

Melaka and George Town (Malaysia)

No 1223

Official name as proposed

by the State Party: Historic Cities of the Straits
of Malacca: Melaka and George Town

Location: Melaka, in the State of Melaka, and
George Town, in the State of Penang

Brief description:

The cities and ports of Melaka and George Town are the products of 500 years of trading and cultural contacts between East and West. Immigration and influences from many parts of Asia and Europe have created a specific multicultural identity, manifested in both tangible and intangible heritage, such as areas for different ethnic groups and functions, religious pluralism, and streets lined with typical shophouses and religious buildings. Melaka demonstrates the early stages of this history, originating in the 15th century Malay sultanate and the Portuguese and Dutch periods beginning in 1511; while George Town represents the British era from the end of the 18th century.

Category of property:

In terms of categories of cultural property set out in Article I of the 1972 World Heritage Convention, this is a serial nomination of two *groups of buildings*. In terms of the *Operational Guidelines for the Implementation of the World Heritage Convention* (2 February 2005), Annex 3, paragraph 14, they are also *inhabited historic towns*.

1. BASIC DATA

Included in the Tentative List: 26 February 2001

International Assistance from the World Heritage Fund for preparing the Nomination: None

Date received by the World Heritage Centre: 29 January 2007

Background: It is a new nomination.

Consultations: ICOMOS has consulted its International Scientific Committees on Historic Towns and Villages and on Shared Built Heritage.

Literature consulted (selection):

Ahmad, Y., *Scope and Implementation of Heritage Law in Malaysia*, in *Asian Approaches to Conservation: Research Conference Proceedings, 3-5 October 2006*, Bangkok, 2006.

Khoo, S. N., *Streets of George Town*, Penang, 2007.

Lim, H. and Fernando, J., *Malacca, Voices from the Street*, Malaysia, 2006.

Lung, D. et al., *Interpreting the Significance of Heritage Sites*, in *Asia Conserved: Lessons Learned from the UNESCO Asia-Pacific Heritage Awards for Cultural Heritage Conservation (2000-2004)*, Bangkok, 2005.

Nasution, K. S. and Gwynn J., *George Town, Pulau Pinang, Malaysia: Development Strategies and Community Realities*, in *The Disappearing 'Asian' City*, New York, 2002.

Silva, Kapila D., *Conserving Asian Urban Heritage: The Need for Re-conceptualizing the Value-based Management Approach*, in *Asian Approaches to Conservation: Research Conference Proceedings, 3-5 October, 2006*, Bangkok, 2006.

Technical Evaluation Mission: 24-31 August 2007

Additional information requested and received from the State Party: On 18 January 2008 ICOMOS sent a letter to the State Party requesting additional information on the following issues:

- Further justify the selection of Melaka and George Town within the wider area of Malacca Straits;
- Deepen the comparative analysis to include other colonial towns in the wider region;
- Provide further information on the integrated management system for both cities;
- Provide a timeframe for the adoption and implementation of the management plan.

On 26 February 2008 ICOMOS received additional information on the requested issues provided by the State Party. The specific information is discussed in the respective sections.

Date of ICOMOS approval of this report: 11 March 2008

2. THE PROPERTY

Description

This serial nomination includes two historic cities in the Straits of Malacca: Melaka and George Town. The nominated property in the Historic City of Melaka covers 38.62 ha and consists of two major areas on either side of the Melaka River, corresponding to the oldest part of the historic centre. The first is St Paul's Hill Civic Zone with a number of government buildings, museums, churches, urban squares and the original fortress town from the 16th century Portuguese and Dutch period. The second is the Historic Residential and Commercial Zone, which is twice as large, with more than 600 shophouses, commercial and residential buildings, religious buildings and tombs. It is built on a somewhat irregular grid plan, with four main streets parallel to the shore and four crossing streets.

The nominated property in the Historic City of George Town covers 109.38 ha and consists of the historic inner city on the north-east cape of Penang Island. George Town represents a later development, starting in the British period at the end of the 18th century. It is built on an irregular layout, consisting of several grid systems showing different stages of development, and contains more than 1,700 historic buildings. The original

settlement is the section in the middle with the most regular grid, and Fort Cornwallis to the north-east.

Both Melaka and George Town are port towns located on the west of Peninsular Malaysia, by the Straits of Malaka (Malacca) which runs between Malaysia and the island of Sumatra. This has through the ages been one of the most strategic and important commercial waterways in the world. The distance between Melaka in the south and George Town in the north is 450 kilometres. Both function as State capitals; George Town is the heart of the second largest metropolitan area in Malaysia while Melaka is smaller. The nominated property in George Town has 9,376 inhabitants and the buffer zone 9,284 inhabitants. In Melaka the figures are 3,720 and 4,171 respectively.

In both cities, a traditional plot system with long and narrow plots has been preserved, which gives scale to the buildings and the character of the streets, and both cities show a great variety of architectural and cultural influences from many parts of Asia and Europe, which have been adapted to local conditions. There are areas for different ethnic groups and social layers and for various functions or types of trade. This multicultural identity is manifested in both the tangible and intangible heritage.

