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## EIA IN MALAYSIA: PRELIMINARY REVIEW ON THE IMPLEMENTATION ISSUES AND CHALLENGES TOWARDS SUSTAINABLE DEVELOPMENT

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### Abstract

*Environmental Impact Assessment (EIA) has been an important tool in ensuring sustainable development. Malaysia has imposed the needs for EIA in the Environmental Quality Act (1974) for the property development process. However, issues of EIA process and implementation in Malaysia particularly in the context of property development still arose. Therefore, there are issues and challenges that need proactive and aggressive measures to overcome and rectify the current problems. Nevertheless, there are still loopholes that can be further improved in order to ensure more efficient and effective EIA process and implementation as well as for EIA to meet its objectives. Thus, stakeholders' roles have been evaluated in the decision making process contexts which focus on the government agencies, project proponent and public. A face to face interview with stakeholders has been performed for analysis purpose. Recommendations for remedial and improvement of the implementation of EIA in Malaysia has been proposed which covers the administrative, implementation and legal aspects. The stakeholders should be committed to make sure EIA achieve its goals and environment is protected for the benefit of current and future generation towards sustainable development.*

**Keywords:** Environmental Impact Assessment (EIA), Property Development, Legislations, Sustainable Development

### 1. Introduction

Environmental impact assessment (EIA) was formally developed in United States in 1969. The purpose of EIA is to examine technical and environmental options of development projects thereby alleviating their potential negative impacts. To date, governments of more than 100 countries have adopted EIA provisions. The Malaysian federal EIA requirements have been in operation now for ten years within the framework of the Environment Quality Act 1974 (EQA). The EQA was enacted in 1974 as the major federal environmental statute and a new Department of Environment (DOE) was established to implement this statute. The need for better environmental management was formally endorsed in the Third Malaysia Plan (Government of Malaysia, 1976). The EQA is the basic instrument for achieving national environmental objectives. During the first ten years of its administration emphasis was put on curbing pollution by means of regulations gazetted under the Act. The emphasis on control of pollution and the taking of remedial actions was a reflection of the magnitude of environmental pollution problems then and increasing public concerns. During the 1970s and 1980s, wastes from agro-based industries (palm oil and rubber) were major problems. It was not until 1987 that environmental impact assessment (EIA) procedures were introduced under the EQA to emphasize the importance of preventative controls. Once again, this action was a response to the increasing magnitude of environmental problems in Malaysia.

Environmental pollution problems in Malaysia have a long history. River pollution by mine wastewater and sludge began with the rapid development of tin mining, a traditional industry that started at the turn of the century about 100 years ago. In later years, other traditional industries such as natural rubber and palm oil production began in earnest, and wastewater from the factories caused further pollution of rivers and seas. noted in Malaysia are oil pollution of the sea and deforestation due to regional development of various kinds. Environmental issues relates to property development which has caused degradation on environmental quality such as pollution from domestics waste, suspended particulars, pollution from industrial areas etc (Malaysia F.

D., 2006). Deforestations have impacted the ecological system especially on the waterways (rivers) (Hezri & Hassan, 2006). The efficiency of decision making institutions seems to be inconsistent due to indifferences on legislative empowerment that creates fragmented environmental legislations (Hezri & Hassan, 2006). The rapid growth of property development has further worsen the environmental issues such as physical decay, pollution, loss of green areas, encroachment to green area and environmental sensitive areas which resulting of degradation of living quality (Malaysia, 2006).

The original emphasized of sustainable development on economic development and environmental protection has been emphasized further to the alternatives notion of development (human and social) and alternatives for nature (anthropocentric versus ecocentric) (Robert, Thomas, & Anthony, 2005). Thus, development requires extensive use of natural resources and other resources for accommodate the living demand, the development have to be seen and assess simultaneously (Education, 2007). Some progress has been made through agreements on Agenda 21, Montreal protocols, greenhouse gas targets, biodiversity convention, and other spin-off initiatives of United Nations Conference on Environment and Development (UNCED). As Sustainable development constantly refers to 'sustainability' desirable objective which look into the contradiction of development that implies for the environment (Redclift, 1987). These means the standard of living refers to well-being quality of life of a population which include physical, mental, spiritual and social well-being (Education, 2007). However despite all this, environmental degradation has exacerbated. In consequence our towns and cities have become more congested; our air and water polluted, our waterways silted and the quality of the environment worsen. Sustainable development is one of the major challenges facing our society today. How and where we live, work and play put pressures on our natural resources. The planning system plays a vital part in promoting more sustainable land-use patterns and use of these resources. Development has constantly defined in term of economic growth (Redclift, 1987).

