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The Star Online	Consider all aspects in applying to gazette buildings, owners told	9 Julai 2021	Jumaat	-	Metro-News

By **BAVANI M.**

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*Mohd Azmi says while historical building owners retain rights and ownership, there are restrictions when a site is gazetted.*

OWNERS of historical buildings who are thinking of getting their premises nominated as a National Heritage site, must weigh all the pros and cons before making such a decision, says National Heritage Department (NHD) director-general Mohd Azmi Mohd Yusof.

Mohd Azmi, who is also the Heritage Commissioner, said many people who were sitting on the fence with regard to the matter (gazetting heritage building) tended to have the misconceived notion that once the building was gazetted, they would lose ownership of it.

“This is not true.

“Building owners will always retain the rights and ownership to their buildings.”

Such building owners are also concerned about being free to carry out any repair works or even being able to paint the building unless they get the department’s approval.

“Once it is gazetted, there are restrictions placed on the building that require seeking permission from the National Heritage Department.

“The guidelines are contained in the National Heritage Act 2005, to help building owners in knowing what to do.

“This is to make sure the building’s historical significance, value and aesthetics are preserved for the future generation,” Mohd Azmi explained.

“So if the owners plan to do any kind of refurbishment or painting work, they need to come to us with a proposal on how to go about it and we will guide them,” he added.

In the past, the department had to deal with building owners who did not understand the significance of having their buildings gazetted.

A good example is the Batu Caves temple where the management found itself in a pickle when it did not seek the department’s permission to paint the temple steps for a religious event in 2018.

NHD had sent a warning letter and cautioned them that they risked being delisted as a National Heritage site if they continued to flout the regulations under the Act.

The Act clearly specifies that any development, renovation or paint job within a 200m radius of the heritage site will require written permission from the department.

“Owners must be clear of what it means to be listed in the heritage registry.

“Some owners want their buildings gazetted as they have the expectation that the government will pay for maintenance.

“The department cannot pay for maintenance of all the buildings out there.

“Restoration work is costly.

“If owners want to gazette their building, we can help but they still have to maintain it themselves.

So owners need to understand what they are signing up for,” said Mohd Azmi.

Appreciating the historical and cultural significance of Batu Caves, the department had invited the temple management to have the cave temple site nominated (for gazette) as a National Heritage site in 2007.

It is now one of the country’s national treasures.

Mohd Azmi, who is the former National Museum director, cited SMK Convent Bukit Nanas (CBN) as another case.

The 100-year-old school has historical significance and the department has been trying to gazette it since 2008, but the school's trustees have rejected the offer.

When asked if there was a misunderstanding regarding the matter, Mohd Azmi said: "There is no misunderstanding at all.

"They (CBN trustees) gave a lot of reasons for not wanting the school building gazetted.

"Part of it was the fear that they would not be able to do anything to the building without having to go through an application process.

"They don't realise that once gazetted, the building will have a connection to other historical buildings in the area.

"It has 'to go with' the aesthetics of the heritage zone.

"We don't want to disrupt the heritage value of the area because this is for history, and for the country, " he highlighted.

"Remember that being registered (as national heritage) gives the assurance that any changes will be managed in a sustainable manner besides ensuring the place remains authentic and is preserved for future generations, " he added.

Artikel asal: <https://www.thestar.com.my/metro/metro-news/2021/07/09/consider-all-aspects-in-applying-to-gazette-buildings-owners-told>