In Melaka, significant historic buildings are located in St. Paul's Civic Zone; among them are the Stadthuis (Town Hall), Christ and St. Francis Xavier's churches, the ruins of St. Paul's church, the Clock Tower and several museums. Some buildings are located around Town Square, locally referred to as Dutch Square, the hub of the town since its earliest foundation. Religious buildings are also located within the nominated area, including Malay mosques and Chinese temples.

Along a typical road there are rows of narrow shophouses or townhouses (usually of two stories) and religious buildings of different faiths. Each one is different, but with an overall sense of unity. They have similar construction and internal planning: built in soft bricks, lime plastered walls, long and narrow shapes with rooms around a series of courtyards or "air wells". The façades are usually symmetrical, with projecting upper floors, and painted in white wash or a pale yellow ochre lime wash. As fashion changed, indigo, blue and later a pale green have been added. In the nominated area of Melaka, more than 600 shophouses and town houses exhibit diverse styles and influences, from Dutch style to early modern.

Melaka demonstrates its early development with its origin in the Malay sultanate, and the basic layout and a number of buildings from the Portuguese and Dutch periods beginning in 1511. This was then continued during the British period. Some Malay timber houses remain intact and the earlier types of shophouses and townhouses are only found here. These originated from a mixture of Asian, especially Chinese, influences and European traditions and developed into a variety of types following new stylistic inputs.

George Town demonstrates its development during the British era. It was founded by a British trader in 1786 and grew to a large and important city. The shophouses, townhouses and religious buildings give the main character, and the colonial architecture of the Victorian

Age is prominent. In the north-east part is Fort Cornwallis and the government and administrative centre, with a number of public buildings. There is also a large harbour area, partly on reclaimed land, with piers and clan jetties, a unique form of settlement with timber houses on stilts clustered around a jetty.

The architecture of George Town is represented by an ensemble of Victorian buildings, mostly located in the Government and Administrative Centre and in the historic Commercial Centre. Asian influences are present in the Indian and Chinese temples and in the Malay Mosques. Typical features of George Town are the Chinese *kongsi* and the clan jetties. In the *kongsi*, the temples were set within an open space surrounded by shophouses. The clan jetties represent a unique form of "water villages" since each community comprises members of the same clan with the same surname. The residential neighbourhoods include a range of architectural types and styles, including terrace houses, Chinese *kongsi* and shophouses.

The buffer zone of Melaka covers 134.03 ha and consists of a belt about one or two blocks wide surrounding the nominated area. This is a little wider to the east, and there is also a very narrow strip of land on each side of the river leading out to the sea. The reclaimed land on the south side of the city, the location of the former harbour, is partly included in the buffer zone. The buffer zone of George Town covers 150.04 ha and consists of a belt around the city of about one or two blocks to the south and in the harbour and water areas to the east and north, and an area of about five blocks wide to the west.

History and development

Through history, the Straits of Malacca have been a highway for maritime traders and contacts between East and West. Powerful kingdoms and cities have arisen and a typical trait has been immigration and strong influences from far and near, contributing to a multicultural identity. In the late 14th century or early 15th century the city and the kingdom of Melaka was founded. The small fishing village rapidly grew to a large port and emporium, overshadowing the older ports in the area. With the support from the Chinese emperor the king managed to stay independent of Siam. Many ethnic groups were present and it is reported that some 80 different languages were spoken. The custom that people from different ethnic communities lived in their own sections of the city started in this period. Islam was introduced; the king assumed the title of Sultan and Melaka became a centre of learning for Islam.

In 1511 the Portuguese conquered the city of Melaka. A stone fortress surrounding the present St. Paul's Hill was built and within this, palaces for the governor and the bishop, five churches, two hospitals, a college and other public buildings were built. The destruction of mosques and tombs shows a wish to weaken Islam. However, the tradition of separate ethnic quarters and multiculturalism continued. Melaka was frequently attacked by its Malay neighbours; other Europeans were sailing through the Straits of Malacca and had an interest in the area, and in 1641 the Dutch captured the city. They had conquered Java in 1619 and made Batavia (Jakarta) their capital in

the East. Melaka was not to compete but became their main base in the peninsula and again rose to a Southeast Asian entrepot par excellence at the end of the 18th century. The Dutch merely took over the existing infrastructure. Later they built a new fortress on St. John's Hill and in 1650 the former Governor's residence was converted into the Stadthuis. The catholic St. Peter's Church was built in 1710 and the protestant Christ Church in 1753, the oldest protestant church in Malaysia and still in use.

In 1795-1818, during the Napoleonic wars in Europe, Melaka came into British hands. By then Penang/George Town had been in existence for some time and as its rival, it was initially ordered to level Melaka. The fort was demolished, only the gate is left, but then the destruction was stopped. A few years later, in 1824, Melaka was finally brought under British administration.

George Town was founded in 1786 by the British. Unlike the Portuguese and the Dutch they exercised a policy of free trade. People from all over the world were encouraged to settle in the new town and to produce export crops. To administer the island, a Presidency was set up under the jurisdiction of the East India Company in Bengal and in 1826 it became part of the Straits Settlements together with Singapore and Melaka.

The development of both cities over the centuries was based on the merging of diverse ethnic and cultural traditions, including Malay, European, Muslim, Indian and Chinese influences. All this resulted in a human and cultural tapestry that is expressed in a rich intangible heritage that includes languages, religious practices, gastronomy, ceremonies and festivals.

