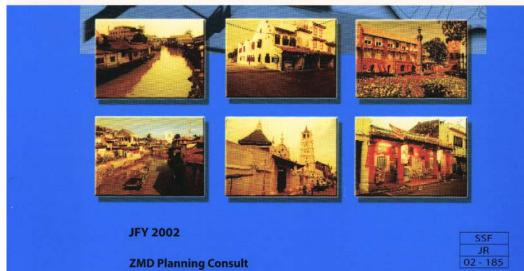


SUMMARY



THE STUDY ON THE IMPROVEMENT AND CONSERVATION OF HISTORICAL URBAN ENVIRONMENT IN THE HISTORICAL CITY OF MELAKA

SUMMARY REPORT

JFY 2002

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1.0 INTRODUCTION

1.1 Study Background

On the official request from the Government of Malaysia to conduct a Study on the "Improvement and Conservation of Historical Urban Environment in the Historical City of Melaka", the Japan International Cooperation Agency (JICA), the official agency responsible for the implementation of the technical cooperation for the Government of Japan has decided to conduct the Study.

1.2 Study Objectives

The objectives of the Study are:

- a. to formulate the pilot plan for sustainable improvement of urban environment and conservation of character as historical heritage through local community's participation in the planning process, with emphasis on harmonization with economic activity such as tourism.
- b. to provide principle guideline which stimulate the local community's participation in the planning process.

1.3 Concept of Conservation According to UNESCO

"The conservation of historic towns and urban areas" is understood to mean those steps necessary for the protection, conservation and restoration of such towns and areas as well as their development and harmonious adaptation to contemporary life. (see UNESCO's "recommendation concerning the safeguarding and contemporary role of historic areas" (Warsaw – Nairobi, 1976))

The principles and objectives on the conservation of historic town require that :

- → The conservation of historic town should be a part of <u>coherent policies</u> of economic and social development.
- → Qualities to be preserved include the <u>historic character</u> of the town and all those materials and spiritual elements that express this character,
- → Participation and involvement of the residents,
- → Conservation of historic town <u>demands prudence</u>, a systematic approach and discipline.

1.4 Study Area and Its Profile

The study area coincides with the area defined by MPMBB as the 'Heritage Conservation Zone 1 - Block 1 and 2' in the Council's draft local plan of 1994. The study area covers 0.61 sq.km of the MPMBB's area with about 1,423 building lots and is bisected by the Melaka River. (Figure 1)

Broadly, the study area is subdivided into 8 zones according to their distinct character to facilitate the analyses of issues and demarcation of localized areas.

Zone 1: The civic area (St.Paul's Hill and other major public buildings),

Zone 2: Jalan Tun Tan Cheng Lock (formerly Heeren Street or millionaires row)

Zone 3: Jalan Hang Jebat (formerly Jonker Street area)

- Zone 4: Lorong Hang Jebat (the riverside or formerly called the 1st cross street)
- Zone 5: Jalan Tokong, Jalan Tukang Emas and Tukang Besi (Temple Street, Goldsmith and Blacksmith Street, an old trades area)

Zone 6: Jalan Kg.Pantai (Godown and commercial area)

- Zone 7: Kg.Hulu and Jalan Kubu (formerly a Malay settlement and transition zone)
- Zone 8: Jalan Tengkera (a mixed residential and commercial area).

1.5 Study Approach

Central to the overall study approach are local community participation and consensus building in order to achieve a sustainable form of development. In view of this, the main feature of the study approach that distinguishes it from previous studies is the active involvement of the local communities and stakeholders in the planning process, through the conduct of Public Participation Workshops in the course of the study period.

The Study attempts to achieve two levels of planning; firstly the formulation of an Area-Wide Development Plan (AWDP) for the study area comprising broad policies and strategies to guide and shape the overall development and coordinate conservation efforts in the entire study area. Secondly, a pilot project area improvement plan will be formulated, which would serve as a test case for the policies recommended in the AWDP.

The study process is shown in Figure 2. Stage 1 of the Study chiefly involves the collection of data, conduct of survey and data analyses. Stage 2 involves the formulation of the AWDP and the selection of the Pilot Project Area, and finally Stage 3 involves the formulation of the Pilot Area Projects, cost estimation and holding a seminar to publicise the outcomes of the Study.

