

PREAMBLE

The Warisan Merdeka Project a.k.a. 118 Mega Tower Project (the Project) was first mooted by Prime Minister cum Finance Minister, Najib in his 2010 budget speech. As planning and enabling works for the controversial Project gets underway, a group of 21 NGOs have teamed up to form "Pertahankan Taman Merdeka Negara" (PTMN) and launch a 'Say No to 118 Mega Tower!' campaign against the Project.

The 118 Mega Tower Project is starting to strike the consciousness of Malaysians, as the proponents of the development Project have started to launch their Public relations campaign through the mass media and at the same time seek approval from the relevant authorities for the development plans.

The Selangor and Kuala Lumpur Hokkien Association (SKLHA) is the owner of the Wei Ting Keong Kuan Yin Temple (威镇宫观音寺) which borders the development project. Our Temple is located at the corner of Jalan Stadium and Jalan Maharajalela as indicated in the location map below.

On 29 June, 2013, SKLHA sent a comprehensive letter (a modification of a standard letter for all NGOs opposing the Project) to Dewan Bandaraya Kuala Lumpur (DBKL, the KL City Hall), outlining our objections to the 118 Mega Tower Project.



DBKL Conducted Hearing for Neighbouring Lot Owners

Subsequently, DBKL invited SKLHA together with other adjacent property owners for a hearing on 1 August, 2013. According to AKTA (PERANCANGAN) WILAYAH PERSEKUAN 1982, KAEDAH RANCANGAN (PEMBANGUNAN), 1970, Kaedah 5 (4) (herein known as Rule 5), it is a legal requirement for DBKL to conduct a meeting for all adjacent land owners, to hear their objections to the application for Planning Approval by the developer.

Apart from SKLHA, the others invited to the hearing were; 陈氏书院 (Chen Clan Association), Chinwoo Athletic Association Selangor & Kuala Lumpur (雪隆精武体育会) and Gospel Hall Kuala Lumpur (吉隆坡福音堂). The Chen Clan Association did not send any representative to the hearing.

The hearing was chaired by the Pengarah, Jabatan Perancangan of DBKL. The Chairman started by stating that it was a legal requirement for DBKL, the approving authority, to conduct a hearing for property owners adjacent to the Project. He repeatedly mentioned that although only the representatives of the property owners were invited to the hearing, he had no objection to other interested parties joining the hearing. It was really a redundant reminder as only the affected property owners were invited to the hearing and other KL residents were not even aware of the hearing and there were no “outsiders” present in meeting hall then.

On SKLHA part, we stated at the start of the hearing that our comments and queries are not only confined to being the representative of property owner but also as concerned citizens of Kuala Lumpur.

The meeting got underway with DBKL Planning staff explaining that they have received an application from PNB to build a 118 Storey Tower and other buildings on the land which was earlier known as Merdeka Park or Tunku Park. But they got stuck midway, as DBKL could not answer many questions raised by the participants.

Eventually, the Chairman called in the Project proponent, PNB and their team of consultants (about 10 of them) to give a presentation on the Project.

And this is what we gathered from the power point presentation of the Project given by PNB :

PNB's Presentation

1. Back ground to the Land ownership

The land in question comprises of the following lots :

Changkat Pavillion Site – Lot 354 & 355

Taman Tunku Abdul Rahman (or Merdeka Park) – Lot 742

Stadium Negara - Lot 743

Stadium Merdeka – Lot 744 & 747

Particular	Date of S&P Agreement	Date of Transfer of Titles	Category of Land Use	From	To
1 st Transaction	6 Sept 1994	27 Feb 1995	Commercial	Federal Land Commissioner	Syarikat Tanah & Harta Sdn Bhd (Subsidiary of MOF Inc)
2 nd Transaction	1994	28 Feb 1995	Commercial	Syarikat Tanah & Harta Sdn Bhd (Subsidiary of MOF Inc)	Puncak Vista Sdn Bhd (Subsidiary of UEM Berhad)
3 rd Transaction	20 Aug 1997	15 Mac 1999	Commercial	Puncak Vista Sdn Bhd (Subsidiary of UEM Berhad)	Pengurusan Danaharta Nasional Berhad
4 th Transaction	3 July 2000	29 Oct 2002	Commercial	Pengurusan Danaharta Nasional Berhad	PNB Merdeka Ventures Sdn Bhd

