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DOE taking developer to court

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KUALA LUMPUR, Tues. - Projek Ikatan Rapi Sdn Bhd, the developer of Ukay Perdana housing project in Hulu Klang, will be taken to court for failure to comply with four Environmental Impact Assessment conditions, including carrying out construction work on steep slopes.

Science, Technology and Environment Minister Datuk Law Hieng Ding said today the failure by the developer to comply with the conditions had caused siltation and landslides in the area.

He said investigations carried out by the DOE since January revealed that the developer had carried out construction work on slopes more than 20 degrees gradient although it was not allowed to do so.

The developer had also failed to carry out mitigative and stabilisation works on slopes it had cut, did not maintain its silt trap and failed to submit plans before carrying out earthworks as required under the law.

The DOE had categorised slopes with a gradient of five to 20 degrees as gentle, 20 to 30 degrees as dangerous and more than 30 degrees as critical.

If activities are allowed on steep slopes, extreme care must be taken. They must be stabilised through mitigative measures such as turfing, hydro-seeding and covering all exposed areas to prevent erosion.

Law said the developer would be charged under the Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order 1987 under the Environmental Quality Act.

The developer is liable to a maximum fine of RM100,000 or five years' jail, or both.

The DOE is the second authority planning to take legal action against the developer for its indiscriminate tree-felling and hill-cutting.

Yesterday, Ampang Jaya Municipal Council president Abdul Karim Munisar said it was considering charging the developer under the Street, Drainage and Building Act 1974 for contravening rulings on earthworks.

The Act carries a RM50,000 fine or five years' jail, or both.

Law said DOE had begun investigating the project after receiving complaints from residents in January.

"Officers from the Selangor DOE had visited the site on Jan 17 and discovered that the complaints were genuine. There were siltation and landslides."

Samples taken from a silt trap in the area revealed that the suspended solid content (silt) had exceeded the 50 microgrammes per litre limit.

Law said a second inspection on Jan 20 revealed that the developer had not been complying with the EIA conditions.

The developer was subsequently issued with a stop-work order by the DOE on Feb 24.

"We had directed the developer to submit new and additional measures to control, rehabilitate and prevent further environmental degradation before it would be allowed to resume earthworks," said Law.

Asked if the developer had submitted its plans, Law said: "No."

The project involved a total area of 138 hectares and therefore subject to an EIA.

Law said the developer had submitted an EIA to the DOE in October 1994, which was approved four months later.

Last Wednesday, the MPAJ had issued the developer with a stop-work order which would only be lifted when it was satisfied that remedial works had

been carried out at the site.

This followed a Cabinet directive to the Housing and Local Government Ministry to investigate massive land clearing works in Selangor.

The directive was issued after Prime Minister Datuk Seri Dr Mahathir Mohamad spotted the clearing works from a helicopter last week.

Projek Ikatan Rapi is owned by Capital Advance Consolidated Sdn Bhd, a subsidiary of public-listed Larut Consolidated.

On a recent report about the delay in carrying out remedial works at the Mimaland Golf Resort project, Law said the DOE was working very closely with the developer on the matter.

He admitted that Mimaland Bhd had been slow in carrying out remedial works at the project site.

"The DOE conducts regular site inspections to ensure the developer adheres to our directive. It is not allowed to carry out any construction works at the moment," said Law.

The Cabinet had on Feb 14 last year issued a stop-work order to Mimaland Bhd for causing severe soil erosion, siltation and hill-cutting.

The developer was also fined RM6,000 by the Shah Alam Sessions Court after it pleaded guilty to breaching the EIA conditions on April 16.

On Feb 27, the developer was fined another RM8,000 under a second charge filed by the DOE under the same regulations.

In July last year, the DOE lifted its stop-work order to enable the developer to carry out remedial work at the site.

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