involvement activity in conservation planning at the local level, there is a need for investment which takes in three forms:

### **1. Resources**

Since involving the community requires effort, it will entail the commitment of substantial staff time. Moreover, if community involvement is to be taken seriously, it will frequently entail committing resources to the development of community organisations and training, activities collectively known as capacity building. As community consultation involves considerable effort, the proposed involvement programme for development plans should comprise of enough personnel to undertake the exercise. As a general guide, it may include a team of five (5) permanent officers (one project manager and four other officers) and



eight other supporting technical staff. This unit should be in the Planning/Development Plan section or the Conservation Unit of the LA, with the Development Control section taking the lead for planning applications in relation to conservation projects. At the federal level, the FDTCP and MoCAH will need to set up a similar team or task force under their Development Plans Division (or equivalent division at the MoCAH) and, where possible, recruit more qualified officers and staff for the purpose.

## **2. Time**

Involving the community takes time. In particular the more actively the community is to be involved (in terms of the ladder of involvement), the longer time it will take. It is important to take this into account in designing and programming the planning activities to be undertaken.

## **3. Finance**

The size of the budget that can be spent on involvement exercises is not set by law, meaning that the Local Council is free to determine how much to spend on consultation efforts. This spending on involvement initiatives, which include the training, as well as awareness programmes, must be wisely applied in the context of the total Council's budget allocation and spending obligations. The proposals for LP and SAP plan preparation should be used to help set the community involvement annual budget. Thus, the amount must be realistic and cost effective.

Although conservation planning is the direct responsibility of the LPA, each level of government (Federal, State) would have its responsibilities within the proposed framework. Under the Community Involvement Framework the different levels of government that carry out the involvement exercise especially the LPA (as accordance to the TCP Act 172), shall be required to implement and monitor the consultation process according to the framework. But all of this will fail without political commitment and will.

Community/public participation in the planning process is embedded within the main legislation, i.e. the Town and Country Planning Act, 1976 (Act 172), and its major amendments, Act A933 in 1995 and Act A1129 in 2001. Hence, for an effective implementation of the community involvement initiatives, the Community Involvement framework should be implemented as part of the local planning process, as in the SAP, which places emphasis on the management of the Special Area Plan. The TCP Act should set the minimum standards for community involvement. In addition to the minimum standards, there should be provision for authorities to increase the scope of

public consultation and directly engage with the wider community including the 'hard to reach' groups. Up to the present day, these groups have been excluded from traditional consultation exercises, and new approaches need to be explored to engage them in the consultation processes.

Furthermore, for other major development applications, the LPA should make it mandatory for developers to undertake their own community consultation for applications which could be considered likely to have a significant impact on the local community. The authorities may consider determining what comprises major development for its area (as this shall be outside the scope of this research).

Finally, the process of implementing the framework would require a careful monitoring element. This is because the recommendation for change would require the need to look at whether or not any particular target that the government has set would have been achieved. It would also require looking at any difficulties that would be experienced along the way, as well as looking at methods to be used to overcome them.

In conclusion, the proposed framework for community involvement in conservation planning in Malaysia is based on responding to the key issues raised and discussed in the best practice review in Chapter Three. As a consequence, this provides the foundation for future development in Malaysia i.e. to develop and encourage both processes of public consultation and acceptance of a role for community views for practitioners and initiators. This will then help to achieve good practice for most authorities in Malaysia. In developing the framework, both sets of views of the community and authorities were interfaced to strike a balance while salient consultation best practice lessons were taken. Three (3) key principles (as in 10.2.1) were recommended to guide the reform process and the context of the framework development was underlined. The proposed framework encompassed six (6) main elements, i.e. the emphasis on community focus; policy and approach; involvement and consultation stages; consultation process and procedures; consultation methods and evaluation and monitoring. It also acknowledged the importance of investment in terms of resources, i.e. qualified staff, time and money, and a careful monitoring of the reform process is vital to determine its implementation will be successful.

This recommended framework is useful to assist initiators including the relevant authorities to carry out effective consultation exercises. It enables greater improvement in performance for engaging the community in an early consultation, in a way that suits the particular needs and characteristics of the different community groups. This would improve the willingness of the community to open up and view their opinion, which would offer a better quality input. This would then, amplify the decision-making

process. Thus, the adopted best practice framework would strengthen the present publicity and public participation provision in local plans preparation particularly, the SAP. For those authorities who are willing to go beyond the standard, they could aspire to best practice.

## **10.5 SUMMARY**

This chapter has presented the proposed framework for improving the community involvement process in multi-cultural Malaysia based on best practice propositioned by the research. The recommended practice-oriented framework is based on an improvement to the present conservation system without tackling the planning system as a whole, which is beyond the scope of this research. It incorporates the salient features of lessons from the consultation best practice explored. In developing the framework, three (3) key principles were identified to guide the reform process and the context of the framework development was underlined. This then followed with the framework proposed that encompassed six (6) main elements, i.e. the emphasis on community focus; policy and approach; involvement and consultation stages; consultation process and procedures; consultation methods and evaluation and monitoring. It also acknowledged the importance of investment in terms of resources, i.e. qualified staff, time and money, and a vitally important careful monitoring of the reform process to determine its implementation will be successful. This framework is practical for relevant authorities to execute effective consultation exercises, as it harnesses the willingness of the community to channel their opinion. For those authorities who are willing to go beyond the standard, they could aspire to the best practice.

## **10.6 RESEARCH CONCLUSION**

Within the scenario where research into the participation of communities, as well as other stakeholders in conservation planning is significantly lacking, this research has been successful in providing important insights and critiques into the current practice of participation/consultation approaches within the present system in Malacca City, Malaysia. The research findings have contributed to expand the knowledge-base of elements that can encourage the improvement of the existing community consultation provision within conservation planning.

In conclusion, the research conceives that involving the community in conservation planning is about encouraging them to participate actively in conservation programmes

and projects, especially in their own area. Therefore, any provisions and exercises designed for their involvement should focus fundamentally on creating an environment that promotes their effective involvement. The proposed framework for community involvement in the conservation system comprises of its key principles and context to guide the reform process and emphasises six (6) main elements of the recommended approach for its implementation and monitoring. The implementation of the framework requires investment in terms of resources, as well as education and awareness programmes of the subject to help secure its success. Whilst much has been learnt from this research, there is clearly more scope for involvement of communities and other stakeholders in the wider planning system if continuing improvements in the built environment and development in Malaysia are to be achieved.