This definition perceives that development has a long term impact that needs a specific consideration for sustainability (WCED, 1987). IUCN 1991 further defined sustainable development as "to improve the quality of life while living within the carrying capacity of ecosystems". It explained that sustainable development is not solely focuses on environmental issues but it should encompasses three general principal areas which include economy, environment and society. The most well known sustainable development is the definition by The Bruntland Commission, 1987 "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs". (WCED, 1987; Education, 2007; Ang & Wilkinson, 2008). Therefore, EIA should has been given highly significant important in property development in Malaysia towards sustainable development.

## **2. Research Objective**

The research is concentrating to the system, implementation, laws and regulation as well as the issues and challenges of Environmental Impact Assessment (EIA) in the context of property development. However, the research is only focusing on the general issues and challenges that arises in the implementation as well as system of EIA in Malaysia. .

The outcomes of the study will suggest on the mitigation measures that could be possible to ease or reduce the identified issues and challenges as well as to improve the EIA system in Malaysia. The aim of the research is to identify the main issues and challenges pertaining to the implementation of EIA in Malaysia particularly in the context of property development and also to examine the main factors that contributed to those issues and challenges. The specific objectives of the research are as follow:-

- i. To identify the main EIA issues and challenges in Malaysia.
- ii. To examine the factors that contributes to the issues and challenges.
- iii. To recommend the mitigation measures pertaining to the issues and challenges.

## **3. Research Methodology**

Unstructured face to face interview (F2F) will be conducted as one of the tools in collecting data to serve the objectives of this research. This tool is used in order to support the collected information pertaining to this study from secondary sources available i.e. literature review. Another purpose of conducting this interview is to get the updates of current information related to the research. The unstructured interview were divided into two (2) groups namely government agency (Department of Environment) and project proponent (Developer). Similar set of questions were asked between this two groups. This two groups are selected as they are directly involved in the process and implementation of EIA in Malaysia.

## **4. The Environmental Legislation in Malaysia**

### *4.1 The Legislation Framework for Property Development*

There are various Acts that govern the development process in Malaysia such as Town and Country Planning Act, 1976, (Act 172) Local Government Act, 1976 (act 171), Environment Quality Act, 1984, Uniform Building By Law, 1984, Street Drainage and Building Act 1974 etc. Apart from the above mentioned Acts, guidelines that need to be referred are planning guideline, environmental guidelines, buildings guideline etc. those guidelines lies under the parent act. The development plans that are prepared with referring to the Town and Country Planning Act, 1976 (ACT 172) are base on the National Development Planning Framework that consists in three level such as national, state and local level. These plans provide an integrated top down development plan and strategies which mainly focus on physical, environment, economic and social aspects towards national development objective that stipulated in the vision 2020 (Bruton, 2007). The legislation and regulations for property development stipulated in the property development process has interdependency characteristic whereby it has to cross refer to various legislations in the decision making process (Bruton, 2007). Therefore, the environmental legislation (EQA) is being among the prominent act for property development.

In the federal level, there are four other national councils oversee the property development which are, the National Council for Local Government (NCLG) under article 95A, the National Land Council (NLC) under Article 91, and the National Finance Council (NFC) under Article 108 and National Physical Plan Council (NPPC) under chapter 2, ACT 172 are chaired by the Prime Minister or his appointee. Representatives from the federal and state governments are also included in these committees (Bruton, 2007). The governmental machinery which lies on Federal Constitution provides further avenues of federal influence over the state governments. Such influence is exercisable over matters that are even listed under the state list of the Constitution (Hamzah, 2009).