1994 - The Government converted land to commercial use. Federal Land Commissioner transferred Land to Syarikat Tanah dan Harta (a subsidiary of MOF)

1995 - MOF transferred the 40 acres of land to UEM in exchange for UEM building the National Sports Complex at a cost of RM 800 Million

1996 - UEM planned to build 7 blocks of office, commercial tower on the land. Perimeter hoarding erected, site clearance work and enabling work at Merdeka Park but stopped because of Global Financial Crisis in 1997

1997 - Danaharta took back land from UEM

2000 - Danaharta sold land to PNB Merdeka Ventures for RM 300 Million



2. THE PROJECT FEATURES

The salient features of the Project are summarized below:

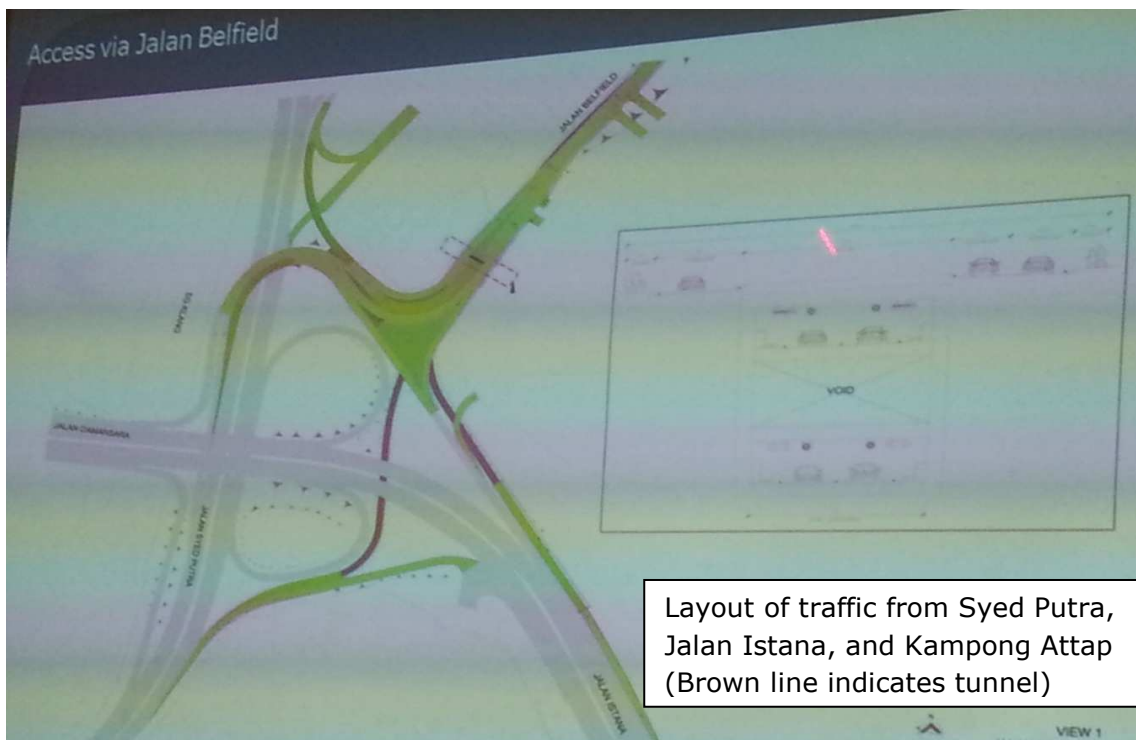
- i) A 118 storey tower – for offices, residential and hotel (central feature of the Project)
- ii) Four blocks of 40-storey buildings at the four corners of the development site (2 Blocks for luxury condominiums, 1 Block for 4-star Hotel, 1 Block for Offices and Commercial units)
- iv) 5- level basement for car parks (7,000-bay car park, legal requirement is 4,300 bays)
- v) 7-level podium for commercial retail use
- vi) Both Stadium Negara and Stadium Merdeka will remain but may be renovated for concert hall etc. Stadium Merdeka car park will be turned into a Linear Park. Tun HS Lee police station will be relocated.
- vi) Total Build-up floor area 8,729,000 sq ft
- vii) Development Plot ratio of 1:5 is calculated based on total build-up floor area divided by the total land area of 40 acres (ie. including the areas occupied by the 2 Stadiums)

