

Wan Junaidi: We said 'no' but they went ahead

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When we say 'no', we know what we are talking about. This was not a political decision. It was our expert findings.

— Wan Junaidi

Towers collapse in 1993, when water seepage had destabilised the hill slope development.

"The location of the (Tanjung Bungah) site was thoroughly unsuitable. We learnt many lessons from the Highland Towers tragedy and the data is incorporated in our assessment models," he said.

"In addition, this site is located next to an active quarry where explosives are used to extract materials, which are then taken to a nearby crushing site."

Wan Junaidi said the excuse provided by Penang Island City Council mayor Datuk Maimunah Mohd Sharif and state executive councillor Chow Kon Yeow that only a few government agencies had raised objections to the project was unacceptable.

"How can they say one or two agencies had raised concerns and use that as grounds to proceed? The Land and Mines Department, the Minerals and Geoscience Department, and

the Drainage and Irrigation Department work in tandem," he said.

"Concerns raised by any of these departments should be considered. It is not a matter of what percentage agrees or disagrees. People's lives are at stake."

He said the Land and Mines Department had policy guidelines stating residential developments need to be at least 600m from any quarry.

Wan Junaidi said the local council seemed to show a disregard for the safety for workers and future residents by approving the development.

He said ultimately, the ministry could not enforce regulations against state authorities or local councils, as the status and use of land within a state were rightfully and constitutionally the state's.

"Our conscience is clear and our hands are clean. We said 'no' to the project but they went ahead. Who is answerable to the lives lost?" he asked.

"It is especially tragic that all the workers perished for something that could have been avoided."

On Sunday, the ministry disclosed that it received an application from the developer, Taman Sri Bunga Sdn Bhd, on Jan 9, 2015 to build the project.

After taking into account all criteria, the DOE issued a letter of rejection on Jan 23 this

year, stating the site is next to a granite quarry which carried out blasting twice a month.

Its reasons included insufficient buffer zones between the proposed project and quarrying activities, and the development involved steep slopes.

Meanwhile, town and country planning law, local government and land law expert Derek Fernandez said there could be civil and criminal liability on the parties responsible if there was wilful disregard of established procedures.

"The developer's consultant is fully responsible for the supervision of all works on the site," he said.

"Normally, if the DOE had objected to the construction on the site due to insufficient buffer zones, such advice must be heeded unless it is a special case," he said.

Fernandez said the Penang City Council's One Stop Centre (OSC) would have been briefed on the existence of a quarry and other such matters that may affect the planning approval from a safety standpoint.

"It is important to determine the cause of the disaster and whether the proper procedures were followed by the OSC in granting approval to the developer," he said.

"Where slopes are involved, even near the bottom of hills regardless of the height, stringent guidelines must be implemented to minimise risks," said.

Body of Malaysian victim recovered

GEORGE TOWN — The body of Malaysian Yuan Kouk Wern, the last of the 11 workers killed after some 11 tonnes of earth slid down a slope and buried a construction site in Tanjung Bunga on Saturday, has been recovered.

State Secretary Datuk Seri Farizan Darus told reporters at the site that Yuan's body was found intact at 11.02am yesterday.

He said the police K9 unit of six dogs will go over the area to verify that there are no other victims.

"We will conduct flushing of the site to ensure there are no other victims buried underneath. Even though we were given a list of 11 workers, we have to be sure," he said.

He could not give an estimate of how long the flushing will take.

The last two bodies — those of Yuan and Bangladeshi Muhammad Monirul Islam — were found between 7am and 7.15am yesterday.

On Saturday, 14 workers were working in the construction site when the landslide occurred at 8.57am.

Three workers — an Indonesian, a Bangladeshi and a Myanmar national — escaped and have been warded at the Penang Hospital. The 11 others were buried under the mud and debris. — Malay Mail Online



The coffin bearing the remains of Yuan is wheeled out of the Medical Forensics Department at Penang Hospital to be taken to his residence in Sungai Ara, Penang. — Picture by Bernama