In Melaka, a conservation area was first identified in 1979 and upgraded in 1985. In 1988 an international seminar was organized and the area of St Paul's Hill designated as a heritage zone. The same year, the State of Melaka established the Preservation and Conservation of Cultural Heritage Act, and in 1993 this was placed under the newly established Melaka Museums Corporation. From this the Conservation Trust Fund was formed, and from 2001 this has been used to finance selected building conservation projects in Melaka.

In George Town, a policy on conservation areas was introduced in the early 1970s. This was the first time a conservation plan became part of the town plan. The island's rapid urban change in the mid-1980s fostered a public conservation movement and an International Conference on Urban Conservation and Planning helped to raise awareness. In the early 1990s some demolitions and conservation projects attracted attention. The first major building restoration work undertaken by the State Government was the Syed Al-Attas Mansion in 1993.

Melaka and George Town values

- From a historical point of view, the properties illustrate the development of maritime urban settlements in the region and the contribution of diverse ethnic and cultural groups in the layering of the present cities.

- The urban layouts illustrate the application of European geometric patterns to settlements in Asia, with local characteristics such as the long narrow plots for shophouses and town houses.
- The architecture of both properties illustrates diverse periods and trends, including Portuguese, Dutch, Muslim, Indian and Chinese legacies.
- The collection of shophouses, exhibiting different architectural styles, is one of the main features of the nominated properties and is extremely rich when compared with other towns in the wider region.
- The properties contain typical urban architectural units, such as the Chinese *kongsi* or the clan jetties, which enrich the repertoire of urban and architectural components.
- Intangible heritage related to the tangible components is an important feature, illustrating the fusion of different ethnic communities that generate a specific cultural identity.

3. OUTSTANDING UNIVERSAL VALUE, INTEGRITY AND AUTHENTICITY

Integrity and Authenticity

Integrity

The nomination dossier includes no specific discussion on integrity; however, it provides information relevant to this issue.

In Melaka, the nominated area has a sufficient size and includes the elements necessary to understand the property's significance. It consists of the complete area of St Paul's Hill, which has through history contained the civic functions, and the larger Historic Residential and Commercial Zone where the built environment gives a whole and intact impression, with all the needed elements to express the multicultural identity. What has disappeared is the relation with the sea since the old harbour area has been reclaimed. However, the Melaka River still gives some contact with the sea.

In George Town the nominated property consists of a large area covering the whole of the north-east cape of Penang Island. This includes the first settlement and successive stages of growth as well as the harbour area and the relation to the sea. Within this area the elements expressing the significance of the property are present.

ICOMOS considers that the nominated areas in Melaka and George Town include all elements necessary to express their possible outstanding universal value and are of adequate size. There are some negative effects of development and long time neglect that are being addressed by relevant authorities.

Authenticity

The analysis of authenticity is presented by the State Party according to three themes: the living heritage, the urban fabric, and the architectural heritage. The authenticity of the living heritage concerns the ethnic groups that continue to practice their traditions and customs, which are found in their religious centres, the many festivals and processions, and in daily life, the culinary culture, smells, sounds, and the mix of languages.

The authenticity of the urban fabric includes the urban morphology, the largely retained urban fabric of shophouses with their street patterns and courtyards, as well as the open spaces. It is also a matter of the functions of the urban fabric and the continuity of use of buildings for specific functions.

The authenticity of architecture concerns design, workmanship and materials, including the large number of colonial buildings still standing in their original condition. It also has to do with the many different styles, adaptation to local conditions and experiences, the scale and the functions of the buildings.

ICOMOS considers that the nominated property in general has retained its authenticity according to the various aspects of authenticity as set out in the *Operational Guidelines for the implementation of the World Heritage Convention*. Listed monuments and sites have been restored with appropriate treatments regarding design, materials, methodologies, techniques and workmanship, and in accordance with conservation guidelines and principles. Shophouse modifications must be carried out in accordance with approved drawings. Some older conversions however include undesirable alterations and it is recommended that the State Party develop a comprehensive conservation plan dealing with all the buildings. The socio-cultural authenticity is at hand both tangibly and intangibly, and traditional crafts are being practiced.

ICOMOS considers that the conditions of integrity and authenticity have been met.

Comparative analysis

In the nomination dossier, Melaka and George Town are compared with the other Southeast Asian cities inscribed on the World Heritage List: Macao (China), inscribed on the World Heritage List in 2005, Galle (Sri Lanka), inscribed on the World Heritage List in 1988, and Hoi An (Vietnam), inscribed on the World Heritage List in 1999, as part of the spice trade route and settlements of Western traders. A few other cities are also mentioned.

Macao was a Portuguese city from 1557 and the other main influence was Chinese culture. In comparison, Melaka and George Town have a longer tradition of European settlement and a larger mixture of influences both Asian and European, resulting in a great variety of communities with different cultures, beliefs and customs living together, and an architectural heritage demonstrating this diversity.

Compared to Galle (Portuguese in 1505, Dutch in 1640 and later British), Melaka and George Town had a wider mix of Asian settlers, including Chinese, Indian and Arab traders, thus creating truly multicultural and international trading ports with different traditions side by side, and a different and more diverse architecture.