1.6 Study Organization

The study organization is illustrated below. The Study Team, comprising 6 professionals works closely with the technical advisors appointed by JICA and the staff of MPMPP's planning department and conservation unit (Figure 3).

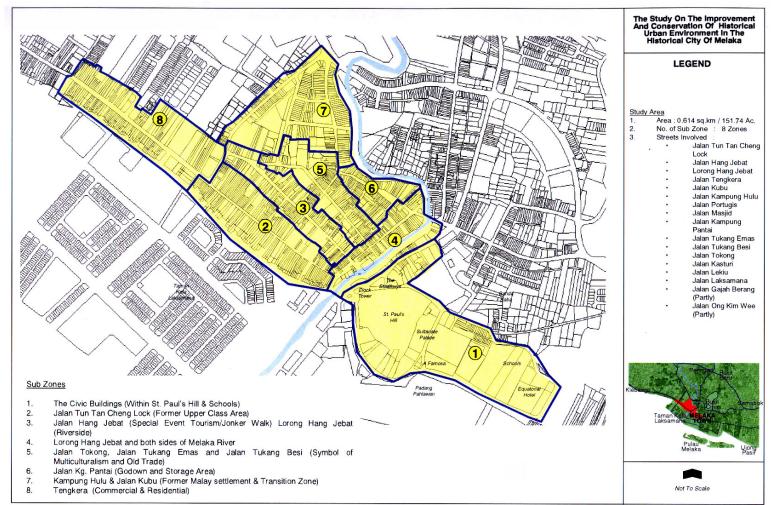


Figure 1 : The Study Area and 8 Sub Zones

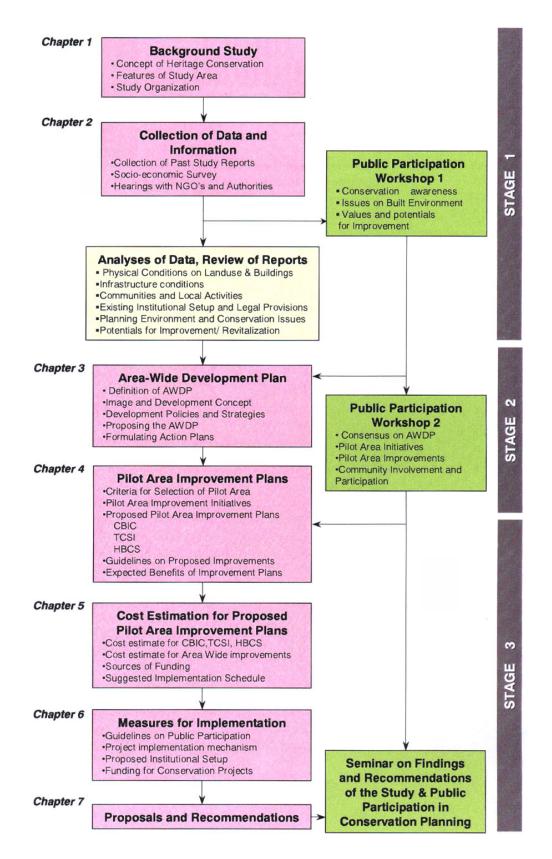


Figure 2 : Overall Study Approach

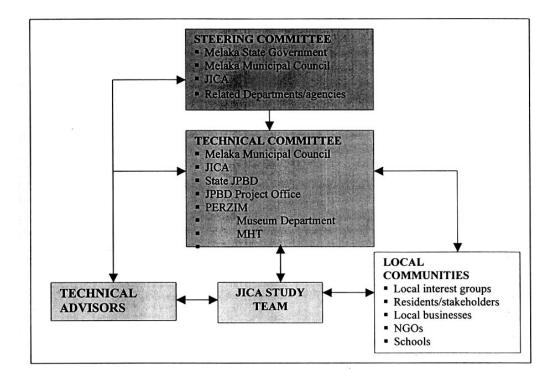


Figure 3: Study Organization Set Up for This Study

.0 EXISTING SITUATIONS AND PLANNING ISSUES

.1 Review of Previous Studies

A review of the various past study reports was conducted to elucidate the various past planning efforts carried out, as well as to extract applicable data for this Study. The past studies examined included the following:

Statutory Plans Prepared According to Town and Country Planning Act

- (a) Majlis Perbandaran Melaka Bandaraya Bersejarah Structure Plan (1993)
- (b) Local Plan Block 1 and 2 Majlis Perbandaran Melaka Bandaraya Bersejarah (1994).
- (c) State of Melaka Structure Plan (Review) (2002)

Non-Statutory Plans Commissioned by the Melaka State Government/MPMBB

- (a) Melaka Heritage Area Plan for Jalan Tun Tan Cheng Lock and Jalan Hang Jebat/ Gelanggang (1994).
- (b) Development Plan for the Conservation Zone in Melaka Historic City (1994).
- (c) Melaka River Rehabilitation for Majlis Perbandaran Melaka Bandaraya Bersejarah (2002)
- (d) Action Plan for Conservation in the Historic City of Melaka (2002), by UTM

(e) UNESCO LEAP Programme on Cultural Heritage Management and Tourism: Model for Cooperation Among Stakeholders (1999 – 2002).

The above review has shown that several statutory and non-statutory plans have been prepared for the conservation area starting from the early 1990s. However, the demolition of historical buildings and insensitive renovation are still prevalent despite the presence of management measures and guidelines. These previous studies however lack two particular aspects in :

(1) The lack of a systematic public participation exercise during the process of plan preparation.

Although public participation is mandatory according to Act 172, the actual implementation in the structure plan/local plan process can only be described as public consultation. The UNESCO LEAP Programme also employed public participation techniques such as dialog sessions. Public participation was just done in the form of public exhibition and objections after the plan was prepared, rather than involving the public in the plan process.

(2) The lack of focus on the Implementation Mechanism.

Almost all the past studies recommended policies and guidelines for managing development in the conservation area but do not contain proposals to improve the implementation mechanism of MPMBB and other related agencies, such as setting up a conservation unit with specific functions.

With this assessment, the challenges for the JICA study, are firstly, to provide recommendations to improve conservation in the historical area of Melaka largely based on feedback and input from the local communities through the conduct of a systematic public participation process.

Secondly, it is to propose an implementation mechanism including institutional strengthening, examine possible sources of funding and others.

Finally, the JICA Study is to put forth on Area Wide Development Plan covering the entire conservation core area; and an improvement plan for a selected Pilot Area that can be implemented as a show case for the improvement of urban environment effort in Melaka.

As such, the findings and proposals in the JICA Study can be incorporated or adopted into the State of Melaka Structure Plan and forthcoming Central Melaka Local Plan.

(3) The Local Plan Is Not Suitable for Conservation Work

Even though the previous Melaka Council Structure Plan of 1993 and the follow up Local Plan of 1994 were completed, they were never gazetted. Moreover, the manner the Local Plan is prepared according to the Structure Planning Process, is not detailed enough to serve as a special area conservation plan. For a conservation plan, details on each building and structure, for instance, is required, such as its structural integrity, historical and architectural values in addition to its usual information on ownership and building uses. For this reason, this Study through the studies on a selected Pilot Project Area, is an attempt to demonstrate the type of detailed analyses required for preparing implementable conservation or urban improvement plans.

2.2 Socio-Economic Survey

Although this study is to rely on secondary data as much as possible, a 200 sample household socio-economic survey was conducted among a sample of selected households in the Study Area to ascertain among others, the socio-economic background of the residents; the condition of the premises they live in; the nature of the business carried out; the adequacy and sufficiency of the amenities available in their precinct, their perception on elements for conservation, and the type of factors they considered important for improvement to their living environment.

A structured questionnaire was used in a face-to-face interview with the selected respondents by a team of trained field enumerators under the direction of a supervisor.

Some of the major findings of this survey are:

- residents in the Study Area perceive Zones 1 to 5 to have some historical and cultural features that need to be conserved, while Zone 1,2,3,5 have unique architectural features.
- Existing economic activities, new activities, integration of the communities are seen as quite important for the developed and improvement of the Study Area..

2.3 Tourist Behaviour and Characteristics

Analysis on the tourist behaviours are carried out using data obtained from the tourism survey conducted under the UTM 2000 study. Analyses were done on their level of satisfaction with the tourist attractions in Melaka, priority of visit to different areas in the conservation zone, and type of activities they preferred.