#### 4.2 *Environmental Impact Assessment (EIA)*

The general idea of Environmental Impact Assessment (EIA) is an assessment of the possible impact, positive or negative that a proposed project may have on the environment, together consisting of the natural, social and economic aspects. Malaysian Department of Environment described EIA is a study to identify, predict, evaluate and communicate information about the impacts on the environment of a proposed project and to detail out the mitigating measures prior to project approval and implementation (DOE, 2008). Peter (1988) found out that EIA has been adopted in many countries, with different degrees of enthusiasm since its inception in the early 1970s. EIA is established as a major procedure for assessing the environmental implications of legislation, the implementation of policy and plans and initiation of development projects. Enshrined in legislation in the USA, Canada, Australia, the Netherlands, Japan and, latterly, in the European Community, EIA is an integral part of environmental management. The 'science' and 'art' of EIA are inextricably linked, but the distinction between them is useful. EIA is essentially a planning mechanism for preventing environmental problems due to an action. It ensures that the potential problems are foreseen and addressed at an early stage in the project planning and design. Thus this will avoid costly mistakes in project implementation, either because of the environmental damages that are likely to arise during project implementation, or because of modifications that may be required subsequently in order to make the action environmentally acceptable EIA when integrated into the existing planning and decision-making structure, provides additional information towards a better decision-making (DOE, 2008).

### 5. **Implementation of Environmental Impact Assessment (EIA) in the Context of Property Development in Malaysia**

The Malaysian federal EIA requirements have been in operation now for ten years within the framework of the Environment Quality Act 1974 (EQA). The EQA was enacted in 1974 as the major federal environmental statute and a new Department of Environment (DOE) was established to implement this statute. The need for better environmental management was formally endorsed in the Third Malaysia Plan (Government of Malaysia, 1976). The EQA is the basic instrument for achieving national environmental objectives (Memon, 2007). The new administration system that came into force in 2007 has revised many aspects of the previous administration. The restructuring of the system include the policies and regulations aspect and also enhancement of staffing. Recruiting a more experience and skillful staffs are the main priority. The existing staffs are given comprehensive training and exposure to enhance their knowledge and brush up skills. The new system has improved the EIA report review process. All preliminary report must be reviewed and given feedback within 3 weeks instead of 5 weeks previously, whilst detail EIA report should be given feedbacks within 3 months compared to 5-6 months before. This is to ensure that all matters pertaining to EIA process and implementations are being handle efficient and professionally. On top of that, the new system is also aim to change the previous perceptions of EIA being the part and parcel to get project approval to the most important tool in any development decision especially those with huge impact to environment (DOE, 2008).

In 1986 EIAs became mandatory in Malaysia with the insertion of section 34(A) in the Malaysian “Environmental Quality Act”. But EIAs were discussed in Malaysia way before that. Among the key elements of the EIA system in Malaysia are policy, legislation and guidelines, authority and responsibility, financial, as well as human resources. Besides these elements, there are another six important control mechanisms that influence the effectiveness of an EIA system. These mechanisms are judicial control, procedural control, evaluative control, instrumental control, professional control, and direct public and outside agency control. An EIA system is effective if these control systems are in place and operate effectively (Abdullah, 2008). The property construction sectors are expanding rapidly. However property development that utilizes natural resources and construction activities should be planned with the environment in mind, or otherwise would give rise to problems like flooding, degradation of river and air quality. The more frequent occurrence recently, of landslide on hill slopes can also be attributed to the neglect of environmental considerations in project implementation (Ismail, 2006).

### 5.1 *Environmental Impact of Property Development*

Environmental impact may occur at the various stages of property development, from construction to occupation, if inadequate mitigation measures are taken. Therefore concern for the environment needs to be addressed throughout the project cycle; that is right through planning, designing, construction and occupation. Environmental issues depend on the activities undertaken during implementation and the sensitivity of the project site. The environmental impact would differ entirely between types of development for example coastal development may have different environmental impact as compared to the hillslope or green field area. However the most damaging impact normally occurs during the construction stage. Legal requirements are needed to mitigate the impact due to the development of property at the various stages such as planning, design, land clearing, construction and development. Environmental Quality Act, 1974 and its’ regulations are used as planning tools to minimize the impacts due to the construction and development activities. Contractors, consultants, developers and professional bodies should be responsible and play important role to avoid any adverse impact to the environment and natural resources (Ismail, 2006). Together with the benefits of development have come negative environmental impacts and cumulative environmental degradation (Memon, 2007).