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## The Theory of Community Involvement Framework

	ARNSTEIN (1969)	HAMPTON (1977)	THORNLEY (1977)	BENWELL (1979)
<b>Models/ Framework</b>	<b>Ladder of Citizen Participation</b>	<b>Models of Participation</b>  Model A: 'Prudent decision-taking' – Giving of information, collects them and discuss with decision taken to major elites.  Model B: 'Conscientious planner' with limited resources – Giving of information, collects them and discuss with decision taken to minor elites.  Model C: The; collecting information about public attitudes and opinions and encouraging interaction between the local authority and the general public.	<b>Framework of Participation</b>  Perspective 1: Consensus and Stability Perspective 2: Conflict and Increased Consciousness Perspective 3: Containment and Bargaining	<b>Typology of different styles of Participatory Practice</b>  2 models of planning process: i.e. Model X and Model Y with;  4 styles of participation process:  Style A: Statutory Informing Style B: Choice Validation Style C: Incremental Interaction Style D: Systematic Public Involvement
<b>Focus of Model And Comments</b>	<ul style="list-style-type: none"> <li>To encourage debate on the theory, purpose and practice of citizen participation in decision- making areas in urban planning</li> </ul> However, <ul style="list-style-type: none"> <li>A static model</li> <li>Oversimplify the distinction between participants and outsiders</li> <li>Assume an ideal form of participation treat communities as a homogenous group</li> <li>Assume that control is what participants want and participants who win control will then empower others</li> </ul>	<ul style="list-style-type: none"> <li>Schema of public participation is based on communication theory</li> <li>The objectives of participation are viewed differently by various actors in the participation game</li> <li>It provides more detailed guidance on planning participation process and techniques to use.</li> </ul> It emphasises the multiple and diverse issues surrounding and affecting community involvement from different nature and types of involvement, the outlying objectives of involving the community, who are to use the framework and who will decide. Eventually it has highlighted the importance of how ready the people of the organisation towards participating or getting involved in the decision-making process.	<ul style="list-style-type: none"> <li>A comprehensive Theoretical perspective of participation in planning</li> <li>Beginning with an examination of theories order and subsequently relating them to the debate of the role of participation in democratic theory</li> <li>Then, synthesised these within 3 alternatives perspective on participation in planning including               <ul style="list-style-type: none"> <li>the role of planner</li> <li>criteria in evaluating their participatory exercise</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The most comprehensive study relating to styles and roles of planners within an empirical context</li> <li>4 distinct styles of participation representing different philosophies of :               <ul style="list-style-type: none"> <li>what constitute participation and</li> <li>what should the role of planners in the process examined:</li> </ul> </li> <li>3 key dimensions were examined:               <ul style="list-style-type: none"> <li>phasing of public involvement</li> <li>the form of communication used</li> <li>the kind of public involved.</li> </ul> </li> </ul>

<b>GLOSSARY OF PARTICIPATION TECHNIQUES</b>	
<b>Complaints/ suggestions schemes:</b>	These may be temporary or ongoing service-specific or authority-wide. They may take different forms, e.g. fill-in cards or a telephone line.
<b>Service satisfaction surveys:</b>	These may be one-off regular initiatives, focusing either on specific services or on the local authority's general performance. Surveys may be carried out in a variety of ways (e.g. postal or door-to-door) and may cover the entire local authority population or a particular group of service users or citizens.
<b>Other opinion polls:</b>	These may be used to find out citizens views on on-service specific issues (e.g. community safety or the town in 2000). Opinion polls are generally used to obtain citizens immediate reactions. 'Deliberative' opinion polls are used to compare a group of citizens reactions before and after they have had an opportunity to discuss the issue at hand.
<b>Interactive web-site:</b>	This may be used on the internet or on a local authority-specific internet, inviting e-mail messages from citizens on particular local issues or service matters. We are only interested in interactive initiatives and not in the use of computer technologies simply to provide information on services or facilities.
<b>Referendum:</b>	These allow citizens to vote on policy-specific options, as in the Strathclyde vote on the reorganisation of water services.
<b>Community plans/ needs analysis:</b>	The purpose of these is to set out priorities for local service provision and local authority policy, often on a community-by-community (or neighbourhood) basis. In general, councillors take primary decisions about the budget while citizens reviews (and may reorder) specific priorities.
<b>Citizens panels:</b>	These are ongoing panels which function as a 'sounding board' for the local authority. Panels focus on specific service or policy issues, or on wider strategy. The panel is made up of a statistically representative sample of citizens whose views are sought several times a year.
<b>Co-option/ committee:</b>	These involve committees of the council which members of the public are invited to come and participate in.



<b>Question and answer sessions:</b>	These are held at the end of council or committee meetings providing citizens with an opportunity to direct questions at elected members.
<b>Consultation documents:</b>	These are a traditional method of seeking public views on particular issues or facilitating debate on broad options for a specific service, policy or neighbourhood. They may be initiated by the local authority (or a particular department) or be convened in response to citizen or community concerns. We are referring here to one-off public meetings, rather than ongoing forums (covered below).
<b>Public meetings:</b>	These are a traditional method of informing the public usually with a platform of councillors and/or officers and based on an open invitation to members of the public to attend.
<b>Citizens juries:</b>	A citizens jury is a group of citizens (chosen to be a fair representation of the local population) brought together to consider a particular issue set by the local authority. Citizens juries receive evidence from expert witnesses and cross-questioning can occur. The process may last up to four days, at the end of which a report is drawn up setting out the views of the jury, including any differences in opinion. Juries views are intended to inform councillors decision-making.
<b>Focus groups:</b>	One-off focus groups are similar to citizens juries in that they bring together citizens to discuss a specific issue. Focus groups need not be representative of the general population, perhaps involving a particular citizen group only. Discussions may focus on the specific needs of that group, on the quality of a particular service, or on ideas for broader policy or strategy. Focus groups do not generally call expert witnesses and typically last between one and two hours only, usually involving around 12 people.
<b>Visioning exercises:</b>	A range of methods (including focus groups) may be used within a visioning exercise, the purpose of which is to establish the 'vision' participants have of the future and the kind of future they would like to create. Visioning may be used to inform broad strategy for a locality, or may have a more specific focus (as in environmental consultations for Local Agenda 21).
<b>Service user forums:</b>	These are ongoing bodies which meet on a regular basis to discuss issues relating to the management and development of a particular service (e.g. an older peoples day centre, or a leisure centre or park). Forums may have a set membership or operate on an 'open basis'. Such groups may have the power to make recommendations to specific council committees or even to share in decision-making processes.

