



Persatuan Pengguna Pulau Pinang Consumers Association of Penang

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Press Statement

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Tanjung Bungah Landslide - State Government and MBPP must explain why DOE objection ignored and be held accountable

The Consumers' Association of Penang (CAP), Sahabat Alam Malaysia (SAM) and Tanjung Bungah Residents Association (TBRA) are shocked to learn that the State Government and the Majlis Bandaraya Pulau Pinang (MBPP) have chosen to ignore the objection of the Department of Environment (DOE) for siting the development of the residential project in Lembah Permai, Tanjung Bungah.

The DOE had rejected the application for planning approval after taking into consideration that the development site is located close to a permanent granite quarry and as there was no buffer zone between the apartment project and the quarrying activities nearby, as required by the '*Guidelines of Siting and Zoning of Industries and Residential Areas*'.

In a statement released by the Ministry of Natural Resources and Environment on 22 October 2017, it stated that the area is therefore not a safe and peaceful environment for people to live in.

The State Government and the MBPP must explain why they did not abide by recommendations of the DOE.

The One Stop Centre Committee of the MBPP comprises of the Mayor and technical agencies such as the DOE, JKR, JPS, District and Land Office, etc. The Council consults the technical agencies specialised bodies whether there are any objections of development.

The State Government and the Council in particular must explain the reasons for ignoring the DOE recommendation.

The DOE objection cannot be treated lightly as it is the Department responsible for ensuring environmental safety.

Given the DOE objection, the whole approval process for the project should be deemed not valid for not following the legal processes.

Further, the Penang Structure Plan (PSP) has also been violated by the State authority and the MBPP.

According to the PSP which has been gazetted and has legal force, the Tanjung Bungah area is designated as being in the 'secondary corridor'. The PSP further states that housing projects in the 'secondary corridor' cannot exceed 15 units per acre.

How such a housing project was allowed in the first place in violation of the Structure Plan must be investigated.

Clearly, a Royal Commission of Inquiry must address these legal issues, and why the State authorities and the MBPPP did not follow the law, the PSP and the DOE guidelines and objections.

This is not merely a worksite tragedy. It is clearly related to hill land development and processes surrounding planning approvals and violations of the law.

The RCI must be comprehensive to ensure that all authorities responsible are held accountable, including the relevant government authorities from the Chief Minister to the MBPP to the developer and contactors responsible.

The DOE too should have been more proactive in taking action when the State government and the local authority ignored its recommendation. This is no small matter.

Furthermore, we urge the State and the Council as well as the developer to provide adequate compensation to the families of the victims who have perished in the tragedy.

The workers' families can come to the CAP office for assistance if needed.

In addition, purchasers of the units in the project should be entitled to full refunds and the project should be stopped and not be allowed to carry on given grave safety concerns.

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