## 6. Analysis of Findings

Environmental issues in each state in Malaysia is always be the state matters, thus the process and implementation of EIA is fall under the jurisdiction of Department of Environment (DoE) of each state. Analysis from the in-depth face to face interviews data conducted with the relevant parties and bodies that directly involve with the EIA process and implementation particularly in the context of property development in Malaysia (*see appendix i*). Issues and challenges in EIA process and implementation faced by the DoE of each selected states were identified based on the gathered data from secondary data and supported by face-to face interview conducted at each selected DoE. The selection of DoE is basically concentrated in Selangor in state level as well as Putrajaya for federal level (HQ). Nevertheless, the DoE in Perak is also included as to compare and to update on EIA issue in other state. However, the research is only focusing on the implementation of EIA for big scale mixed-development project, that cover areas above 50 hectares as stated in the EIA requirements.

### 6.1 *Government Agency*

#### i. *Public Participation*

Public participation is merely on the awareness as well as public involvement in the process and implementation of EIA for a particular project. The analysis shows that public involvement relates to the level of awareness and public knowledge of EIA. Analysis shows that public participation is more encouraging in urban area compared to outer area.

#### ii. *Monitoring/Post-Monitoring*

Monitoring/post-monitoring is the issues revealed before, during, and after the project completed. It also includes the monitoring on fees charges of each EIA report. The EIA requirement has been standardised. However, the monitoring aspects were highly depending on the monitoring operation during the development process which had occurred issues on the consistencies of monitoring procedures compliances. It is due to the impact and scale of development that reveals the monitoring frequency and the stringencies of EIA conditions. Furthermore, issues of standardisation and defined fee for EIA report have created woes among developers.

- iii. *Lack of Competent Personnel*  
This issue is focusing on the competency of the EIA consultants. Even though it is compulsory and certified that all consultants are registered consultant, the competency of the personnel as well as the report produced was one being the problem. It is revealed that the quality of EIA reports is still questionable as common mistakes made such as false information given in the EIA report, using outdated information, copy and pasted data from previous report, as well as not compliance with the outlined report format and content were produced. On the other hand, the EIA report does not clearly stated a decision whether the project should be rejected or approved.
- iv. *State Bureaucracy and Administrative Issues*  
The issues mainly occurred in the process of obtaining decision for EIA reports. Delay in report review was the main issue due to several factors such as low quality of data and insufficient data by consultants, lack of competency, experience, knowledge on certain critical area and insufficient staff. These problems have resulted to the delays of projects and subsequently create unnecessary extra cost to the developers.
- v. *Other Issues*  
The administration of the process and implementation of EIA in Malaysia have been done through the implementation of ISO 9001:2008 to ensure all process and documentation are adhere to the outlined policies. However, issues of negligence to comply with the EIA requirements still occurred as developers are trying to avoid EIA report by phasing out their project and still refuse to comply with EIA conditions. Furthermore there are recurring issues of insufficient EIA officer as to compare to the volume of EIA report.

## 6.2 *Project Proponent*

Only developer will represent the project proponent team for this study. Criteria of the selected developer are those with mixed-development projects that require EIA study. The catchment area for the selected project proponent is concentrated in the state of Selangor. This is due to the development pace in Selangor as well as time and distance constraints. There are ten developers were being interviewed.

- i. *Public Participation*  
The public involvement is very active due to the high level of awareness of protecting their interest. It seems that there a political involvement in this matter. There are issues of the mushrooming of NGOs that have hidden agenda. These factors seem has caused delay in report reviewing and incurred cost.
- ii. *Monitoring/Post Monitoring*  
Administered by the new administration since 2007, the implementation and process of EIA in Selangor so far is running smoothly and according the stipulated time frame. Developers are eligible to submit complaints if the period taken to process the submitted report is far exceeding the stated time frame except for problematic and controversial project. The cost of EIA on the other hand sounds reasonable to the most developer as most of them are engaged with regular consultants. Therefore the price of the report can be negotiated. However, there are issues on errant developer who try to avoid EIA at any cost and EIA recommendations are purposely ignored by the industry players.
- iii. *Lack of Competent Personnel*  
Generally, all developers will have to comply with the rules and regulations outlined by the DOE HQ in appointing EIA consultants. All EIA consultants must be the registered EIA consultants; otherwise DOE will reject the submitted report. Presently all developers are satisfied with the produced reports
- iv. *State Bureaucracy and Administrative Issues*  
Selangor is among the most stringent authority. So far, most of developers are satisfied with the DOE Selangor performance as it is among the best authority department that sticks to their clients charter. Any decision, regardless of “approval with condition” or “rejection” is made within the stipulated time frame without any delay. They are also strict, professional, and objectively in attending the meeting session. They did an ad-hoc spot check without prior appointment with developers and will issue remedial instruction notice without fail if the contractor or the developer did not comply with the requirements.
- v. *Other Issues*