<b>Issue forums:</b>	These are also ongoing bodies with regular meetings, but focusing on a particular issue (e.g. community safety or health promotion). Again, they may have a set membership or operate on an open basis, and are often able to make recommendations to relevant council committees or to share in decision-making processes.
<b>Shared interest forums:</b>	These are similar to issue forums but concentrate upon the needs of a particular citizen group (e.g. young people or minority ethnic groups). Again, they may have a set membership or operate on an open basis, and are often able to make recommendations to relevant council committees or to share in decision-making
<b>Area/ neighbourhood forums:</b>	Such forums are concerned with the needs of a particular geographically-defined area or neighbourhood. Meeting regularly, they may deal with a specific service area (e.g. planning or housing) or with a full range of local services and concerns. Area forums may or may not have dedicated officers attached to them. They may have a close link with relevant ward councillors or with councillors responsible for the service areas under discussion. We are interested here in area forums in which citizens play a key role, rather than in councillor-only area committees. Membership may be set or open. Where there is a formally-established membership (e.g. of representatives for tenants or community association in the area), members of the public may be free to participate in an open discussion session at meetings.
<b>User management of services:</b>	These initiatives represent the most radical form of public participation in that citizens are given direct control over the management of local services and resources. Examples of user management include community-based housing organisations (or tenant management co-operatives) and community-run nurseries, youth clubs and community centres. Such initiatives usually operate through an executive committee, elected by the wider group of users.

Adapted by 'Guidance on Enhancing Public Participation- by ODPM, 2004.

## The Framework and Indicators

The full list of indicators is given in the framework in the Figure 1 below, which links the indicators with "Characteristics of a sustainable society". These are taken from the checklist in the UK 'Sustainable local communities for the 21<sup>st</sup> century'. The framework also reflects some linkages to the national framework used for the 'Quality of life counts' national sustainable development indicators.

**Figure 1: The Framework and Menu of Local Indicators**

Characteristics of a sustainable society	Local quality of life indicators in the menu
<i>(PROTECT AND ENHANCE THE ENVIRONMENT)</i>	<b>ENVIRONMENT</b>
<ul style="list-style-type: none"> <li>• Use energy, water and other <b>natural resources</b> efficiently and with care</li> <li>• Minimise <b>waste</b>, then re-use or recover it through recycling, composting or energy recovery and finally dispose of what is left</li> </ul>	<b>Prudent use of resources</b> <ul style="list-style-type: none"> <li>○ <u>Energy use (gas and electricity) (1)</u></li> <li>○ <u>Domestic water use (2)</u></li> <li>○ <u>Household waste arisings (3)</u></li> <li>○ <u>Recycling of household waste (4)</u></li> </ul>
<ul style="list-style-type: none"> <li>• Limit <b>pollution</b> to levels which do not damage natural systems</li> <li>• Value and protect the <b>diversity</b> of nature</li> </ul>	<b>Protection of the environment</b> <ul style="list-style-type: none"> <li>○ <u>Number of days of air pollution (5)</u></li> <li>○ <u>Rivers of good or fair quality (6)</u></li> <li>○ <u>Net change in natural/semi-natural habitats (7)</u></li> <li>○ <u>Changes in population of selected characteristic species (8)</u></li> </ul>
<i>(MEET SOCIAL NEEDS)</i>	<b>SOCIAL</b>
<ul style="list-style-type: none"> <li>• Protect human <b>health</b> and amenity through safe, clean, pleasant environments</li> <li>• Emphasis health service <b>prevention</b> action as well as care</li> <li>• Maximise everyone's access to the <b>skills</b> and knowledge needed to play a full part in society</li> </ul>	<b>Better health and education for all</b> <ul style="list-style-type: none"> <li>○ <u>Mortality by cause (9)</u></li> <li>○ <u>Qualifications of young people (10)</u></li> <li>○ <u>Adult education (11)</u></li> </ul>
<ul style="list-style-type: none"> <li>• Ensure access to good <b>food, water, housing and fuel</b> at a reasonable cost</li> <li>• Encourage necessary <b>access [9]</b> to facilities, services, goods and other people in ways which make less use of the car and minimise impacts on the</li> </ul>	<b>Access to local services and travel</b> <ul style="list-style-type: none"> <li>○ <u>Homes judged unfit to live in (12)</u></li> <li>○ <u>Homelessness (13)</u></li> <li>○ <u>Access to key services (14)</u></li> <li>○ <u>Travel to work (15)</u></li> <li>○ <u>How do school children travel to school? (16)</u></li> </ul>

<p>environment</p> <ul style="list-style-type: none"> <li>• Make opportunities for <b>culture</b>, leisure and recreation readily available to all</li> <li>• Meet <b>local needs locally</b> wherever possible</li> </ul>	<ul style="list-style-type: none"> <li>○ <u>Overall traffic volumes</u> (17)</li> </ul>
<ul style="list-style-type: none"> <li>• Create or enhance <b>places</b>, spaces and buildings that work well, wear well and look well</li> <li>• Make <b>settlements</b> 'human' in scale and form</li> <li>• Value and protect <b>diversity</b> and local distinctiveness and strengthen local community and cultural identity</li> </ul>	<p><b>Shaping our surroundings</b></p> <ul style="list-style-type: none"> <li>○ <u>New homes built on previously developed land</u> (18)</li> <li>○ <u>Public concern over noise</u> (19)</li> <li>○ <u>Recorded crime per 1,000 population</u> (20)</li> <li>○ <u>Fear of crime</u> (21)</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Empower</b> all sections of the community to participate in decision making and consider the social and community impacts of decisions</li> </ul>	<p><b>Empowerment and participation</b></p> <ul style="list-style-type: none"> <li>○ <u>Social participation</u> (22)</li> <li>○ <u>Community well being</u> (23)</li> <li>○ <u>Tenant satisfaction/participation</u> (24)</li> </ul>
<p><i>(PROMOTE ECONOMIC SUCCESS)</i></p>	<p><b>ECONOMIC</b></p>
<ul style="list-style-type: none"> <li>• Create a vibrant <b>local economy</b> that gives access to satisfying and rewarding work without damaging the local, national or global environment</li> <li>• Value <b>unpaid work</b></li> </ul>	<p><b>Sustainable local economy</b></p> <ul style="list-style-type: none"> <li>○ <u>Employment/unemployment</u> (25)</li> <li>○ <u>Benefit recipients</u> (26)</li> <li>○ <u>Business start-ups and closures</u> (27)</li> <li>○ <u>Companies with environment management systems</u> (28)</li> <li>○ <u>Social and community enterprises</u> (29)</li> </ul>