In Hoi An, mainly the Chinese and Japanese settled, but also traders from the nearby area. Of the European countries, the Portuguese arrived in 1535 and later the Dutch and the French, but none of them settled permanently. The typical rows of wooden shophouses give the town a uniform and different character from Melaka and George Town. Here the European influence was stronger and included the British colonial architecture, and the Asian contacts were more widespread, resulting in a wider range of buildings and multiculturalism.

Singapore and Phuket are also mentioned but compared to these, Melaka and George Town have larger surviving historic centres, different mercantile and cultural traditions, and a richer and more diverse built heritage.

Additional information provided by the State Party on 26 February 2008 extends the comparative analysis to other colonial towns in the wider region and in the Americas. Further information was also provided to clarify similarities and differences with the already discussed cases of Macao, Galle and Hoi An.

The State Party extended the comparative analysis to include Vigan, Philippines (inscribed on the World Heritage List in 1999). The main differences identified are related to historical significance, since Vigan was established by the Spaniards as a trade centre while Melaka and George Town were at the same time trade centres and fortresses. The analysis also identifies differences related to cultural significance, since the nominated properties experienced a richer mixture of influences. With regard to urban and architectural aspects, Vigan exhibits especially Spanish traditions that produced a homogeneous streetscape; in contrast, the nominated properties exhibit a mixture of architectural styles adapted to the local climate and cultures.

In relation to colonial towns in the Americas, the nominated properties are compared with São Luís (Brazil, inscribed on the World Heritage List in 1997), Colonia del Sacramento (Uruguay, inscribed on the World Heritage List in 1995) and Santo Domingo (Dominican Republic, inscribed on the World Heritage List in 1990). Although São Luís and Colonia del Sacramento exhibit Portuguese influences, there are evident differences to the nominated properties. In São Luís the buildings have been categorised into three main types; whereas in the nominated properties some twelve different types of shophouses can be found, as well as a diversity of religious buildings. In Colonia del Sacramento, architectural expressions are especially related to Portuguese and Spanish traditions, apart from the post-colonial architecture. Santo Domingo was constructed on the basis of a regular grid pattern that served as model for later urban settlements in the Americas and its colonial architecture is mainly built in white stone. Even if these colonial cities in the Americas exhibit the influences of European urbanism and architecture, the differences with

the nominated properties based on historical, cultural and architectural considerations are evident.

The additional information supplied by the State Party also to better clarifies the rationale of selection of these two cities in relation to other historic cities within the Straits of Malacca. Singapore and Phuket are island settlements on the mercantile route of the Straits and have historical and social links with the nominated properties. Compared to this group of Asian island port towns, Melaka and George Town have the largest surviving historic centres, where mercantile and cultural traditions continue to thrive. The central area of Singapore has undergone extensive demolition and redevelopment during the 1970s and 1980s. Phuket, which has similar styles of shophouses as in the nominated properties, is much smaller and does not have the rich and diverse built heritage found in Melaka and George Town.

ICOMOS appreciates the additional information provided by the State Party and is satisfied with the extension of the comparative analysis and with the clarification on the selection of these two properties in relation to the historic cities of the Straits of Malacca.

ICOMOS considers that the comparative analysis justifies consideration of this property for inscription on the World Heritage List.

Justification of the Outstanding Universal Value

The nominated property is considered by the State Party to be of Outstanding Universal Value as a cultural property for the following reasons:

- As excellent examples of historic colonial towns on the Straits of Malacca that have endured a succession of historical events, mostly related to their former function as trading ports linking East and West.
- As the most complete surviving historic cities in the Straits of Malacca with a multi-cultural living heritage originating from the trade route from Great Britain and Europe through the Middle East, the Indian subcontinent and the Malay archipelago to China.
- As a living testimony to the multi-cultural heritage and traditions of Asia, where the greatest religions and cultures met and co-existed.
- As a reflection of the coming together of cultural elements from the Malay Archipelago, India and China with those of Europe to create a unique architecture, culture and townscape without parallel.

Criteria under which inscription is proposed

The property is nominated on the basis of cultural criteria (ii), (iii), and (iv).

Criterion (ii): exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design.

This criterion is justified by the State Party on the grounds that Melaka and George Town represent exceptional examples of multi-cultural trading towns in East and Southeast Asia, forged from the mercantile and civilization exchanges of Malay, Chinese and Indian cultures, and three successive European colonial powers for almost 500 years, each with its imprints on the architecture and urban form.

ICOMOS considers that the nominated property exhibits an important interchange between several areas within Asia on the one hand, and a number of European countries on the other, over a span of five centuries. This concerns the development of architecture, technology, monumental art and town planning. Melaka and George Town show different stages of development and the successive changes over a long span of time and are thus complementary, which justifies the serial nomination. The extended comparative analysis provided by the State Party in February 2008 supports the relevance of the application of this criterion.

ICOMOS considers that this criterion has been justified.

Criterion (iii): bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared.

This criterion is justified by the State Party on the grounds that Melaka and George Town are living testimony to the multi-cultural heritage and traditions of Asia, where the greatest religions and cultures co-exist. This tangible and intangible heritage is particularly expressed in the large number of religious buildings of different faiths.