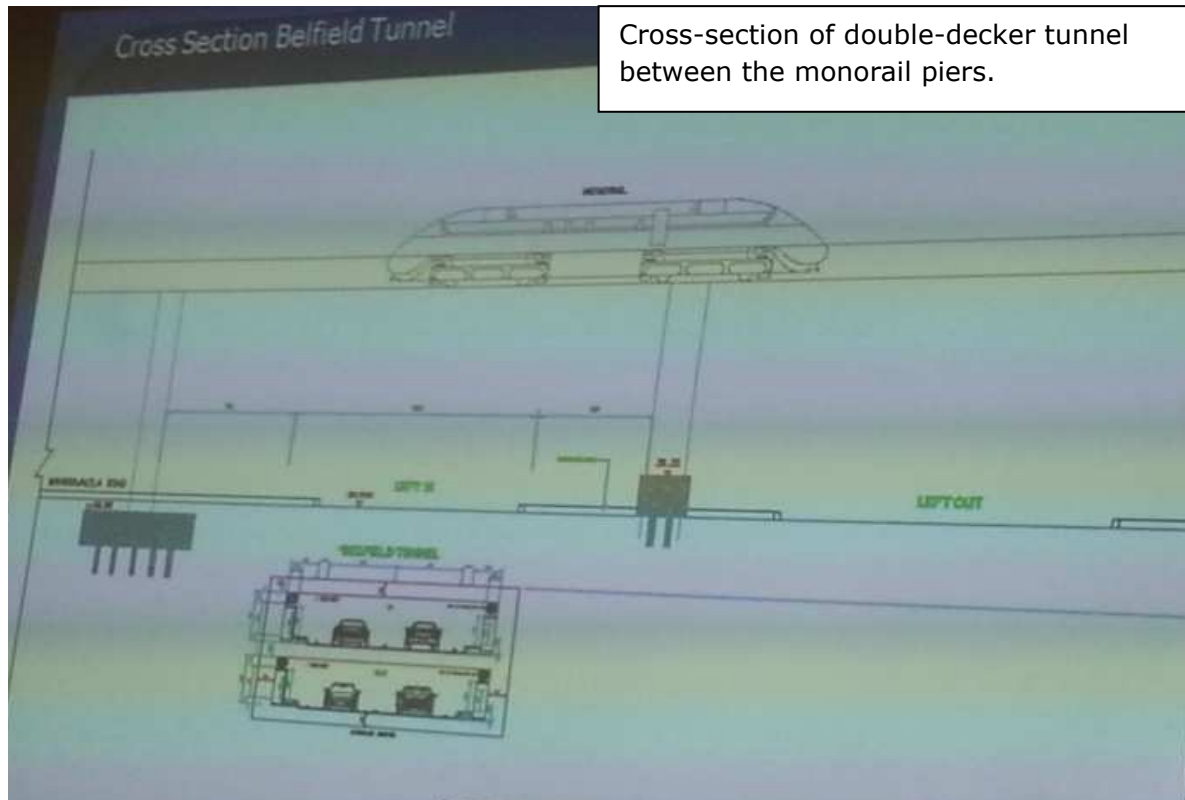


3. TRAFFIC DISPERSAL PLAN

Map showing layout of the traffic dispersal plan.