In those days, the industry may not pay much attention on environmental issues and the importance of preserving and protecting the environment. Nevertheless, presently, the industry players especially developers and contractors are highly educated and more aware of the importance of taking care of the mother earth. Even there is some greedy developers trying to avoid and cheating on the EIA report, the percentage is very small as to compared to the adhere ones. The DOE now is in the midst of formulating new policies and regulation to cater for those greedy developers.

## 7. Recommendations

Even though remedial actions have been taken, there are still rooms for improvements to ensure that those listed issues and challenges are no longer a threat as well as to guarantee full efficiency in the EIA system. Besides, it is also a mean to create awareness, to educate the public as a whole, as well as to formulate positive perceptions towards EIA.

### 7.1 Public Participation

In terms of public participation, presently public are highly educated and more aware of the importance of EIA in taking care of the environment and public interest, it is only limited to certain hot zone or in the inner city to be specific. The outer area may not be widely expose of what is EIA is all about. Needs for improving the awareness of the important of EIA is suggested as follows:

- i. More progressive programs and aggressive and proactive measures need to be formulated to ensure that the messages of EIA are widely spread to every inch of area. DoE through its education unit should undertake this task progressively. Apart from scheduled awareness campaign, giving out flyers and brochures, the education unit by right should create the awareness at root level i.e. schools and higher learning institutions. This is important as to educate students at early stage as there are the future leader and industry players.
- ii. A yearly campaign, seminars, team buildings, conference and maybe road shows especially to remote areas would help to confer the EIA message and objectives.
- iii. Mass media is the best message sender. A certain fund should be allocated for advertisement or campaign through mass media.

### 7.2 Monitoring/Post-Monitoring

Monitoring and post-monitoring aspect are now have shown a tremendous improvement as to compare in those days. Monitoring, inspections, and post-monitoring schedule are comprehensively arranged depending on the types project and level of impact given to the environment and people within the parameter. On top of the above, a more proactive measures should be take consideration to ensure more efficient monitoring and post-monitoring aspect of a project such as:-

- i. DoE should be strongly involve in the project development such as establish site office at the project site for high impact development project , be part of the project team in-terms of project supervision and hire officer with construction and development knowledge and experience.
- ii. Errant developers who try to cheat the EIA regulations as well as problematic projects should be closely monitored and to the extend of terminating the project and the developers where necessary.
- iii. DoE should establish a scale of fee to safeguard developers ' interest as well as to avoid greedy consultants from taking advantage especially to new and small developers.

### 7.3 Lack of Competent Personnel

The introduction of EIA consultants' new registration scheme has solved the issue of incompetency of related personnel. All EIA consultants must registered with DoE HQ and the selection are solely selected by appointed team members by HQ top management. All EIA consultants must comply to all stated regulations and conditions especially in terms of qualification, experience, areas of expertise, and good track records. This is to ensure only competent personnel are selected to be registered EIA consultants. Therefore, the lack of competent personnel issue is no longer being an issue. Nevertheless, there are still loopholes to be improved by DoE such as:

- i. Apart of interested parties to be an EIA consultants, DoE should also giving out invitation to related personnel or expertise to participate in producing EIA report especially for critical areas such as economy evaluation, environmental health, environmental science and other critical areas. DoE would have to appoint external personnel or expert in those areas in order to review EIA report that involving those areas which may consume time and incur cost.

- ii. The existing officers should be given more training and attend more courses in order to improve knowledge and boost up efficiency and should be given opportunities to handle various of EIA cases as to give more exposure and experience.
- iii. Track record of the officer must be closely monitored as to avoid incompetent officer as well as to ensure all officer are efficient and competent enough to handle EIA cases.