ICOMOS considers that the nominated properties bear an interesting testimony to the living cultural tradition of multi-culturalism of Asia, and a co-existence of many religions and ethnic groups with their individual cultures and customs. This also includes the European traditions. This multi-cultural heritage is expressed in many ways, including the great variety of religious buildings, ethnic quarters, the many languages, worship and religious festivals, dances, costumes, art and music, food and daily life. The extended comparative analysis provided by the State Party in February 2008 supports the relevance of the application of this criterion.

ICOMOS considers that this criterion has been justified.

Criterion (iv): be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history.

This criterion is justified by the State Party on the grounds that Melaka and George Town reflect a mixture of influences which has created a unique architecture, culture and townscape without parallel anywhere in East and Southeast Asia, with an exceptional range of shophouses and townhouses.

Even if similar types of shophouses and townhouses can be found in other parts of Asia, ICOMOS considers that the nominated property makes an interesting example of these types of buildings since they show many different types and stages of development of the building type, some originating in the Dutch or Portuguese periods. They are also preserved in great numbers, forming large coherent areas, and still keep their functions, which make them an outstanding example of an architectural ensemble. Furthermore their special construction gives them a great technological value.

The extended comparative analysis provided by the State Party in February 2008 allows considering the application of this criterion pertinent.

ICOMOS considers that this criterion has been justified.

ICOMOS considers that the nominated properties meet criteria (ii), (iii) and (iv) and that the Outstanding Universal Value has been demonstrated.

4. FACTORS AFFECTING THE PROPERTY

Development pressures

According to the State Party, the nominated areas are conservation areas protected from inappropriate development under very strict guidelines. Under the action plans, there is no new physical development permitted within the nominated areas and the development within the buffer zones is restricted to four stories. There will be no more reclamation of the coastal area adjacent to the nominated areas. Development pressures are mainly related to tourism (as discussed below).

ICOMOS considers that the compactness of the cities and the narrowness of the streets make these areas vulnerable to the spread of fires. The overloading of the electrical power supply by the use of air-conditioners and other household appliances could be another cause of risk from fire. The State Party reports that measures have been taken in order to control the risk of fire.

Visitors / tourism pressures

In Melaka there has been a marked pressure for tourism development since the 1980s. The number of visitors has risen from 2.5 million in 2001 to 4.6 million in 2005, the large majority being domestic tourists. The historic waterfront (partly in the buffer zone) has been reclaimed and developed into a large-scale shopping and entertainment centre including several hotels, and there have also been some unauthorized demolitions in the old quarters. The nomination presents a number of policies and mechanisms to mitigate the potential adverse impacts but also states that there is a need to introduce an urban conservation guideline to stop more indiscriminate development projects.

George Town, as the historic centre of the large city of Penang, is constantly subject to development pressure; it has always been famous for its beaches and attracted many visitors, but the focus is now shifting to heritage tourism. The number of visitors was 3.4 million in 2001

and has been similar since then. Foreign tourists form a large part of this. The planning policies and development controls operate to relieve development pressure in the historic area by the location of a second bridge link and road developments minimizing the traffic impact, new townships and an administrative centre. Since the Penang Structure Plan in 1987 the historic core of George Town has been treated as an historical and cultural enclave.

ICOMOS considers that the increase in visitors to the nominated properties could potentially jeopardise their values, integrity and authenticity and recommends that the management plan include measures for sustainable tourism development.

Environmental pressures

The State Party reports that there are no environmental pressures but recognises that traffic is the major threat for the properties.

ICOMOS considers that heavy motor traffic causes air pollution within the core and buffer zones. Some measures implemented are discussed in the *Risk preparedness* section below.

Natural disasters

The State Party reports that the nominated properties are not subject to earthquakes or other natural disasters. ICOMOS considers that the possibilities of tsunamis must be considered a potential cause of risk.

Impact of climate change

The State Party reports that there is no negative impact due to climate change. ICOMOS considers that the effect of global warming and the possibility of tsunamis are potential cause of negative impacts on historic buildings and sites. Taking into account the conditions of the hot and humid climate, the timber buildings are easily infected by termites, a risk that could increase through the rise in temperatures.

Risk preparedness

Fire hydrants are provided at regular intervals according to national standards and there is a fire station within the nominated area. In George Town several flood mitigation projects have been implemented.

In relation to motor traffic, the State Party reports that the authorities have already completed the ring road for the inner city, which includes a new bridge on the reclaimed land. Moreover, heavy vehicles are banned from passing through the area. ICOMOS notes that the nomination dossier does not specify whether the measures concerning traffic control are implemented in both cities (apparently the information provided refers to George Town) and recommends that the State Party extend these measures to both cities.

ICOMOS considers that the main threats to the property are tourism development pressure and traffic. In the longer term, climate change and rising sea levels may create flooding problems. ICOMOS recommends that these issues be considered in the management plan.

5. PROTECTION, CONSERVATION AND MANAGEMENT

Boundaries of the nominated property and buffer zone

In Melaka, the nominated property includes two major areas: St. Paul's Hill Civic Zone, where the main monuments are located, and the historic residential and commercial zone that includes more than 600 shophouses, commercial and residential buildings, religious buildings and tombs. The buffer zone consists of a belt of about one or two blocks wide surrounding the property, a slightly larger area to the east, and a very narrow strip of land on each side of the river leading out to the sea. A small area of the reclaimed land where the harbour once was on the south side of the city is included in the buffer zone.

