

MEDIA STATEMENT – FOR IMMEDIATE RELEASE

20 March 2023

Badan Warisan Malaysia is alarmed over the numerous illegal works being carried out on heritage listed buildings, including buildings listed as Category One, within George Town's core heritage zone and the surrounding buffer zone.

According to local heritage activists who are volunteers, there have been about 50 cases of illegal works within the UNESCO site, including those recently completed and currently being renovated without permits, as well as using wrong materials.

Most recently, news report highlighted that there were no approvals given by Majlis Bandaraya Pulau Pinang (MBPP) for works done in the Customs Building (Malayan Railway Building) at China Street Ghaut and the Hakka Association building at 7 Toh Aka Lane. This follows the destructive work done at the Fooi Chew Association building in early February 2023 that also did not have a permit.

While MBPP have recently reacted quickly to issue Stop Work Orders, the continuation of illegal works indicate that there are insufficient deterrents. How much longer should the local authorities reflect on the seriousness of this situation before clear and decisive outcomes become transparent? Will culprits face severe consequences?

The Heritage Act protects the entire building, both interior and exterior. All buildings listed in the George Town Special Area Plan are subject to specific conservation regulations. How are the local authorities specifically doing the monitoring and who oversees them? Is there a task force? Would they collaborate with volunteers who actively help monitor on the ground?

Six months have also passed since the illegal demolition of Kapitan Chung Keng Kwee's 1884 built monument to honour his love for his wife Foo Teng Nyong. As of today, the smashed tomb ruins still lie dumped at Penang's Jelutong landfill without any charges being laid. We understand that in the meantime, the owner/developer has applied to MBPP for planning permission to build a 30-storey residential tower on the illegally demolished tomb site. How likely is it that MBPP will reward this illegal demolition with full planning permission approval?

If planning permission is given to culprits who illegally demolish heritage sites, it is tantamount to the authorities conspiring and assisting developers to undermine and contravene laws that were set up to specifically protect. Surely not the intended outcome. There is a clear need for expert and independent participation in the approval process for any plans related to heritage buildings and heritage sites.

We are deeply worried the number of illegal works carried out on heritage buildings in George Town will continue unabated, eroding its unique architectural heritage as well as the confidence of the public with regards to the ability and willingness of local authorities to carry out their responsibilities and effectively take action beyond the rhetoric.

With the increasing number of illegal and inappropriate renovations and redevelopments, there is a possibility of George Town being delisted as a World Heritage Site by UNESCO because of the irreplaceable loss sustained to date and in future, due to inadequate policing and implementation of rules set earlier. As the UNESCO World Heritage Site status is for both George Town and Malacca, a delist will affect both. Immediate and effective measures and action is therefore vital to arrest and control this unacceptable situation now.

Given all of the above, Badan Warisan Malaysia suggests MBPP to take the lead and call for the formation of a Heritage Steering Committee for all of Penang and for it to have executive powers pertaining to any building with heritage value. This Heritage Steering Committee will comprise both local authority officers and heritage groups. Any development involving any heritage building would require its stamp of approval. Until this is setup, a full moratorium on any demolition must be enforced.

Lim Wei-Ling, President, Badan Warisan Malaysia & 2023 Council of Badan Warisan Malaysia

About Badan Warisan Malaysia

Badan Warisan Malaysia (The Heritage of Malaysia Trust) is the leading national heritage NGO established in 1983, as an independent registered charity. BWM works to raise awareness of heritage issues and advocate for a conservation-friendly environment in Malaysia. BWM works throughout Malaysia, cooperating with community groups, institutions, the private sector and all levels of Government to promote the conservation and preservation of our historic buildings and places. BWM plays a pivotal role in advocacy through a range of activities including heritage education, and we initiate research and documentation of our heritage assets and contribute to debates at international, national and local levels, on the quality of our built and cultural environment.

For more information on BWM, please visit badanwarisan.org.my.