#### 7.4 State Bureaucracy and Administrative Issues

Issues of State Bureaucracy and Administrative in the EIA process linger around the management and human resource / staffing problems. Thus, remedial action to improve the competency and efficiency of DoE is recommended as follows:

- i. DoE management also should stand on its integrity. All projects should be given similar attention and priority regardless of political or individual interest. This is to create perception that DoE is a professional agency and reliable to undertake the most important task on earth i.e. protecting the environment that stick to its Clients Charter.
- ii. DoE should hire more experience and skilful officer in order to ensure the quality and reliability of the submitted report.
- iii. The existing staff and officers should be given more training and should attend more courses in a way to enhance their knowledge and to brush up their skills. This include encouraging staff to further study in various critical areas and given an international exposure on international standard and practices.

#### 7.5 Other Issues

As for other issues such as insufficient of staff and EIA officers as to compare to the in-coming report, DoE should invite/involve more competent personnel for critical areas report, setting more stringent in formulating its policies and regulations and implementation of regulations and policies should be materialised accordingly.

## 8. Conclusion

Issues and challenges that were still arise around in the process and implementation of EIA in Malaysia but reduce stagesly. The relevant parties are working through the elimination of those issues and challenges as well as to improve the current system to ensure that the process and implementation of EIA in Malaysia is smooth and adhering to the formulated policies and regulations across the nation. The standardization of the policies and regulations are as a way to ensure all EIA process and implementation throughout Malaysia is within control. The environmental issues are now have been given serious attention by the relevant parties. Various alternatives and programs have been formulated and organized as means to minimize and soon to eliminate those issues. As to date, some of the highlighted issues are no longer being a problem in the EIA process and implementation. To conclude, those issues which was once being the main barriers to the smooth and successful EIA process and implementation has been minimises and soon to be overcome via the new administration system that came into force in 2007. The on-going system has revised many aspects in the previous administration after the overall post-mortem as well as comprehensive feedback from parties that are directly involved in the EIA process and implementation including the public opinion. Not just from the policies and regulations aspect, staffing aspect also has being totally restructured. Recruiting a more experience and skill full staffs are the main priority. The existing staffs are given comprehensive training and exposure to enhance their knowledge and brush up skills. This is to ensure that all matters pertaining to EIA process and implementations are being handle efficient and professionally. On top of that, the new system is also aim to change the previous perceptions of EIA being the part and parcel to get project approval to the most important tool in any development decision especially those with huge impact to environment.

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## Appendix (i)

Results primary data from the in-depth face to face interviews conducted with the relevant parties involve with the EIA process and implementation in Malaysia.