# **URBAN CONSERVATION: A FRAMEWORK FOR COMMUNITY INVOLVEMENT IN MALAYSIA**

## Case Study: Malacca Historical City **AUTHORITY INTERVIEW**

Name of organisation \_\_\_\_\_

Address \_\_\_\_\_

Telephone no. \_\_\_\_\_

E-mail Address \_\_\_\_\_

Name of person completing questionnaire \_\_\_\_\_

Position in Authority/Job Title \_\_\_\_\_

Type of Organisation:

1. Federal \_\_\_\_\_
2. State \_\_\_\_\_
3. Local Authority \_\_\_\_\_
4. Others (NGOs) \_\_\_\_\_
5. Private \_\_\_\_\_

### **CONSERVATION PRACTICE AND RESOURCES**

Please Tick / the appropriate box

1. Are you aware of the importance of conservation planning of cultural built heritage in our cities especially Malacca Historical City?

Yes \_\_\_\_\_ No \_\_\_\_\_

2. What main role is your organisation in the conservation efforts?

\_\_\_\_\_

\_\_\_\_\_

3. What types of cultural heritage values are of particular interest to your organisation?

a. Built Environment _____ (Buildings, Monuments and Other structures)	b. Areas _____ (Historical areas, Landscapes, Archaeological sites)	c. Intangible values _____ (Culture, Folklore and Language)	d. Others _____ (please specify) _____ _____
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4. Are there any important resources in your authority that have been lost?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, name the most you would like to have held onto \_\_\_\_\_

5. How would you rate the present efforts of the government in conservation?

Not Successful _____	Successful _____	Very Successful _____
----------------------	------------------	-----------------------

6. Please rank the actions that could be taken to better improve the conservation efforts?

a. Laws/regulations _____	d. Research and Training _____
b. Technical assistance _____	e. Identification of more conservation values & products _____
c. Active community involvement _____	f. Other (please specify) _____ _____

## 7. By whom?

a. Local authority_____	d. Community association e.g. JKKK_____
b. State government_____	e. Voluntary organisations/NGOs_____
c. Federal government_____	f. Other (please specify) _____

## 8. (To be answered by other organisation than the Local Authority) Are you aware that the Local Authority has the statutory powers pertaining to planning, development and management of conservation efforts?

Yes\_\_\_\_\_ No\_\_\_\_\_

If yes, what powers does the Local Authority has in relation to cultural built heritage?

a. Maintain the buildings_____	d. Provide grants_____
b. Giving technical assistance_____	e. Giving training_____
c. Acquire property/sites _____	f. Other (specify) _____

9. Are you familiar with the *Malacca Historic Conservation Plan/Structure Plan/Local Plan*?

Yes\_\_\_\_\_ No\_\_\_\_\_

If yes, how would you rate the conservation objectives towards achieving the Plan?

Not Useful_____	Fairly Useful_____	Useful_____
-----------------	--------------------	-------------

## 10. Based on your experience and knowledge, do you agree with the primary goals and objectives of the Local Authority plan?

Do not Agree_____	Agree_____	Do not know of the objectives_____
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## 11. Are there any conservation goals, objectives or aspects you feel are not adequately addressed in the current Plan?

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## 12. How does the Plan facilitate your organisation's conservation efforts/objectives?

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## 13. In terms of improving the effectiveness of historic and cultural conservation efforts, what suggestions would you have to supplement the local authority's current programs and services? Please list a few of them.

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**AUTHORITY'S APPROACH TO COMMUNITY INVOLVEMENT/PARTICIPATION**

## 14. Apart from the Structure Plan/Local Plan public participation exercises articulated in the TCP Act 172, were there any community involvement exercise undertaken specifically for conservation projects/efforts for any particular area?

Yes\_\_\_\_\_ No\_\_\_\_\_ Do not know\_\_\_\_\_

If yes, specify when and where? \_\_\_\_\_

---

## 15. Do you agree that involving the community in the planning of conservation projects is important?

Yes\_\_\_\_\_ No\_\_\_\_\_

## 16. Do you carry out community involvement/participation process related to conservation efforts under the jurisdiction of your authority?

Yes\_\_\_\_\_ No\_\_\_\_\_

If yes, please go to the following questions. **If no**, go straight to question 30.17. How are your approaches to public participation in your authority? What do you think of them? Please **circle O**

the appropriate.

<b>CONSULTATIVE APPROACH</b>	<b>Yes/No</b>  <b>If yes, answer the following columns</b>	<b>Under what project/ programme</b> <b>1. Structure/ Local Plan Studies</b> <b>2. MBMB studies</b> <b>3. Other MBMB meeting</b> <b>4. Others</b>	<b>How regular is it held?</b> <b>1. Once a month</b> <b>2. Once in 2 months</b> <b>3. Twice a year</b> <b>4. Once for the study/project period.</b> <b>5. Others</b>	<b>Are you happy with the response given to your participation?</b>  <b>Yes/No</b>	<b>Why?</b> <b>(Please specify)</b>
1. Complaints/suggestions schemes	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
2. Service satisfaction surveys	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
3. Publicity and exhibition (as stipulated in TCP Act 172)	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
4. Questionnaire surveys	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
5. Contacts with key person in neighbourhood/community	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
6. Radio and media releases	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
7. Consultation documents	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
8. Community plans/needs analysis	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
9. Public Hearings/meetings	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
10. Service user forums	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
11. Area/Neighbourhood forums	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
12. Workshops/Focus Groups	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
13. Visioning exercises	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
14. Interactive web-site	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
15. Other opinion polls	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
16. Briefing, questions and answers sessions	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	
17. Others (specify)	Y__ N__	1__ 2__ 3__ 4__	1__ 2__ 3__ 4__ 5__	Y__ N__	

18. Who are your target groups of your community involvement exercise?

19. The following could be invited to participate in the initiatives in your authority? Please rank them in order of importance.

a. Individual members_____	d. Governmental networks_____
b. Public/Community demand_____	e. Corporate strategy_____
c. Local groups/NGOs demand_____	f. Political strategy_____

20. What are the main purposes of community involvement initiatives carried out under your authority? Please rank them in order of importance.

a) To meet statutory requirements_____	d) To increase community/public awareness_____
b) To decide between particular options_____	e) To develop/empower local communities_____
c) To gain information on community/public views_____	f) Others (specify)_____

