THE EFFECTS OF CONTRADICTION IN LAND USE AND LAND POLICY TO LAND REVENUE IN THE DISTRICT OF PETALING: A PRELIMINARY STUDY

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ABSTRACT

The terms 'planning permission' and 'land use' are of no anomalous amongst policy makers in the field of land administration and town planning. However, due to different policy jurisdictions, contradicting land uses are bound to arise and may affect land revenue. For the purpose of preliminary study, two surveys were conducted targeting two groups, 500 respondents amongst the public and 468 amongst policy makers in Selangor. Two different set of questionnaires in the form of Google Form were distributed within the course of two months via e-mail and 'Whatsapp' mobile application. The study is to test the level of awareness amongst the general public, and to test the level of awareness and readiness of policy makers as executors. It is later found that an average of 65% of all respondents are unaware of the policies in relations to land use. Alas, it is recommended that an in-depth study to be conducted to increase public awareness on top of equipping policy makers with sufficient knowledge in maximizing the use of Temporary Planning Permission in matters of land administration and town planning, thus improving land revenue collections.

Keywords: *Temporary Planning Permission, Land Use, Land Policy, Land Revenue*

RESEARCH HIGHLIGHTS

Policy makers and public of Selangor have yet to grasp knowledge on the effects of contradicting land use towards themselves as policy executors and existing (and future) real estate proprietors.

In regards to land matters and town planning, an average of 48% of policy makers are not aware and ready to execute, in comparison to an average of 82% of the public in Selangor.

A resolution to these policy-related issues pertaining land use may bring prominent results to the state's revenue collections hence conclude conformity and continuity between the National Land Code 1965 and the Town and Country Planning Act 1976.

GRAPHICAL ABSTRACT

Research Objectives

The aim and objective of this research is to identify the gap and conflict between TCPA and NLC in terms of temporary planning permissions. The non-existent term or allowances of a 'temporary' land use within NLC shall be discussed and supplemented with what are allowed, followed by a discussion of the provision of temporary planning permission within TCPA. The short-term nature of land and/or building use through the use of Temporary Planning Permission may affect both the town plan physically and also planning standards and guidelines on top of public's socio-cultural wellbeing (Yusup et al., 2018). It is of significance that a wide range of public policies that are aligned with tax instruments and tax policies are used in order to achieve efficient land use (Janoušková and Sobotovičová, 2019).

Methodology

A non-experimental causal-comparative research design is chosen as to find the interdependence of variables related to the study. This research will use a mixed mode method which comprises of quantitative, qualitative and spatial analyses. For the purpose of preliminary study, two surveys were conducted targeting two groups; a population of 26,000 policy makers and 6.51 million respondents amongst the public in Selangor. Sample sizes were determined using Slovin's Formula sampling technique with confidence level of 95 percent (margin of error 0.05). Two different set of questionnaires in the form of Google Form were distributed within the course of two months via e-mail and 'Whatsapp' mobile application.

Results

Based on all three categories of respondents from the policy-making category numbering to 467, managerial-level staff topped the chart by being those whom are familiar with all aspects of town planning and land matters in discussion (65.6%). In addition to that, when given a scenario of contradiction between building use and its express condition, 67.5% of the respondents affirmed to a 'Yes' answer with reasons that there exists a contradictory in land use and should apply for land conversion. As for the 492 public respondents, 30.3% of the working population between the age of 21 and 50 category are those most aware and familiar with town planning and land matters, which is very low given the fact that 89.6% of them owns a property in Selangor. When given a scenario of contradiction between building use and its express condition, only 55.2% affirmed to a 'Yes' answer with reasons that there exists a contradictory in land use and should apply for land conversion. This indicates that although working adults and with majority owning a property in Selangor, their level of awareness is significantly low and needs major attention.

Findings

Managerial-level staff involved in policy-making scored highest in familiarity and readiness in implementing policies. However, a somewhat average overall percentage indicates that

there still is a lot to improve to ensure that policy makers are well equipped with knowledge on both town planning and land. The public of Selangor in general have little awareness on overall land use matters. The significantly low level of awareness might also be one of the main contributing factors to legal actions. One of the crucial problems involving planning faced by countries is the inability to control urban or city growth and the lack in responding to the needs of the local public (Cengiz, 2013). Therefore, high public engagements in hearings or publicity of local plan may increase effectiveness in town planning and the nation's move towards enhancing Local Agenda 21.

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Liyana Zainudin is a PhD candidate in the field of Built Environment at Universiti Teknologi MARA (UiTM) Malaysia with seven years of industrial experience in both land and strata administration, specifically in the field of land development, land registration, strata enforcement and strata registration. With an unclouded determination, Liyana aims to hold a doctorate scroll as

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Jaiya Abu is an accredited Subject Matter Expert in Land Administration and Management, currently serves as the Director of Land Management and Legal Division in the Department of Director General of Lands and Mines, Malaysia. With more than 10 years of industrial experience and a Master's Degree in the field of land administration, he shares his passion through knowledge sharing as guest speaker in seminars and workshops, apart from teaching as a guest lecturer and contributing as author of several land policy related reference books.