



雪兰莪暨吉隆坡福建会馆 (Reg.No.295)

SELANGOR AND KUALA LUMPUR HOKKIEN ASSOCIATION

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29 June, 2013

Tan Sri Ahmad Phesal Talib,
Datuk Bandar Kuala Lumpur,
Jabatan Perancangan Bandar,
Tingkat 10, Menara DBKL 1,
Jalan Raja Laut,
50350 Kuala Lumpur



Dear Tan Sri Ahmad Phesal,

Re: OBJECTIONS TO CHANGING THE USE OF LAND FROM OPEN SPACE AND INSTITUTION TO COMMERCIAL AND THE AMENDMENT OF LAYOUT PLAN CONSISTING A 118 STOREY OFFICE TOWER, 2 BLOCKS OF 40 STOREY SERVICE APARTMENT, A BLOCK OF 40 STOREY HOTEL WITH 7 STOREY COMMERCIAL SPACES AND 5 LEVELS OF BASEMENT FOR CAR PARKS AND 2 SDADIUMS (STADIUM MERDEKA DAN STADIUM NEGARA)

Ref: DBKL.JPRB 6175/93 Bhg. 1

The Selangor and Kuala Lumpur Hokkien Association is the owner of the hundred-year-old **Wei Ting Keong Kuan Yin Temple** (Lot 194) located right next to the proposed project. This historic Temple is an important place of worship for the Buddhist and the Taoists communities; it is also listed as a tourist site which attracts many foreign visitors.



Wei Ting Keong Kuan Yin Temple (Lot 194)

Referring to the subject above, we would like to make known our objections to the project for the following reasons:

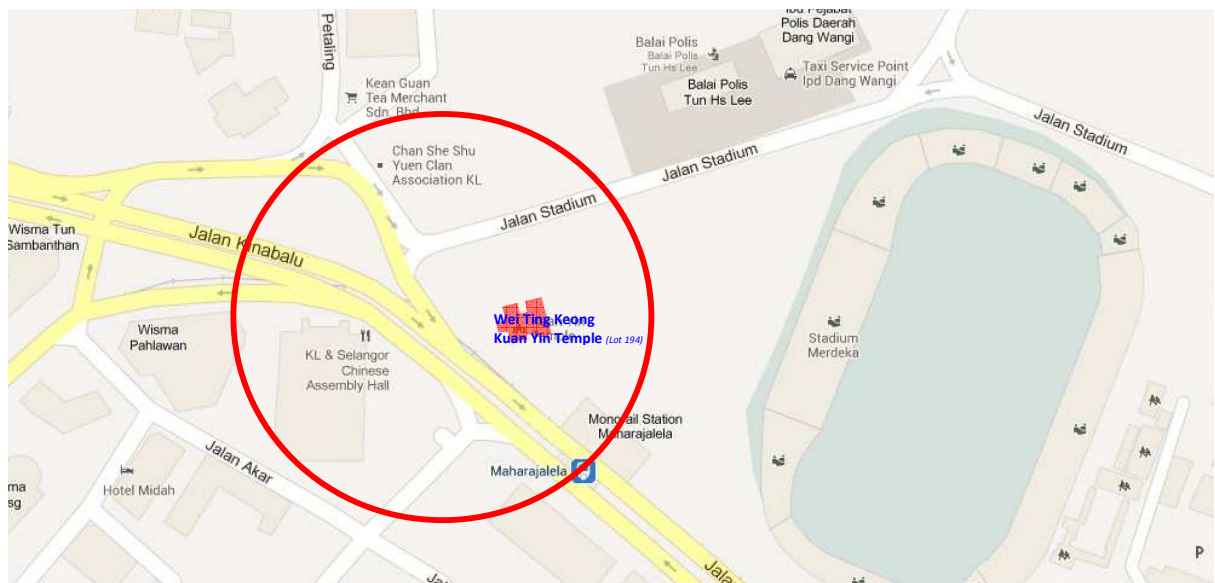
1. ENDANGERING PROPERTIES NEAR THE PROPOSED SITE

The change of land use and the layout plan for commercial purposes in the proposed project would greatly compromise access to the historic Temple. Currently worshippers who drive to the Temple use the Stadium Merdeka car park as the access.