21. What are the main problems in implementing participation initiatives? (Please rank them)

Main problems	Difficult	Fairly Difficult	Not difficult at all
a) Lack of councillor support_____			
b) Lack of officer/expert_____			
c) Lack of public interest/community response_____			
d) Poor participation techniques_____			
e) Poor identification of community issues_____			
f) Lack of facilitating legislation_____			
g) Lack of financial_____			
h) Lack of time _____			
i) Others (specify) _____			

22. From your previous experiences of the participation exercise, could you list down the pressing issues raised by the community pertaining to the conservation efforts?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

23. What are the main benefits that participation initiatives have brought to your authority?

a. Better policy-making_____	d. Greater community/public awareness_____
b. Better decision-making _____	e. Community development/empowerment _____
c. Improvements in services _____	f. Others (specify)_____

24. Has participation initiatives had any negative effects on the work of your organisation?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please identify the effects that have had the greatest adverse impact on the work of your organisation. (Please rank in order up to 3).

a. Raise public expectations which the authority cannot meet _____
b. Slowing down the decision-making process_____
c. Places additional burdens on officers and members; and financial term_____
d. Captures the views of dominant groups, which may not be representative of the wider community_____
e. Encourage over-concentration on relatively trivial issues _____
f. Promote disagreement and conflict among different sections of the community_____
g. Undermine the authority or democratic legitimacy of elected members or officers _____
h. Lead to consultation 'overload'_____
i. Others, please specify_____

25. How would you rate the overall impact of participation initiatives on final decision-making in your authority?

Not Influential_____	Fairly Influential_____	Often Influential_____
----------------------	-------------------------	------------------------



26. Are there particular circumstances or issues where you would choose not to involve the public/community?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please indicate by ranking, where you would choose not to involve the public?

a. Internal management issues _____	e. Issues requiring a quick decision _____
b. Confidential issues _____	f. Issues that might raise unnecessary public fears _____
c. Activities prescribed by the law _____	g. Clear policy statement _____
d. Issues on which broad consensus within the community maybe difficult to achieve _____	h. Others (please specify) _____

27. If issues on (d) which broad consensus within the community and/or (e) issues requiring a quick decision are the major setbacks, how would you think that these problems can be overcome?

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28. Has your authority tried and failed to involve any particular social group(s)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please indicate which groups the authority has been unable to involve effectively.

a. Political groups _____	f. Private sectors _____
b. Local business people _____	g. Unemployed people _____
c. Residents/Local associations _____	h. Disabled people _____
d. Heritage organisations/groups _____	i. Women _____
e. Voluntary sectors _____	j. Others (Specify) _____

29. Is your authority working on schemes to enhance community involvement in collaboration with other local agencies?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, with which organisations has your authority collaborated on schemes to enhance involvement?

a. Local authorities _____	d. Other government agencies _____
b. Voluntary/community organisations _____	e. Local businesses/private _____
c. Local schools/universities _____	f. Others (specify) _____

30. What role do you think the community should play in the planning of conservation projects? Please rank them in order of importance.

a. Make decisions _____	d. Receive information _____
b. Approve decisions _____	e. Provide information, opinions _____
c. Review decisions _____	f. Other (specify) _____

31. Related to conservation, do you provide a simple and direct channel for the community to give feedback/complaint?

Yes \_\_\_\_\_ No \_\_\_\_\_

32. In your opinion what further improvement could be done to encourage community to participate/involve in the conservation projects?

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**SPENDING AND STAFFING**

33. Does your authority operate on your own historic building grant programme?

Yes \_\_\_\_\_ No \_\_\_\_\_

34. Does your authority have a budget for conservation projects other than grants like area enhancements or research?

Yes \_\_\_\_\_ No \_\_\_\_\_

35. Could you indicate the percentage (%) of the overall allocation \_\_\_\_\_

36. Is there any designated conservation officer's post in your organisation?

Yes \_\_\_\_\_ No \_\_\_\_\_

37. Is there any conservation experts in your organisation?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, who would you normally seek for advice on conservation matters (please tick)

i) <b>Within Organisation</b>	ii) <b>From other departments/organisations</b>
a. Planning staff _____	a. Other departments (specify) _____
b. Policy & management staff _____	b. Consultants _____
c. Other technical staff _____	c. Others (specify) _____
d. Others (specify) _____	_____

38. Does your organisation actively support/provide in service training/CPD in conservation?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, who are the target groups training aimed at:

a. Conservation staff _____	d. Other technical staff _____
b. Planning staff _____	e. High level officers/councillors _____
c. Policy & management staff _____	f. Others e.g. owners & residents of conserved buildings (specify) _____

The Researcher appreciates your participation and your viewpoints expressed in this questionnaire. All views will be kept confidential.

If you have any further comments or queries regarding the questionnaire and research in general, please contact:

Zainah Ibrahim

Jabatan Perancangan Bandar dan Desa, Semenanjung Malaysia

(Federal Department of Town and Country Planning, Malaysia)

Jalan Cenderasari, 50646 Kuala Lumpur

Tel.: 603 - 26989211 Fax: 603 - 26930959 (Training Unit)

e-mail: [zaimanis2003@yahoo.com](mailto:zaimanis2003@yahoo.com)

[zainah.ibrahim@student.shu.ac.uk](mailto:zainah.ibrahim@student.shu.ac.uk)

and at:

Zainah Ibrahim

Center for the Built Environment

Faculty of Development and Society

Sheffield Hallam University

Unit 9 Science Park

City Campus

Howard Street

Sheffield S1 1WB

UK

Tel: +44 0114 225 4720

Fax: + 44 0114 225 3206

URBAN CONSERVATION: A FRAMEWORK FOR COMMUNITY INVOLVEMENT IN MALAYSIA  
**ANALYSIS OF COMMUNITY'S QUESTIONNAIRES**

1. In terms of improving the effectiveness of conservation efforts, what other suggestions do you have to supplement MBMB's current programmes and services?

T4 They must be strict, experienced and carry out survey before decision or design is made.

CT6 Must work with the cooperation of the community/residents.

CT7 More exposure to the community.

CT8 Implementing projects with the involvement of the local community in all the MBMB activities comprehensively.

CT9 To involve the local community in all the MBMB activities comprehensively.

CT10 To implement by involving the local community in all the MBMB activities.

Liew More private programmes e.g. Cultural Museum at 17, Jln. Tukang Besi.

Kadir Provide special officers for regular monitoring conservation areas.