3.1 Ingress and Egress from the West (Petaling Jaya) and South (Cheras), via Tunnel along alignment of Jalan Belfield





3.1a – Ingress from the West and South

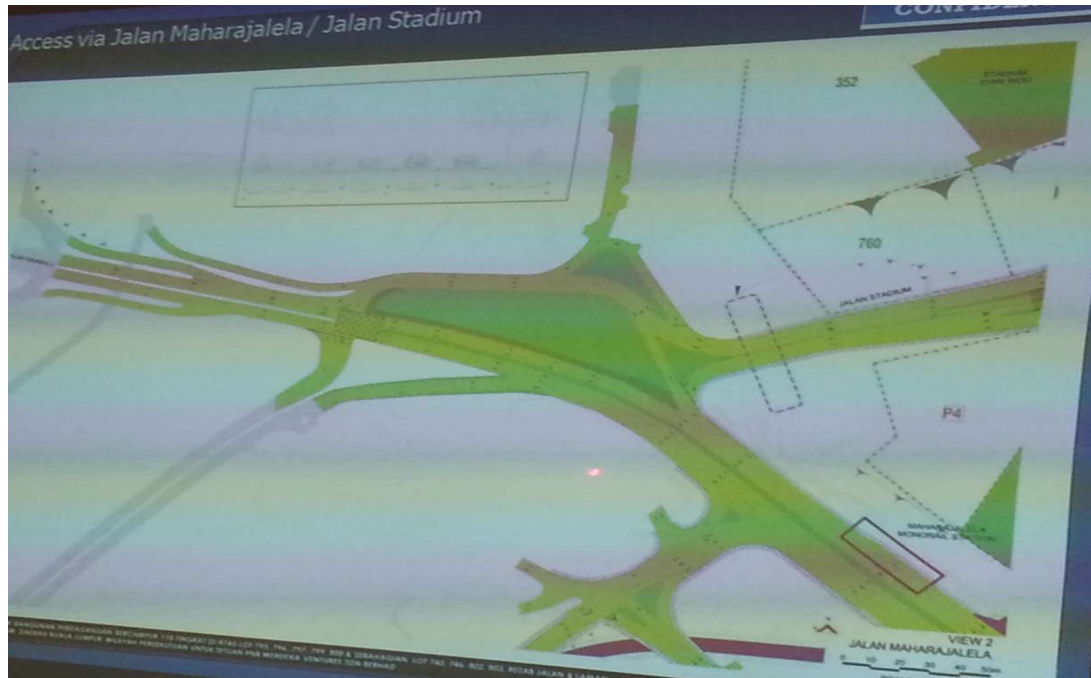
Vehicular traffic from the West (PJ) need to travel via an underground tunnel from Jalan Syed Putra to below Jalan Belfield, cross under Jalan Mahajarela, entering underneath Stadium Merdeka Car park between the piers of the monorail line to the development site.

From the South (Cheras), vehicular traffic travelling on Jalan Maharajalela need to turn into Jalan Sultan Sulaiman at Kampong Attap and at the end of the road go up a flyover and then down into the tunnel below Jalan Belfield as above.

3.1b Egress to the West and South

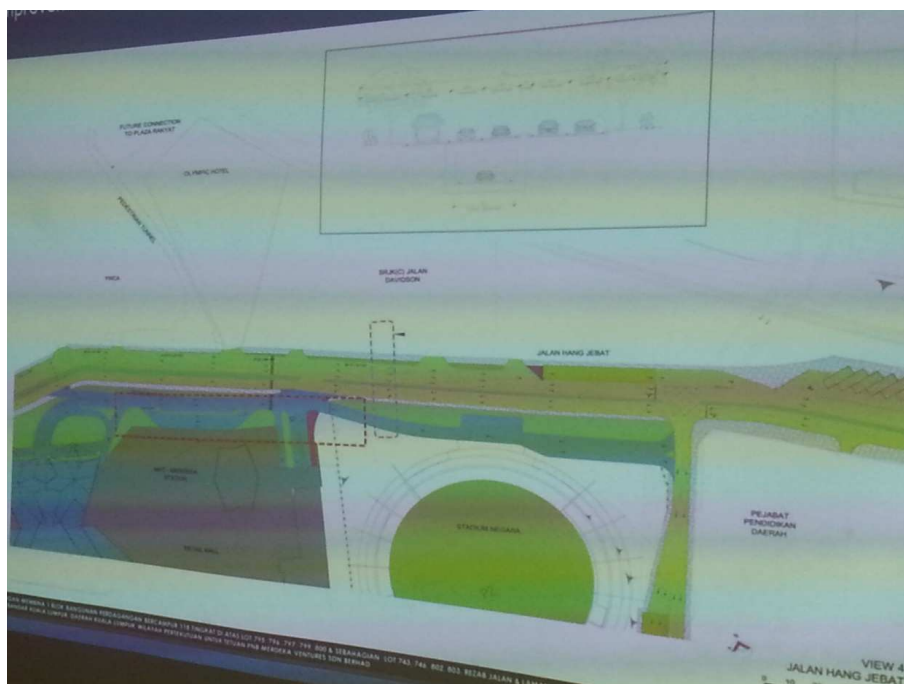
The plan shows Egress from the PROJECT site via tunnel exiting to the South Bound traffic lane at Jalan Maharajalela and also exiting at Jalan Istana.