Interest in heritage and the unique architectural blend was also the main motive for visiting the area among foreign tourists (58%). More importantly, the majority of foreign tourists included a walking/trishaw tour of the old quarters as part of their itinerary (83%).

The majority of foreign tourists and domestic tourists were satisfied with the quality of the accommodation facilities and the variety of tourist attractions. Both groups of tourist rated the quality and authenticity of the attractions as being above average. Finally, both foreign and domestic tourists rated lowly the quality of the tourist guides and the whether or not the real attractions matched their pre-visit tourist image.

2.4 Existing Situations of the Study Area

(1) Population in the Study Area

- The total population in the Study Area encompassing the eight zones is 2,790 or 4.3 % of the MPMBB population of 64,626.
- While the Chinese population in the State is less than a third (31.1 %) of the total, the Study Area is predominantly Chinese at 82.3 %. The Malay and Indian population are 10.9 % and 3.0 % respectively.

• The Study Area has twice the proportion of the aged population (those over 64 years) compared to the State. It is clear that part of the strategy to arrest the decline of the population in the historic hub is to improve conditions that are amenable to living as well as to encourage the town-house concept of living.

(2) Land Use Distribution

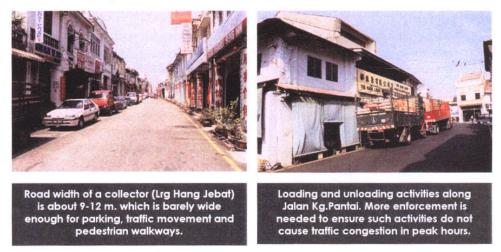
- The major land use in the Study Area is commercial and followed by institutional. Below is the distribution of land use within the Study Area. This distribution pattern is illustrated in Figure 4.
- Commercial land use accounts for 24% of total land area, followed by institutional uses at 17% and by residential at 15%.

(3) Building Uses and Building Height

- Most of the buildings in the Study Area are two-storey shop houses. Since they are in the form of shop houses the built-up area covers the entire lot.
- In most buildings, fist floor level is used as residential. It is common for the shop owners to turn their level two to residential. This type of use is commonly found in Zones 2 5.
- The second major building use for this level is for offices. Most of them are located in Zones 7 and 8.

(4) Traffic and Parking

• The completion of the coastal bridge and the one way street operation system have significantly reduced the through traffic in the Study Area. Morning peak hour traffic on Jalan Hang Jebat and Jalan Tun Tan Cheng Lock are estimated at about 500-600 vehicles/hour compared to the 1500 vehicles/hr enumerated in 2001.



• There is no public bus service within the Study Area. The only public transport modes are un-metered taxis and trishaws. Trishaws are almost exclusively used by tourists for a ride around the historical area, especially around the civic buildings in Zone 1.