Ibrahim 1. Effective law enforcement

2. More sensitive to comments and requests from the community

3. Efficient and immediate actions must be taken when reports and information received from the public.

Rahim Provide the special monitoring officers and specific officers who will supervise and monitor the conservation areas.

Joseph I am not aware of any MBMB programme which encourages individual and private participation in conservation projects but I know of those who encounter endless problems where they are trying to restore their premises. Ironically, all the recent conversion of premises, neither is their businesses stopped. MBMB need a special task force to assist those with good intentions and not bridle those with more problems. For this, they need honest and capable staff. Those breaking the law outsmart the authorities every time as they know all their shortcomings. This needs to be addressed.

2. In general, how do you rate the level of success of the conservation efforts in Malacca?

Not Successful 21%

Fairly Successful 21%

Successful 54%

Very Successful 4%

**A high percentage (42%) of those who rated the level as unsuccessful or fairly successful. (Why?)**

	Frequency	Percent	Valid Percent	Cumulative Percent
Not successful	5	20.8	20.8	20.8
Fairly successful	5	20.8	20.8	41.7
Successful	13	54.2	54.2	95.8
Very successful	1	4.2	4.2	100.0
Total	24	100.0	100.0	

3. Do you support the LA's initiatives to involve the communities?

100% say yes. The rate of initiatives' success:

	Frequency	Percent	Valid Percent	Cumulative Percent
Not successful	6	25.0	25.0	25.0
Fairly successful	4	16.7	16.7	41.7
Successful	12	50.0	50.0	91.7
Very successful	2	8.3	8.3	100.0
Total	24	100.0	100.0	

**Generally, about 42% thinks the initiatives are not and fairly successful = 42%. Why?**

4. Did you feel you had an adequate opportunity to express your views or be involved in the decision-making process?

Yes 16 (67%)

No 8 (33%)

	Frequency	Percent	Valid Percent	Cumulative Percent
no	8	33.3	33.3	33.3
yes	16	66.7	66.7	100.0
Total	24	100.0	100.0	

If no, elaborate:

- Under the management of the temple.
- We were not given the opportunity or encouragement to involve.
- Not given the encouragement to participate.
- Not always, depends on the economic issue.
- We know what have been programmed only after the local media disclosed them
- Usually, a meeting is called to inform the community on what has been decided. Whatever the views, it has already been decided and even the contractors for the jobs were present.

**33% is considered high to determine the inadequacy of opportunity of the community to get involve in the decision-making process.**

5. What role do you think you as the community, should play in conservation projects?

a. Make decisions	11 (46%)
b. Review decisions	15 (63%)
c. Receive information	13 (54%)
d. Provide information, opinions	20 (83%)

#### CROLEA

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	13	54.2	54.2	54.2
	yes	11	45.8	45.8	100.0
	Total	24	100.0	100.0	

#### CROLEB

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	9	37.5	37.5	37.5
	yes	15	62.5	62.5	100.0
	Total	24	100.0	100.0	

#### CROLEC

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	11	45.8	45.8	45.8
	yes	13	54.2	54.2	100.0
	Total	24	100.0	100.0	

## CROLED

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	4	16.7	16.7	16.7
	yes	20	83.3	83.3	100.0
	Total	24	100.0	100.0	

## CROLEE

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	24	100.0	100.0	100.0

6. Do you have suggestions to improve the approaches? What do you think the LA should do?

a. Identification of Community groups 16 (67%)	e. Direct and simple channel/pathway 6 (25%)
b. Structured involvement techniques 7 (29%)	f. Effective implementation 17 (71%)
c. Better Local authority's response 12 (50%)	g. Scheduled monitoring & evaluation 9 (38%)
d. Better authority's transparency 12 (50%)	

## CIMPA

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	8	33.3	33.3	33.3
	yes	16	66.7	66.7	100.0
	Total	24	100.0	100.0	

## CIMPB

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	17	70.8	70.8	70.8
	yes	7	29.2	29.2	100.0
	Total	24	100.0	100.0	

## CIMPC

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	12	50.0	50.0	50.0
	yes	12	50.0	50.0	100.0
	Total	24	100.0	100.0	

## CIMPD

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	12	50.0	50.0	50.0
	yes	12	50.0	50.0	100.0
	Total	24	100.0	100.0	

## CIMPE

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	18	75.0	75.0	75.0
	yes	6	25.0	25.0	100.0
	Total	24	100.0	100.0	

## CIMPF

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	7	29.2	29.2	29.2
	yes	17	70.8	70.8	100.0
	Total	24	100.0	100.0	

## CIMPG

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	15	62.5	62.5	62.5
	yes	9	37.5	37.5	100.0
	Total	24	100.0	100.0	

## 7. Other suggestions and opinions concerning community involvement in conservation projects.

- More exposure to conservation projects for the community.
- Need to have more suggestions and also opinions from community about conservation projects.
- Give more detail information.
- Give more correct information.
- Get more people and more groups involve.
- Officers responsible for the programmes should be more responsible and dedicated.
- Get all body and agencies related to conservation activities to be involved in conservation area.
- First, the area of study need to have a community, so far, all government funded projects target at removing existing community.

**COMMUNITY FOCUS GROUP (FG) INTERVIEWS QUESTIONS**

1. In general, how do you rate the level of success of the conservation efforts in Malacca?
2. In getting the community to be involved in the conservation efforts, what do you think of the various approaches taken by the LA and other authorities? Are you happy with the approaches taken? Have you adequately or inadequately been given the opportunity to express your opinion, ideas and get involved in the process?
3. What do you think are the issues of community involvement aspect of conservation?
4. What role do you think you as the community, should play in conservation projects?
5. Do you have suggestions to improve the approaches? What do you think the LA should do?

Question one is the opening or introductory question.