In George Town, the nominated property consists of an area of 109.38 ha that includes more than 1,700 historic buildings. The buffer zone has a surface of 150.04 ha (not including the sea) and consists of a belt around the city of about one or two blocks to the south, the same width in the harbour and water areas to the east and north, and about five blocks to the west.

ICOMOS considers that the boundaries of the nominated property in Melaka and George Town have been appropriately designed. ICOMOS recommends that the buffer zone in Melaka be extended to include Bukit China (Chinese Hill), an area of 49.51 ha where a Chinese cemetery is located and gazetted as "conservation area" in the Municipal Structure and Local plans.

ICOMOS considers that the boundaries of the nominated properties are appropriate. The boundaries of the buffer zone should be extended in Melaka to include Bukit China.

Ownership

In Melaka 2.7% of the properties are owned by the government and 97.3% are privately owned. In George Town 45% of the properties are owned by the government and 55% are private. Private ownership can be individual or in the form of corporations or trusts, such as *kongsi* (Chinese clan associations and trade guilds) or religious or philanthropic groups.

Protection

Legal Protection

Legal protection is currently implemented at national, state and local levels.

The relevant legal instruments on the national level are:

- *The Antiquities Act* (1976, repealed in 2005). Limited to individual monuments or groups of inter-related tangible elements older than c.100 years. Drawn to "provide for the control and preservation of, and research into ancient and historical

monuments, archaeological sites and remains, antiquities and historical objects".

- *The National Heritage Act* (2005). Includes tangible and intangible cultural and natural heritage. The Act includes a wide definition of heritage. It establishes a new administration of the heritage: a special management unit (Department of Heritage) under the new Ministry of Culture, Arts and Heritage, and a Commissioner of Heritage to carry out the powers and functions of the Act; sets up the National Heritage Council (an advisory body), the Heritage Fund and the National Heritage Register, and provides for designation of heritage sites, declaration of heritage objects, underwater cultural heritage, declaration and protection of national heritage, licensing, appeal, enforcement powers and offences.
- *The Town and Country Planning Act* (1976, amendments 1993, 1995, 2001) governs urban and rural planning, providing a comprehensive system of control and guidance for applications. It provides protection against new developments and gives planning authorities the capacity to protect the built heritage in their own jurisdiction.
- *The Local government Act* (1976). Empowers local authorities to contribute to maintaining historic buildings or sites, acquire land to protect the significance of the sites, and raise or receive grants towards establishment and maintenance of public monuments and memorials, art galleries and museums.

The relevant legal instruments on state/municipal level are:

- *The Enactment on Conservation and Restoration of Cultural Heritage in Melaka* (1988). Recognises Melaka as an "historic town". A comprehensive document that covers many aspects of conservation and gives additional coverage for the protective designation of the heritage property. Provides for the setting up of a Committee on Conservation and Restoration to advise the State Authority about matters relating to the conservation and restoration of cultural heritage resources in the State of Melaka.
- *Draft Guidelines for Conservation Areas and Heritage Buildings*, Penang/George Town. Penang/George Town has no specific legislation for the protection of its heritage properties. However the core area has been identified as a conservation area under the Municipal Council of Penang Island's Structure Plan, governed by the Town and Country Planning Act 1976, and its Amendment Act, 1995.

In Melaka seven monuments and sites have been protected under the national Antiquities Act 1976 and three under the local Enactment on Conservation 1988 in both the core and buffer zones. In George Town eight monuments and sites have been protected under the national Antiquities Act 1976.

The nominated areas are conservation areas and protected from inappropriate development through strict guidelines.

Under the action plan for the area, there will be no new physical development within the nominated area and the development within the buffer zone is restricted to four storeys. This also includes control of types of activity and the usage of commercial premises.

Building and/or landowners are required to obtain permission from the Municipal Council for repairs, renovation and restoration of buildings, as well as for the construction of new buildings. For minor works, a simple form stating the work to be carried out has to be submitted, while for major building works a building plan submission with necessary scaled drawings of floor plans, elevations and sections are required. In cases of building works being carried out without the required permits, a stop work notice is issued. Further contravention of the Building By-laws may result in fines or prosecution in court. Building owners in the conservation areas have been informed of the existence of guidelines on building conservation.

Traditional Protection

Maintenance in traditional materials and workmanship is common and the craftsmanship is available. Local heritage trusts and volunteers are active in both cities, giving free advice and assistance to property owners.

Effectiveness of protection measures

The state and municipal governments act as law enforcement agencies and clearly demonstrate determination and political will in safeguarding the nominated properties through law enforcement and education. ICOMOS considers that the legal protection in place is effective since the nominated areas exhibit an acceptable state of conservation. Development control within the buffer zones ensures the adequate protection of the nominated areas.

ICOMOS considers that the protective measures for the property are adequate.

Conservation

Inventories, recording, research

The National Heritage Register, under the National Heritage Act (2005), identifies tangible and intangible, cultural and natural objects and sites that are important to the country. Nine committees have recently been formed to review lists of heritage objects, monuments and sites and to make recommendations for National Heritage. The Architecture Committee is now working towards establishing a list of Heritage Buildings, expected to number ten thousand.