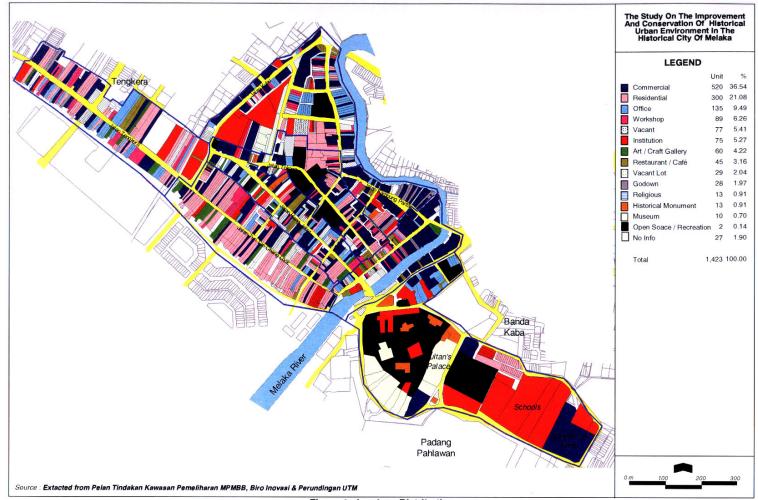


Figure 4 : Landuse Distribution

- Parking is an important urban facility issue in this Study Area because of the fact that the
 old houses were built at the time when car parks were not a necessity. Most of the old
 buildings have no front or back garages. In addition, the access roads are narrow and the
 provision of curbside parking in turn would narrow down the roadway space for traffic
 circulation.
- Within the Study Area there are a total of about 470 on-street parking lots and an almost equal number or 440 off-street parking lots. High parking demand is observed on Jalan Tun Tan Cheng Lock and Jalan Hang Jebat.
- Vehicle ownership is high in the Study Area, and with the fact that many of the building units here do not have parking garages within their premises, demand for parking spaces is an important issue.
- Loading and unloading of goods by trucks which, unless parked in a designated loading bay often disrupt traffic flow.

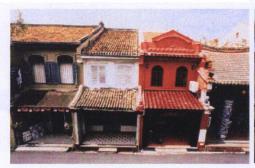
(5) Architecture and Urban Design

In terms of architecture and urban form, the study area can be delineated into 3 major characteristic areas:

- The St. Paul's Hill, Studhuys Square and civic areas; with major masonry buildings dating back to the 14th century like A'Formosa, Christ Church and the Studhuys.
- The Melaka River and riverside developments;
- The settlement quarters west of Melaka River, consisting of many rows of brick masonry with Straits Electric combination of western classical, Chinese and Malay elements.



Civic Square



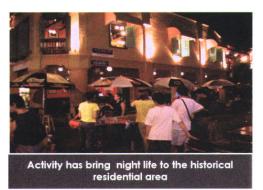
Building façade – Variety of Chinese and European Architectural Elements



Kg Kling Mosque with a blend of several architectural styles

(6) Tourist Attractions and Facility

- The main tourist attractions within the Study Area are located on and around St. Paul's Hill in Zone 1. These attractions comprise the restored civic buildings from the Dutch and British colonial days as well as the only remaining structure associated with the Portuguese period i.e. the A Famosa..
- The most famous and also controversial tourist activity or Special Tourism Event within the Study Area is the Jonker Walk. This weekend activity was started about a year ago involving the closure of Jalan Hang



Jebat (Jonker Street) from 6 p.m. to 11 p.m. on Friday, Saturday and Sunday. The original intention was to allow traders to peddle handicrafts so as to create a night activity for tourists but it has received a lot of criticism in the media mainly because it gives the appearance of just another Malaysian night market (pasar malam).

Other activities for tourists include activities during festive days, and the river cruise.

(7) Other Services

- Solid waste collection in the Study Area is provided by MPMBB by manual collection using garbage trucks. Garbage collection cannot be conducted along back lanes as most areas have no back lanes. Bins are too small and often overflowed.
- The old bucket system of night soil collection was largely replaced with individual septic tanks system in this part of Melaka. However, the local authority is in the process of implementing a centralized sewage system to ensure waste is properly treated at a centralized facility.
- Open curbside drain is the prevailing drainage system in the Study Area and many are laden with solid waste. It is therefore a question of good maintenance practice by the authority and cooperation from residents in keeping the drains free of garbage so that they will not be clogged up during heavy rain.
- Utilities such as electricity and water supplies are adequately provided. However exposed aerial
 lines on poles, have contributed to unsightly streetscapes in the historical area. Fire is a
 recognized hazard in the historical areas especially in zones other than zone 1. This is on account
 of the proximity of these buildings and the extensive use of timber in the buildings.

2.5 Public Participation

Two public participation workshops and a focus group discussion were conducted. Outcomes of these public participation excises were described in detailed in Section 4.

(1) Public Participation Workshop #1

The objectives of the first public participation workshop are:

- To raise awareness of the local stakeholders about the study
- To raise awareness and create discussion on local urban environment and conservation issues
- To gather and develop consensus on local issues for incorporation into the Area Wide Development Plan (AWDP)

(2) Focus Group Discussion

This discussion was chiefly aimed at introducing the three pilot project initiatives to the local community and giving them sufficient time to digest these proposals before they attend the Public Participation Workshop 2 later. Several major comments came from the local community. These are the inadequate parking facility, lack of dustbins along the three streets, better guide signs and trained tourist guides needed and concerns of the very poor conditions of some of the buildings in the Pilot Project Area.