3.2 Ingress from the North (Jalan Kuching) via Bulatan Merdeka to Jalan Stadium and Egress to the South via Jalan Stadium to Jalan Maharajalela.



The current car park beside Chen Clan Association and the Tun HS Lee Police Station will be acquired for widening Jalan Stadium.

3.3 Ingress and Egress on the East Side, Jalan Hang Jebat



Part of the land inside the PROJECT site will be used for expansion of the road as shown in the above plan.

An underground MRT station will be also be constructed within the Project Site on the West side of Jalan Hang Jebat

QUESTION AND ANSWER SESSION

Most of questions and our objections to the Project were already highlighting in our above letter to DBKL. Some of the points were addressed during DBKL/PNB's presentation although they were not satisfactorily answered. The other pertinent questions and comments made during and after the presentation and the ensuing reply and discussion were as follows:

1. Glut of Office space in Klang Valley

At 8.73 Million sq ft build-up floor area, this **Mega Tower Project** is almost twice the size of **MidValley Megamall** which has a floor area of **4.5 Million Sq ft**. It is going to be colossal development on a scale not seen before in Malaysia. Construction itself will cause havoc to the surrounding area.

Queried as to the need for 118 storey tower, PNB said that most of the floors will be occupied by themselves as they plan to relocate their HQ from Menara PNB. They claimed that only about 20 floors will be put out for rental. PNB said that their present Menara PNB which was built in 1985 is too old and is likely to be demolished and rebuilt.

2. Impact On Kuan Yin temple

Access to Kuan Yin Temple will be cut-off by the Project development. Devotees will not have No direct access to the temple. Loading and unloading of goods and material for festive occasion or maintenance works will be problem. This will inconveniences to owner and visitors to the temple. Currently, visitors can park their cars at Stadium Merdeka car park and just need to go down a flight of stairs.

The massive highrise development next to the temple is incongruent with the low rise and beauty of 100-year old temple.

Our query as to the provision access to the temple for people as well as for delivery of materials by the Project development was not answered..

3. Harmony with the surrounding heritage site

PNB could only mention that they will not develop the two Stadiums but were not able to explain how such massive development can harmonise with the surround heritage sites.

4. Traffic dispersal

The success of the whole project appears to hinge on a viable traffic dispersal plan. However, in view of the congested conditions of the existing roads in the vicinity of the proposed development site, a traffic dispersal scheme which relies on roads is bound to fail. PNB has

managed to swing a MRT station into its development site. But with the disjointed nature of our public transport system, a single MRT line without connection to a proper bus transport system is of limited use.

Although, PNB officers and DBKL kept on emphasizing the importance of MRT station, the fact that PNB has planned to build 7,000 parking lots indicates that they are prepared for massive cars usage.

Thus, it looks like traffic dispersal will be the Achilles heel of the project.

Despite PNB's traffic consultant assurance that their traffic plan complies with JKR ARAHAN TEKNIK ON ROAD DESIGN, there are many loopholes in their design which the consultant was unable to address at the hearing.