The most recent inventory records of properties in Melaka are from 1994, 1998 and 2004, and in George Town from 2002 and updated in 2004. The Urban Conservation Guidelines for Melaka, 2002, contain a detailed inventory of buildings within the conservation area and an assessment of their architectural and cultural significance. In George Town a number of research programmes are mentioned, including programmes on Sustainable Penang, Nanyang Folk Culture, Traditional

and Endangered Trades, and an Oral History Workshop. A heritage building database using a geographical information system is being set up to monitor the state of conservation.

Present state of conservation

Although the nomination dossier does not include an overall description of the present state of conservation of the nominated properties, it includes detailed information on steps in safeguarding heritage and improving the state of conservation.

In Melaka many historic buildings have been restored by the state government or private owners. The nomination dossier expresses concern about some buildings which are left abandoned by the owners. Based on previous surveys this applies to 3.2% of the buildings in the core area and 4.5% in the buffer zone. In addition to these, 10% of the buildings are left unattended at the ground level, while 17.5% are left unattended at the first level. These buildings need to be repaired and maintained. Building owners have been contacted and some initiatives awarded to selected building owners, including funds for painting façades.

In George Town a visual survey of roof conditions was made of 3,206 buildings within the site as an indicator of building condition. It shows that only about 40% are in good condition, retaining the original terracotta roof, while the rest have altered the roof, using materials such as aluminium, zinc and asbestos sheets. About 5% were originally designed with concrete roof. A more detailed assessment of building conditions will be carried out as part of the heritage building inventory.

ICOMOS considers that, although there have been practices such as the inappropriate use of synthetic paints and the unlawful alteration of shophouses, the state of conservation of the properties is in general acceptable. In some cases, conservation works carried out by public works and by private initiatives is exemplary. Monuments, including temples, mosques, historic houses and schools are generally treated with appropriate interventions. However, a large portion of shophouses need interventions, including regular maintenance and removal of hazardous structures and sign boards. Although municipal authorities are working on this issue, ICOMOS recommends that shophouses must be a target of conservation due to their relevance for the identity of the nominated properties.

Active Conservation measures

The nomination dossier provides scattered information on recent conservation work and no information on what is currently going on and planned for the short-term, medium-term or long-term future.

In Melaka in recent years the trend has been to concentrate on individual monuments. This includes excavation of old walls, and restoration of shophouses, workers' quarters, a number of kiosks at the Dutch Stadhuis Building, the former Governor's house, the Old Museum Building and the Bastion House Building at Jalan Kota.

In George Town there has been a series of street improvements since 2003 and also restoration of some buildings (for instance the interior of the Old City Hall and 57 Macalister Road).

ICOMOS considers that the properties exhibit an acceptable state of conservation, but efforts are required to ensure the appropriate conservation of shophouses.

Management

Management structures and processes, including traditional management processes

In Malaysia there are three tiers of protection - federal, state and municipal. The federal government has overall responsibility for protecting national heritage, whereas day-to-day management and protection is handled by the municipal government with the state government's support.

At the Federal level, an overarching management of the gazetted monuments and national heritage sites is provided by the National Heritage Act. The State Authorities (the Melaka and Penang State Executive Councils) are responsible for general policy for planning, development and use of all lands and buildings within all the municipalities. At the municipal level, the two cities have detailed mechanisms of building and development controls.

Preservation and conservation work on identified monuments and buildings is carried out by agencies on different levels:

- The National Heritage Department, Ministry of Culture, Arts and Heritage is a Federal Department, which operates under the provisions of the National Heritage Act, 2005 to preserve the national heritage.
- In Melaka, the Melaka Museum Corporation has been given responsibility for administration, management and conservation of heritage sites. Within Melaka City Council, there is a Conservation Unit, supported by a Conservation Committee, within the Planning Department, which looks after applications for planning permission, building operations, licences and signs.
- In George Town, the Heritage Unit within the Building Department is presently responsible for the physical management of the nominated core and buffer zones, approving building plans and redevelopment, improving the building guidelines and their enforcement, and managing the conservation of heritage buildings for the city and the State. This unit will be upgraded to a Heritage Department under the current proposal.

There is a two-tier system of Structure Plans, which covers the whole of the state and deals with general policy; and Local Plans, which are detailed area plans. In considering planning applications, the Local Authority must take into account the provisions of the Structure Plan and Local Plans.

The urban conservation management system in the two cities involves four stages: technical approval (consulting the Technical Committee and State), partial approval (Conservation Unit), partial approval (State Conservation Committee), and full approval (State government council's meeting chaired by the Chief Minister). The applicant and adjoining land owners who had earlier objected to the application have a right of appealing to the Appeals Board. This cannot be used by third parties (such as conservation lobbyists).

Traditional management processes can be found within the various *Kongsi* (Chinese clan associations and trade guilds), charitable trusts and religious organizations, which own numerous heritage properties within the nominated site boundaries and are responsible for the management and maintenance of the respective properties in their traditional manner.

Policy framework: management plans and arrangements, including visitor management and presentation

Management is currently ensured by plans and projects designed and implemented separately for the two nominated cities. The main plans are:

Melaka

- Melaka Council Structure Plan (1993). Includes broad policies and proposals governing land use, housing, transportation, tourism, conservation, infrastructure and utilities.
- State Structure Plan of Melaka (adopted by Melaka Municipal Council and Melaka State Government, 2002). A section on conservation of heritage resources spells out the strategies for heritage protection, especially focusing on the Core Zone. The foundation for more specific guidelines in the Local Plan.
- Local Plans for Melaka (2001, revised version prepared in 2006). Detailed plans for specified areas, covering a range of matters including extensive coverage of heritage conservation.