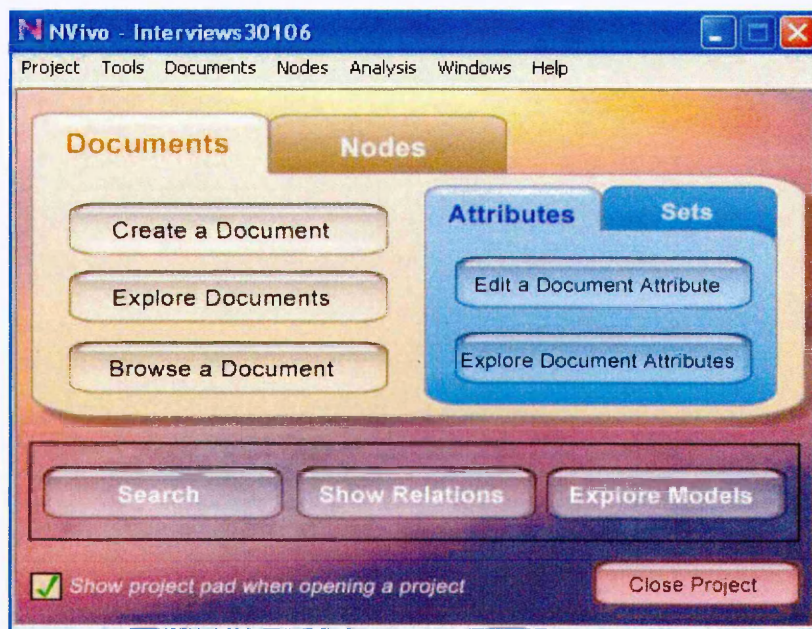
Key questions for the research are questions number 2, 3 and 4. While the ending question is question number 5 which ask for their suggestions on the issues at hand.

## DATA ANALYSIS USING NVivo (version 2.0)

Qualitative data analysis software NVivo (version 2.0) was used to analyse the community FG interviews data, as well as the open-ended answers of the stakeholders' interviews. A step-by-step data analysis is presented as follows:

1. The face-to-face interviews were recorded by a Sony tape recorder and were transcribed in Microsoft word and then saved/converted into Rich Text Format (RTF).
2. The RTF files were imported into NVivo software by using the 'Create a Document' key pad as in Figure 1.

**Figure1: NVivo Project Pad Window**



3. Based on the initial interview transcriptions, the data was broadly categorised into primary nodes called the Free nodes (there are six (6) Free nodes).
4. The data was searched and coded into nodes that were amended and moderated, as well as new nodes were created as Tree nodes, wherever required (there are sixty-nine (69) tree nodes).
5. Different child and siblings nodes were generated by further coding of the data from the tree nodes. This process generated different categories, themes and patterns as demonstrated in Figure 2 (e.g. Tree Node - 'Issue').
6. The coded data was then thoroughly analysed.
7. The analysis of the data was reported under similar headings and sub-headings (in Chapters 7 and 8).

The general procedure taken for the NVivo analysis is described in Figure 3.



Figure 2: Display of the Primary Node (Tree) and Child Nodes from the Analysis

**Node Explorer - Interviews30106**

Node Set Tools View

Browse Properties Attributes DocLinks NodeLinks Edit Set Assay Search

**Nodes**

Recently Used

- Free (6)
- Trees (69)
  - Rate of Success
  - Rate of Awareness
  - Approaches Taken
  - Issues
    - Lack of Political Commitment
    - Poor Involvement Process
    - Poor Involvement Techniques
    - Economic vs Conservation
    - Implementation, Enforcement & Monitoring
    - Legislation & Guidelines
    - Lack of Experts & Officers
    - Lack of Awareness Programme
    - Lack Financial & Incentives
    - Community Interest & Value
    - Poor Identification of Community Issues
    - Irrelevant comments
  - Community's Role
  - Suggestions
  - Other Suggestions & Information
  - Complaints
  - Authorities' Roles & Coordination
  - Threats

Cases (0)

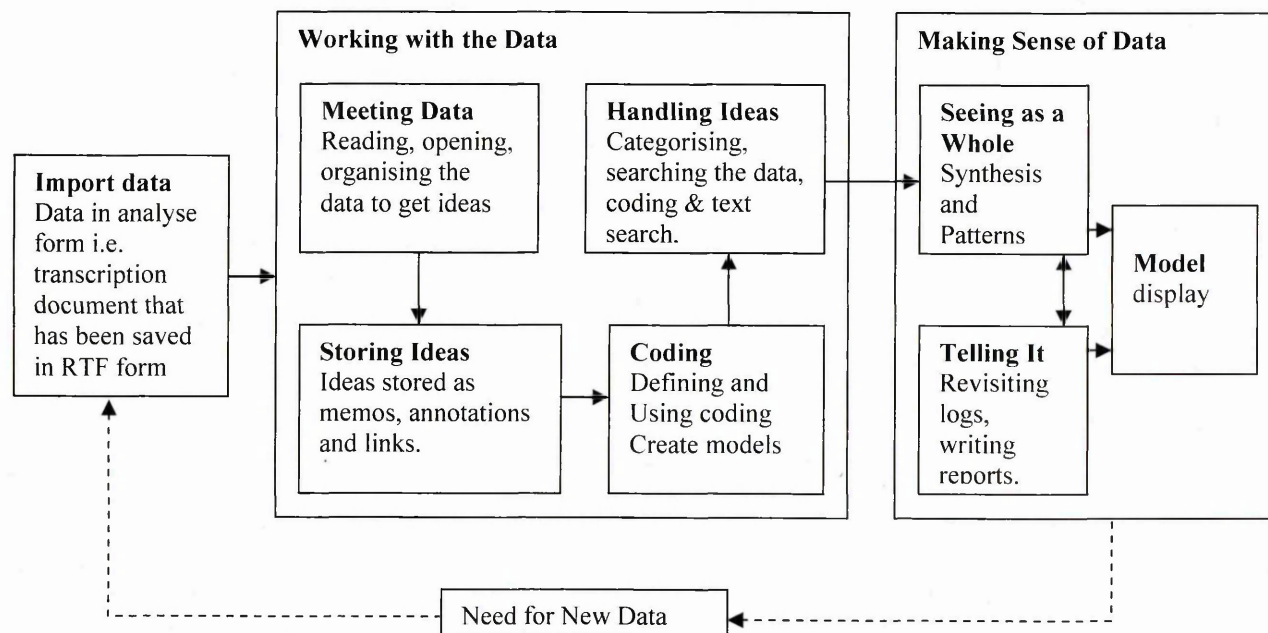
Sets (1)

**Nodes in /Issues**

Title	No.	Passages	Created	Modified
Lack of Political Com...	1	21	21/11/20...	12/12/20...
Poor Involvement Pr...	2	16	21/11/20...	09/12/20...
Poor Involvement Te...	3	15	21/11/20...	09/12/20...
Economic vs Conser...	4	19	21/11/20...	09/12/20...
Implementation, Enf...	5	25	21/11/20...	09/12/20...
Legislation & Guidelines	6	19	21/11/20...	09/12/20...
Lack of Experts & Of...	7	27	21/11/20...	09/12/20...
Lack of Awareness P...	8	12	21/11/20...	09/12/20...
Lack Financial & Ince...	9	17	21/11/20...	05/12/20...
Community Interest ...	10	40	21/11/20...	09/12/20...
Poor Identification o...	11	16	21/11/20...	12/12/20...
Irrelevant comments	12	1	30/11/20...	05/12/20...