Moreover, we fear this hundred-year-old Temple may not be able withstand the massive building activities, and would have its structure and foundation adversely affected during construction.

2. ENDANGERING CULTURAL HERITAGE AND HARMONY

The Wei Ting Keong Kuan Yin Temple together with the Chen She Shu Yuen and KL & Selangor Chinese Assembly Hall are all hundred year old historical and cultural monuments and landmarks of Kuala Lumpur. **The change of land use and the layout plan for commercial purposes in the proposed project would destroy forever the cultural and historical landscape of these iconic sites.** Together with other historical sites such as Stadium Merdeka and Stadium Negara, they co-exist in great harmony, and also signify the cultural diversity and



vitality of Kuala Lumpur.

3. VIOLATION OF LAND USE

Part of the proposed project is to be sited on land that was once reserved as a people's park under the Government Gazette No. 9287 dated 30 November, 1932. According to the National Land Code, "reserved land" means land that for the time being is **reserved for public purpose**, in accordance with the provisions of section 62 or of any previous land law, and that **reserve land does not belong to the government.**

Since the land reserved under the Government Gazette No. 9287 in 1932 is still valid, and given that the National Land Code stipulates that any land reserved under any previous law still applies, **the government could not have legally sold the reserved land to a third party.**

The reserved land rightfully belongs to the public and the people of Kuala Lumpur and Selangor; and is meant to be used for the purpose as stipulated in the Government Gazette No. 9287, **a people's park reserve and not for any other purpose.**

Such applications for the change of land use and the layout plan must be done by the land owner himself/herself; one wonders how this land could have been legally converted into a land for a private developer's use when it would mean a violation of the Government's own land laws.

4. VIOLATION OF NATIONAL HERITAGE POLICY

Both Stadium Negara and Stadium Merdeka are listed National Heritage Sites. Changes to the land use and the layout plan of the area would contravene the National Heritage Act 2005 concerning the safety, the character and integrity of the protected heritage sites as well as the neighboring land and properties.

According to the National Heritage Act 2005 and the World Heritage Convention 1972, when a site is designated as a heritage site, that site shall on the date of the designation become a conservation area and shall be conserved and preserved with a conservation management plan, and with a buffer zone incorporated around the site. The responsible parties have to **ensure that any newly proposed development project at the heritage site is in harmony with the existing buildings and landscapes in terms of character, appearance, scales, heights, and historical and cultural continuity.** The change of land use and the layout plan for commercial purposes in the proposed project at the heritage sites means changing the above aspects, including disregarding the importance of having a buffer zone.

5. DESTROYING THE MERDEKA HERITAGE

Part of the proposed project is to be sited on land known as Taman Merdeka (Taman Tunku). Taman Merdeka, together with Stadium Merdeka and Stadium Negara, were constructed during the Merdeka period in commemoration of the spirit of independence and equality of this nation. It is like an acropolis, a sort of sacred monument in the centre of the city FOR THE PEOPLE. **The change of land use and the layout plan for commercial purposes in the proposed project at these historical sites would destroy the cultural landscape and the historical significance of this area forever.** The authority should instead preserve and restore these sites as a collective National Heritage for the sake of future generations.

6. LACK OF CONSIDERATIONS FOR SOCIAL AND ENVIRONMENTAL IMPACT

The project's size and scope in this limited and rather confined area contravenes the National Urbanisation Policy rule that there should be two hectares of open space for every 1,000 persons.

A project of this size and scope would definitely cause **an explosion of population density and a massive increase in traffic congestions and flows in and around the area as well as in the city at large.** One needs not to look too far than at the awful traffic congestions in the vicinity of KLCC, the location of the 88 storey Twin Towers. During the construction period, noise and

dust pollution, not to mention traffic congestion, would definitely cause great discomfort and inconvenience to local residents and businesses, as well as people who have to commute daily to the area to work. This proposed project would potentially affect the incomes of small shop owners and businesses as well as thousands of ordinary workers whose livelihood depend on the economic activities of these small and medium businesses; and would **drastically alter and even destroy the historical and cultural landscapes of the area.**