Our critique on each component of the traffic dispersal plan are as follows:

4.1 Ingress from and Egress to the West (Petaling Jaya areas) and South (Cheras area)



The present traffic condition on Jalan Syed Putra and Jalan Istana is already bad at most times of the day. Building double deck tunnels to join these roads will take up space on these roads for ramps in and out of the tunnel. This will also attract a lot more traffic onto these roads.

The road shoulder along the South Bound side of Jalan Maharajalela is

now occupied by a row of Monorail piers. Thus, there is no room to build an Egress from the tunnel to join this road.

The traffic plan is misleading.

Currently, the roads leading to the traffic lights in front of Kampong Attap, (Jalan Sultan Sulaiman, Bulatan Merdeka and Jalan Kinabalu) are congested. Just across the Traffic Lights junction, towards the North is the KTM Central Station and National Mosque. Traffic on normal days is already very congested and on Friday it's a nightmare crossing this part of the road. Thus, bringing more traffic into Kampong Attap via Jalan Sultan Sulaiman would be a disaster.

4.2 Ingress from the North (Jalan Kuching) via Bulatan Merdeka to Jalan Stadium and Egress to the South via Jalan Stadium to Jalan Maharajalela.



Monorail Pier at the edge of the Road will pose a constraint on building an Egress from Jalan Stadium at complies to requirement

Jalan Stadium can be widened, but the bottle neck is at the junction with Bulatan Merdeka and Jalan Malarajalela.

The constraints at the Ingress is the congested Traffic Light Junction at Bulatan Merdeka and Jalan Kinabalu.

Whereas, at the Egress the existing monorail pier is located right at the edge of the road (see the yellow piers in the photo). Thus, there is no room for expansion of the road to allow for an acceleration lane for traffic from Jalan Stadium going into Jalan Maharajalela.

When we pointed out the above constraints at the hearing, PNB traffic consultant's reply was that perhaps that we, the laymen users could see things better on the ground. (sic!)

4.3 Ingress and Egress on the East Side, Jalan Hang Jebat

Jalan Hang Jebat and Jalan Sultan will be the main road fronting the project site.



There are 5 major schools in the vicinity of Jalan Hang Jebat and Jalan Sultan (see the map on the left) :

- i) Victoria Institution
- ii) SRJK (C) Jalan Davidson
- iii) SK Methodist Boys School
- iv) Confucian Private Secondary School
- v) Confucian National Secondary School

According to the Project traffic plan, only Jalan Hang Jebat, Jalan Sultan and the Junction with Jalan Hang Tuah will be upgraded.

However additional traffic converging and dispersing from the Project site will impact adversely on traffic along Jalan Hang Tuah and Jalan HS Lee.

As it is, all the four roads; Jalan Hang Tuah, Jalan HS Lee, Jalan Sultan and Jalan Hang Jebat are congested during normal hours and are especially congested before and after school hours.

These roads are already coping beyond their design capacity. During peak hours, traffic is at a standstill on these roads.

Thus, they cannot even cater for existing traffic, let alone a massive increase in traffic which will be brought about by the Project.

CONCLUDING REMARKS

The hearing was scheduled to start at 2.30pm but started only at 3pm and we wasted almost an hour with DBKL trying to give a half cooked presentation. PNB's people came into the meeting room and started their presentation at about 4pm. As it was held during the Ramadan month, the hearing ended at about 5.30pm, which means there was effectively about 1.5 hours for the presentation and subsequent question and answer session.

After the presentation by the PNB, we spent some time questioning PNB over their traffic dispersal scheme. But their replies were not satisfactory.

We ran out of time to discuss other pertinent issues raised in our above letter to DBKL.