(3) Public Participation Workshop #2

The objectives of the 2nd workshop are:

- To publicise the findings of the 1st workshop to the participants
- To table the proposed AWDP for addressing the issues raised in the 1st workshop
- To discuss the pilot project initiatives.

The method utilized in these public participation workshops is a properly structured discussion format.

STEP 1 :	Awareness and Getting Support MPMBB and MHT identified and informed the stakeholders about the workshop and officially invited them to attend.
STEP 2 :	Setting the scene Representatives from the MPMBB would addressed the workshop on the objectives of the meeting and to remind the participants on the importance of their opinions and inputs
	This is followed by a briefing given by the consultant on the study and scope of work in the plan preparation. A general Q & A is conducted.
STEP 3 :	Facilitating discussion and grouping. To facilitate detailed discussion and obtain individual opinion, the participants are divided into smaller groups. Such groups discussion are guided by trained facilitators from the MHT on specific areas of concern or topics
STEP 4 :	Groups presentation This step is to allow all the groups in Step 3 to present their opinion and ideas in front of the other groups

STEP 5: Publish/ Publicise Outcome Finally, the findings and outcomes of the workshop are publicise or publish by the MPMBB through its website



Various issues are gathered from the public participation workshops and group discussion. These issues are reflected together with others that are derived from analyses of the socioeconomic survey results and tourist survey data, in the Section 2.7.

2.6 Existing Institutional Set up and Legal Provisions on Heritage Management

Presently three government agencies – one Federal one two State and one local authority – are entrusted the task of safeguarding the cultural heritage of the State. Between them they carry out preservation and conservation work on identified monuments and buildings.

(1) Department of Museums and Antiquities

The **Department of Museums and Antiquities** is a Federal Department, which operates under the provisions of the **Antiquities Act**, 1976, to preserve national heritages. Under this provision, the Department of Museums and Antiquities confined its functions to the protection and preservation of those gazetted national and state heritage buildings or monuments only. This legal provision hence does not provide the necessary protection on non-heritage or non-gazetted buildings such as those found abundant in the Melaka conservation area.

(2) Melaka Museum Corporation (PERZIM)

The Melaka Museum Corporation (PERZIM) is the other State agency which administers and manages the conservation of heritage sites in the State working jointly with MPMBB and other local authorities under the powers conferred by the Preservation and Conservation of Cultural Heritage Enactment for the State of Melaka, 1988. Under the Enactment, PERZIM is conferred with the authority to declare a certain cultural heritage by notification in the gazette, which by virtue of its appearance or significance is to be subjected to preservation and conservation. Once a cultural heritage is declared as such, it become a controlled heritage whereby the owners' freedom to deal with the property is somewhat restricted.

(3) Melaka Municipality (MPMBB)

The **Melaka Municipality (MPMBB)** is the Local Authority which is one of the State agencies, entrusted with development control within the conservation zone designated in the Structure Plan. It is a multi-purpose body, given considerable powers, to carry out its municipal duties and provide services many of which are obligatory and some are discretionary. Existing legislation under which MPMBB operates includes the following:

(a) Local Government Act, 1976 (Act 171)

Under this Act, MPMBB is allowed to obtain its revenue from taxes, rates, rents, fees and fines from the rate payers within its administrative district and is also entitled to receive grants and contributions in lieu-of-rates from the Federal and State Governments.

(b) Town and Country Planning Act, 1976 (Act 172)

This Act details out the planning powers of the local authority and enables it to be not only a local planning authority but also an agent for development of the area under its jurisdiction.

Development control, which emphasises land use and buildings, is a mechanism practised by the local authority to carry out the management of its area. It ensures that all types of development conform to technical requirements, by-laws, development plans and Government policies, so as to offer maximum protection to the interests of the local community.

(c) Street, Drainage and Building Act, 1975 (Act 133)

Act 133 presents the procedures the local authority need to follow for controlling the building development in its area, especially to the building and infrastructure facilities that are to be provided to the buildings.