No coding. Children: 12

Figure 3: Researcher's Process of Using NVivo in Qualitative Analysis





**Node Explorer - Interviews30106**

Node Set Tools View

Browse Properties Attributes DocLinks NodeLinks Edit Set Assay Search

Nodes All Trees

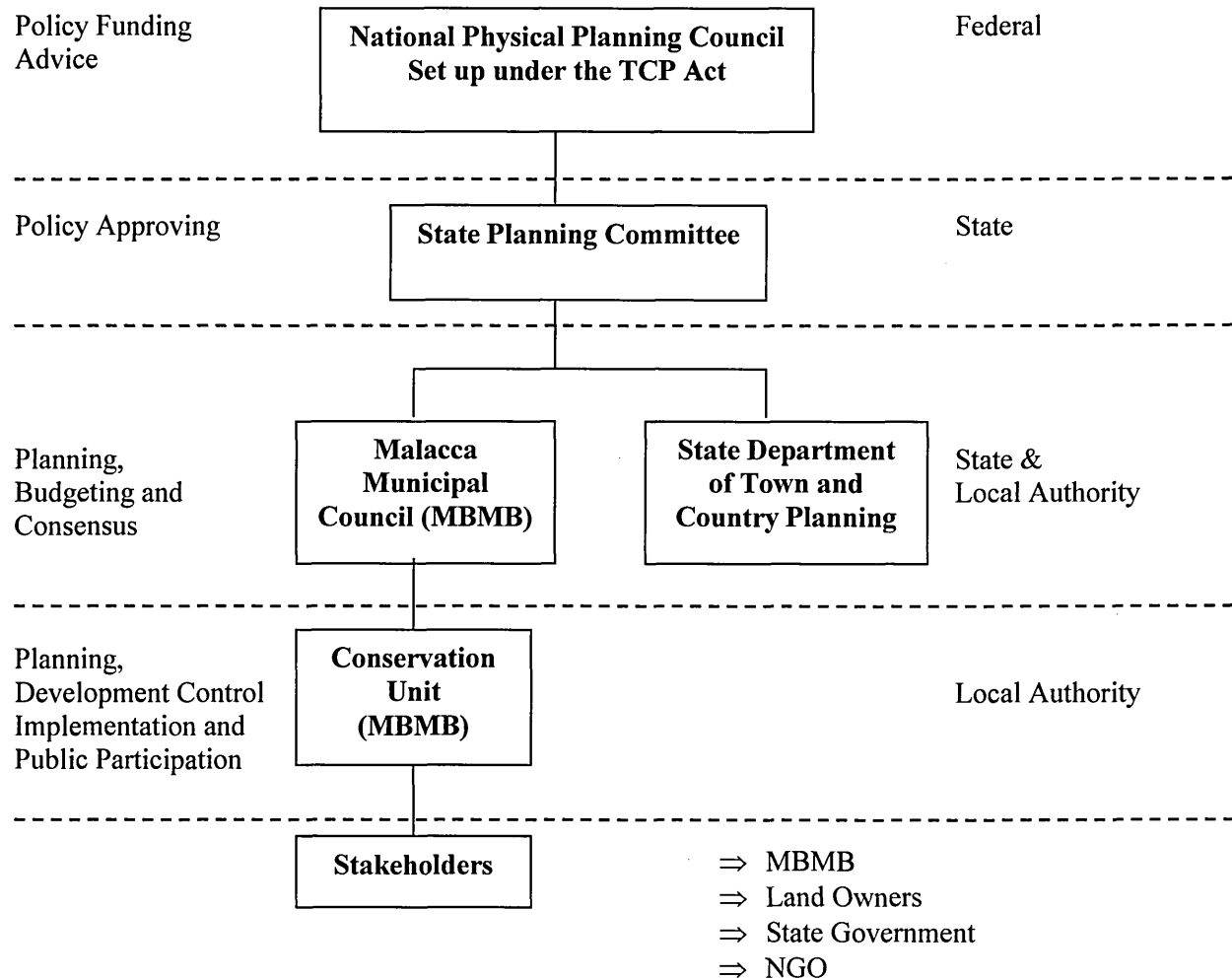
Recently Used

- Free (6)
- Trees (69)**
- Cases (0)
- Sets (1)

Title	No.	Passages	Created	Modified
Rate of Success	1	32	21/11/20...	05/12/20...
Rate of Awareness	2	8	21/11/20...	19/12/20...
Approaches Taken	3	7	21/11/20...	30/11/20...
Issues	4	0	21/11/20...	21/11/20...
Community's Role	5	1	21/11/20...	30/11/20...
Suggestions	6	0	21/11/20...	21/11/20...
Other Suggestions &...	7	0	21/11/20...	21/11/20...
Complaints	8	70	21/11/20...	22/12/20...
Authorities' Roles & ...	10	74	29/11/20...	30/11/20...
Threats	11	14	29/11/20...	30/11/20...

Trees

## Coordination and Implementation Process



Source: UNESCO-NWHF Workshop On 'Culture Heritage Management and Tourism: Project Evaluation and Mainstreaming', 2003

**Sustainability Appraisal (SA)**

Sustainability Appraisal (SA) is the method by which the LPA can assess the effects of its Preferred Options as they evolve through the process of preparing the relevant LP/SAP document. Prior to this, the LPA needs to collect information on the social, environmental and economic issues that affect the geographical and/or topic area of the plan and use this information to prepare an analysis of the baseline situation. This will then evolve into the Preferred Options for that Plan's document. In developing the SA, the Council will consult relevant community and statutory bodies as well as other stakeholders on the scope of the appraisal and an initial SA report. Because of the stage reached in the process, the LPA will do this by producing a written report dealing with both aspects that will be circulated to target groups and interested parties with the option of a workshop/seminar to provide the opportunity for debate about the approach taken.

**Strategic Environmental Assessment (SEA)**

The purpose of Strategic Environmental Assessment (SEA) is to assess the environmental impacts of the policies and proposals of the LP/SAP. SEA enables the establishing of an environmental audit or baseline and will form the basis of the LPA's strategic environmental aims and objectives that will form a main thread through all policies and proposals set out in the Council's Local Plan. The LPA, in carrying out any SEA, will involve the community and stakeholders as appropriate to ensure that their views are considered in this process.