There are two important issues which truly disappointed and surprised us:

1. Status and Ownership of Land

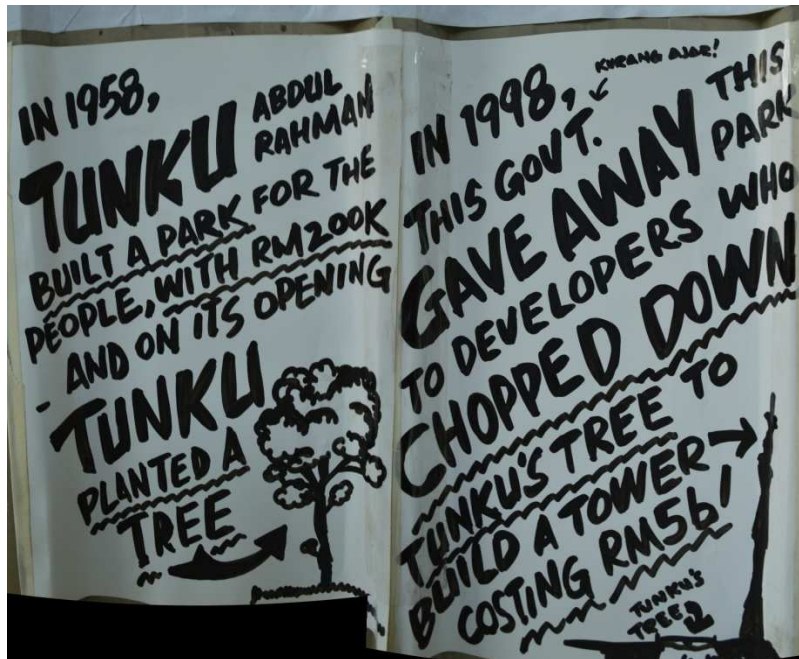
We are disappointed at the way the government converted a heritage public park land to commercial land use and subsequently sold it to private corporations.

2. Environment Impact Assessment (EIA)

We were surprised to hear from DBKL that such a massive Project do not require an EIA Report as the development area is only 40 acres which is less than 50 acres.

DBKL as the approving authority do not seem to have their own opinions or judgment on the Project. Throughout the hearing, DBKL's staff did not raise any question on the Project at all. The Chairman instead gave the appearance of being eager to rubber stamp the approval. The whole charade the hearing was just to comply with the legal requirement.

At the end of the hearing, the Chairman stating again and again that DBKL had done their part, as far as Rule 5 is concern (i.e. complying to the legal requirement on hearing for neighboring lots owners).



This poster sums up aptly Malaysians' sentiments towards the proposed 118 Mega Tower Project.

As a reminder:

Please read the appended article extracted from AsiaNews on correlation between building skyscraper and economic collapse. In 1997, Malaysia completed the world tallest twin tower, the same year Malaysia suffered a massive economic crisis with the Malaysian currency devalued over night by half of its value.

<http://www.asianews.it/news-en/Building-skyscrapers-is-a-sign-of-economic-crisis-23666.html>

Building skyscrapers is a sign of economic crisis

A research conducted by Barclays Capital shows the link between the "gigantism" in periods of financial recession and buildings of a country. Today China holds the record in construction, with 53% of the world, followed by India. But property values could drop by up to 20% in the coming months.



Beijing (AsiaNews / Agencies) - A research conducted by Barclays Capital reveals a "sinister correlation" between the construction of skyscrapers and multi-storey buildings, with a succession of economic crises that affect a nation. Some might see the similarities with the Biblical story of the Tower of Babel, recounted in Genesis. For the experts, the policy of property "gigantism" is a symptom of a sick system characterized by an "incorrect allocation of capital." Moreover, the recently published report Skyscraper Index, by the British investment bank, confirms the suspicions with some striking examples: the creation of the Empire State Building in New York, USA

during the Great Depression of '29, to the opening of the Burj Khalifa in Dubai, the largest building in the world, in conjunction with the Emirate's disastrous financial bubble of the.

Barclays Capital says that the first skyscraper in history, the Equitable Life in New York, was completed in 1873, while the U.S. economy recorded a five-year recession. The building was demolished in 1912 but, increasingly in the United States, fared no better with the Willis Tower in Chicago in 1974, which coincided with the oil crisis and the abandonment of the fixed rate for the U.S. dollar and gold. As for Asia, the first buildings that took on the skies were the Petronas Towers in Malaysia, completed in 1997, the year in which the continent experienced the greatest economic crisis in recent history.