(d) Enactment on Preservation and Conservation of Cultural Heritage for the State of Melaka, 1988

This Enactment is to make provisions for the preservation, conservation and enhancement of cultural heritage buildings in the State. MPMBB as the Local Authority of the Central District is given a wide array of powers ranging from designating heritage sites, developing and maintaining a register of heritage or conservation areas, and formulating proposals and programmes for the preservation and conservation of cultural heritage or conservation area. The Enactment also empowers MPMBB to inspect premises for restoration; acquire buildings of heritage value; and carry out restoration work with arrangement with the owners.

The law also provides for the establishment of a preservation and **conservation fund**; the provision of incentives and tax relief to the owner of the designated conservation property, in respect of income earned there from.

The above enactment though generally excellent in principle was not readily implementable due to several practical problems.

- (a) Its scope is rather wide and straddles across the job functions of the Federal Museum which is governed by the Antiquities Act, 1976.
- (b) Furthermore, "cultural heritage" as defined in the Enactment includes "antiquity, historical object, historical site, works of art, coins, special architectural, aesthetic, historical, cultural, scientific, economic and any other interest or value". This scope extends beyond the jurisdiction of the MPMBB.
- (c) MPMBB functions in providing municipal services, administration and the enforcement of regulatory measures. It has neither the trained manpower to look after conservation areas, nor the ready guidelines to impose building controls specifically for designated heritage buildings.

2.7 Identification of Planning, Environment and Conservation Issues

The following are issues were obtained from the Public Participation Workshops, analyses of the socio-economic survey and tourism surveys and various analyses of the present situations carried out in this Study. These are given in the following 5 categories:

(1) Socio-economic and Demographic Changes

- Economic declines with loss of traditional trades, while facing pressure from new and modern services and commerce,
- Declining employment opportunity due to relocation of commercial establishment, warehouses,
- Repeal of Rent Control Act of 1966 which forces out some of the local businesses and traditional traders,
- Out migration of younger population and thus loss of heritage and cultural inheritance opportunity from the older to the young generations,
- Pressure from outsiders in redevelopment of properties,
- Negative impacts from new and tourist related businesses.
- Lack of local leadership or grass-root organization,
- Local businesses affected by such events as Jonker Walk Bazaar.

(2) Deteriorating Urban Environment and Streetscape

- High speed traffic threatening safety of pedestrians and residents,
- Traffic noise and air pollution,
- Need to reduce through traffic by better traffic information and signages,
- Need to control building and land uses to reduce traffic demand,
- Indiscriminate on-street parking causing congestion and noise,
- Uncontrolled loading and unloading of large trucks causing congestion and noise,
- Uncontrolled commercial signage causing poor and messy townscape hence lost of cultural/heritage values,
- Intrusion of new development/buildings affecting traditional architectural elements and designs,
- Unkempt and unhygienic back lanes.
- New uses (karaoke, western style café and pubs) causing excessive noise until the night and increase in traffic/parking.

(3) Inadequate Infrastructure Facility and Amenities

- Lack of safe and comfortable pedestrian network facility, linking civic areas with other heritage sites,
- Inadequate public toilets and rest areas,
- Unsuitable pedestrian pavement materials and designs,
- Blockage of traditional sheltered five foot ways by merchandise and goods,
- Poor maintenance of drains and garbage collection bins,
- Unsightly overhead utility lines,
- Lack of centralized sewerage system.

(4) Protection on Buildings and Cultural Heritage

- Lack of comprehensive listing of historical, cultural, religious and architectural significant buildings,
- Poor enforcement of new development in or at the fringe of the conservation area which adversely affected the historical views and vista.
- Deteriorating building structures due to lack of good maintenance brought about partly by the outdated Rent Control Act of 1966,
- Blatant demolition of old structure with legal permission,
- Lack of more stringent enforcement of violation on building demolition, renovation/addition, and painting,
- Illegal use of vacant buildings for bird nesting harvesting causing irreversible damages to structures.

(5) Tourism and Its Impacts

- Poor presentation and maintenance of existing historical sites (eg. Hang Jebat and Hang Kasturi Mausoleums,
- Lack proper visitor management plans,
- Absence of well organized cultural events, celebrations and activities to attract tourists and lengthen their stays,
- Lack of visitors itinerary such as heritage trials,
- Over commercialization of tourist related services and businesses threaten traditional life style,
- Lack of professionalism among tour operators and guides,
- Lack of a coordinated tourist revenue capturing system.