a) HQ (Putrajaya)	b) Perak	c) Selangor
<b>Public participation</b>		
Public participation is merely on the awareness as well as public involvement in the process and implementation of EIA for a particular project		
<ul style="list-style-type: none"> <li>- Public participation are encouraging</li> <li>- Public involvement across the nation</li> <li>- shown a tremendous improvement</li> </ul>	<ul style="list-style-type: none"> <li>Passive and not encouraging</li> <li>- More benefit-concern than safety-concern</li> <li>- Inner city people are more aware compared to outer area</li> <li>- Outer area people less participate in programmed conducted by DoE</li> <li>- Awareness on EIA is low</li> </ul>	<ul style="list-style-type: none"> <li>- Active and encouraging especially in urban area</li> <li>- Highly participate in EIA report</li> <li>- Level of knowledge and awareness is high</li> <li>- Outer area people are also highly participate through "JKK"</li> </ul>
<b>ii) Monitoring/Post-Monitoring</b>		
Monitoring/post-monitoring is the issues revealed before, during, and after the project completed. Besides, it also touch on the monitoring on fees charges of each EIA report.		
<ul style="list-style-type: none"> <li>- Control and monitor all states</li> <li>- All states must comply to policies and regulation by HQ</li> <li>- All consultants must register with HQ</li> <li>- Format and content of report as outlined by HQ</li> <li>- EIA reports are thoroughly screened and monitored at HQ</li> </ul>	<ul style="list-style-type: none"> <li>- Pre-monitoring and on-going monitoring are by registered developer's consultant</li> <li>- Before project start – project status report is required</li> <li>- In-progress project – monitoring progress report required</li> <li>- regular site inspection by DoE</li> <li>- Post-monitoring – EIA Enforcement Unit will conduct inspection</li> <li>- based on scale and the impact to environment</li> <li>- Report fee – so far no scale of fee impose</li> <li>- fee charges based on scale and type of project</li> </ul>	<ul style="list-style-type: none"> <li>- Same procedures as applied in Perak</li> <li>- Monitoring process is undertake by EIA Enforcement Unit</li> <li>- Is more stringent in-terms of compliance to EIA conditions</li> <li>- Report fee – no scale of fee impose</li> <li>- fee charge based on scale and type of project</li> </ul>
<b>iii) Lack of Competent Personnel</b>		
This issue is focusing on the competency of the EIA consultants. Eventhough ever since, all consultants are registered consultant, the competency of the personnel as well as the report produced was one being the problem.		
<ul style="list-style-type: none"> <li>- All consultant must register with HQ</li> <li>- Only reliable consultant will be selected</li> </ul>	<ul style="list-style-type: none"> <li>- All consultants must register with HQ</li> <li>- Only ones that fulfill HQ requirements will be selected</li> <li>- Previous issues are due to lack of experience and knowledge</li> <li>- New EIA consultant registration has solve the issue</li> <li>- Consultants are compulsory to collect at least 50 houts CPD points</li> <li>- Errant consultants will be given warning letter.</li> <li>- Blacklisted will be the subsequent action taken</li> </ul>	<ul style="list-style-type: none"> <li>- All consultants must register with HQ</li> <li>- Only ones that fulfill HQ requirements will be selected</li> <li>- Previous issues are due to lack of experience and knowledge</li> <li>- New EIA consultant registration has solve the issue</li> <li>- Consultants are compulsory to collect at least 50 houts CPD points</li> <li>- Errant consultants will be given warning letter.</li> <li>- Blacklisted will be the subsequent action taken</li> <li>- if necessary.</li> </ul>

	– if necessary.	
<b>iv) State Bureaucracy and Administrative Issues</b>		
<p>This issue was once one of the common problems associated with government agencies. Tonne of complaints received from bodies that liaise directly with government as they have to wait and wait before any decision from the government side can be obtained. This issue also was once of the DoE main problem. The HQ has been receiving many complaints especially from the project proponents pertaining to the report review process. Some have cost them to delay their project and they have to bear the extra cost on that.</p>		
<ul style="list-style-type: none"> <li>– Was once of DoE main problem</li> <li>– Lack of competency, experience and knowledge of EIA officer were the factors</li> <li>– Delay in report review was the main issue due to the low quality of data and insufficient data by consultants</li> <li>– New administration system has solve the issue</li> </ul>	<ul style="list-style-type: none"> <li>– The same issues faced</li> <li>– Perak is more critical for state interest project.</li> <li>– Lack of knowledge on certain critical area and insufficient staff being the factors</li> <li>– New administration system has lessen the problem</li> </ul>	<ul style="list-style-type: none"> <li>– The same issues faced</li> <li>– Perak is more critical for state interest project.</li> <li>– Lack of knowledge on certain critical area and insufficient staff being the factors</li> <li>– New administration system has lessen the problem</li> </ul>
<b>v) Other Issues</b>		
<p>The aim of the new HQ new administration is to reduce issues and problems related to the process and implementation of EIA in Malaysia. One of the effort is through the implementation of ISO 9001:2008 as to ensure all process and documentation are adhere to the outlined policies and regulations besides to keep track on all EIA consultants and project proponents as to make sure that they follow all those policies and guidelines.</p>		
<ul style="list-style-type: none"> <li>– Aim to reduce problems and issues in EIA</li> <li>– Through the implementation of ISO 9001:2008</li> <li>– New administration has overcome many EIA issues</li> <li>– Lack of awareness among the decision making team i.e. local authority being the current issue</li> <li>– Project proponents are showing positive attitude nowadays</li> </ul>	<ul style="list-style-type: none"> <li>– Developers create problem especially for state's interest project</li> <li>– Developers fail to comply with EIA conditions</li> </ul>	<ul style="list-style-type: none"> <li>– Developers trying to avoid EIA report by phasing their project</li> <li>– Insufficient EIA officer as to compare to volume of EIA report</li> </ul>