- **Destroying communities with long established history:**

*Within the vicinity of the affected area are **5 established schools**¹ with long history and with at least 8,000 students, **7 religious sites**², **more than 20 cultural and societal associations**³, rows of historical shop houses in the Petaling Hill area.*

7. LACK ECONOMIC AND ENVIRONMENTAL RATIONALITY

Various Reports have shown that there is an oversupply of office space in Kuala Lumpur. This project proposes to add another 4 million sq feet of office space within the Central Business District of Kuala Lumpur. How viable and sustainable is it going to be? **How feasible is the 118 tower as a commercial development when at present there are so many empty offices and business spaces vacant in other high rises in CBD Kuala Lumpur?** The people of Kuala Lumpur are rightly to be concerned about this project potentially turning into another white elephant that could great economical, social, cultural and environmental ramifications on Kuala Lumpur as a whole.

8. LACK OF TRANSPARENCY

It is not stated in the notice by DBKL who had applied to convert the open spaces and to change the layout plans. The applicant's name should be stated in full for public knowledge and scrutiny.

We, and all the concerned parties, are disturbed that DBKL has not conducted proper public hearings or public consultation for the local community and the larger public of Kuala Lumpur.

9. DISCLOSURE

In order to dispel the perception of the whole matter being shrouded in secrecy, we request for copies of the following to be made accessible to us and to the public at large:

- the applicant(s) of the project
- the land titles for the entire project
- the layout plans
- the traffic impact assessment report

¹ *Institusi Victoria, SMJK Confucian, SM Confucian (Persendirian), SMK Methodist, SJK(C) Jalan Davidson.*

² *Gereja Gospel KL, Tokong Guan Di, **Wei Ting Keong Kuan Yin Temple (Selangor and Kuala Lumpur Hokkien Association)**, Tokong Sri Mahamariamman, Mosque Albukhary, Gurdwara Sahib Polis, Gereja Methodist Cina.*

³ *Dewan Perhimpunan Cina Selangor & KL., Pusat Pembangunan Kebudayaan Lim Lian Geok, Pers. Keturunan Chan She Shu Yuen KL & Selangor, Persatuan Kwong Siew Selangor & WP, Pers. Wui Leng Selangor & K.L, Persatuan Drama Kebajikan Yan Keng, Persatuan Boddhi, Persatuan Sukan Chin Woo Selangor & KL, Persatuan Bola Keranjang Malaysia, Persatuan Pengakap Malaysia, Persatuan Nam Yong Yap Si Selangor, Persatuan Pemilik Kedai Kopi dan Teh Selangor & WP, Persatuan Perubatan Cina Malaysia, Gabungan Bertindak Malaysia(GBM), Persatuan Hai Nan Selangor & FT, Persatuan Ka Yin KL & Selangor, Persatuan Penjaja dan Peniaga Kecil Kuala Lumpur, Persatuan Kedai-kedai Runcit Selangor & FT, Persatuan Tarian Singa Han Shou Tang, Persatuan Chak Kai Koong Kon KL.*

- the social & environmental impact study reports

This disclosure would help us and the public to provide a more comprehensive feedback on the proposed development.

DBKL should value and appreciate all the concerns raised by the various communities affected by the proposed project and release all the details of this project to the greater public as well in a transparent and accessible manner BEFORE going ahead with the decision to approve the proposed project.

Thank you.

Yours faithfully,



Dr. Lim Chong Keang
Deputy President
Selangor and Kuala Lumpur Hokkien Association

c.c.

Pertahanan Taman Merdeka Negara, PTMN

Y.A.B. Dato' Sri Mohd. Najib bin Tun Haji Abdul Razak, the Prime Minister and the Chairman of Barisan Nasional

Y.B. Dato' Seri Anwar bin Ibrahim, Leader of the Opposition

Y.B. Datuk Seri Tengku Adnan bin Tengku Mansor, Minister of Federal Territories

Dato' Seri Dr. Wan Azizah Wan Ismail, President of Parti Keadilan Rakyat

Y.B. Lim Guan Eng, Secretary-General of Democratic Action Party (DAP)

Y.B. Dato' Seri Haji Abdul Hadi Awang, President of PAS