George Town

- Penang Island Structure Plan (2000). Includes broad principles and policy regarding land development.
- Local Plans (2002). Includes detailed plans for specified areas, covering a range of subject matters.
- Penang Strategic Development Plan (2001). Deals with economic development with an emphasis on approaches based on sustainable development.

A number of projects have given experience and developed the practices of management. Under the five-year national development plans 1996–2000 and 2001–2005, several heritage projects have been undertaken, and many more are committed for 2006–2010. Many working committees have been drawn from both the government and private sectors to provide the required expertise and assistance, such as the following.

In Melaka, the Conservation Action Area Plan for Jalan Tun Tan Cheng Lock (Hereen Street) and Jalan Hang Jebat (Jonker Street), 1994; the Development Plan for the Conservation Zone in Melaka Historic City, 1994; the Urban Conservation Guidelines for Historic City of Melaka Municipal Council's Conservation Zone, 2002; the Melaka River Rehabilitation, 2002 and the Study on the Improvement and Conservation of Historical Urban Environment, 2002.

In George Town, the Campbell Street & Buckingham Street Area, 2000–2004; the Armenian Street – Acheen Street Area; the Kapitan Keling Mosque Area; the Little India Project and the Penang Gold Bazaar and Campbell Street Market.

There are many efforts to develop cultural tourism, but no specific management plan for tourism is presented. Local tourism associations and heritage trusts in collaboration with municipal governments have prepared heritage routes of various kinds. New interpretative sign boards with information based on scholarly research, have been installed. There is training for tour guides and guide books, web sites, brochures and serious publications are available and are of high quality.

Additional information provided by the State Party in February 2008 includes advice that the Management Plan for the historic city of George Town has been presented and approved with minor amendments at the State Planning Committee on 12 February 2008; and that the Management Plan for the historic city of Melaka was approved by the Melaka Historical City Council on 30 January 2008. The management plans have been included in the additional information supplied by the State Party.

ICOMOS considers that the management plans are adequate and congratulates the State Party for the quick action. Nevertheless, as the property is a serial nomination nomination, ICOMOS considers that, in order to improve the management system and in accordance with paragraph 114 of the *Operational Guidelines for the Implementation of the World Heritage Convention*, it would be necessary to create and put in place a committee or working group for the common treatment of management issues.

Involvement of the local communities

The State Party reports tremendous support from the public and NGOs, such as the Heritage of Malaysia Trust, the Malacca Heritage Trust, the Penang Heritage Trust, the Nanyang Folk Culture Group, and Chinese Clans (*Kongsi*) and Associations.

In Melaka an international seminar in 1988 helped to raise public awareness, and information guidelines have been developed for building owners. Educational and public awareness programmes have been implemented since 2002, ranging from general awareness talks to specific workshops on restoration methods. In George Town a public conservation movement started in the early 1980s and many programmes raising public awareness and participation have been organized by NGOs or the State and NGOs jointly. NGOs are reported to be actively engaged in the formulation of heritage

conservation policy as an important component of the State Government's sustainable development strategy.

Resources, including staffing levels, expertise and training

The states can apply for federal assistance through the newly established Heritage Fund for purchasing heritage and conservation areas and financing conservation and preservation, training and research, publications and grants or loans. This also involves private buildings. Previously the Department of Museums Malaysia, the Ministry of Housing and Local Government and the Ministry of Culture, Art and Tourism contributed towards conservation.

The Melaka Museums Corporation is involved in establishing museums and collects money which is used to provide financial help to property owners to restore historic buildings. Due to this the local authority's role is limited to planning control and enforcement. In George Town the local authority undertakes the financing of conservation projects. There is also a Heritage Grant Aid scheme from the Penang State Heritage Conservation Committee.

The level of staff for heritage building maintenance in the city of Melaka is 129 (12 professional, 42 technical, and 75 maintenance staff). In the city of George Town it is 172 (20 professional, 68 technical, and 84 maintenance staff). The professional category consists of architects, town planners and engineers.

ICOMOS considers that the resources and staffing levels are adequate for the management of the nominated properties.

ICOMOS considers the management plans are adequate. In order to improve the management system and in accordance with paragraph 114 of the *Operational Guidelines for the Implementation of the World Heritage Convention*, ICOMOS considers that it would be necessary to create and put in place a committee or working group for the common treatment of management issues.

6. MONITORING

Three key indicators have been used by both Melaka and George Town in measuring the state of conservation: state of repair, before-and-after conservation works and awards received from local and international institutions. The monitoring of the state of repair is being carried out on a regular basis and the physical condition of the buildings is characterized as very good, good, fair or bad. The monitoring and recording of before-and-after conservation works is also carried out progressively when the owners make applications for repairs and restoration.

At the national level, the newly formed Department of Heritage at the Ministry of Culture, Arts and Heritage is responsible for the management and monitoring, including properties in Melaka and George Town. At the local level, the monitoring of heritage properties is carried out by the respective enforcement units of the local authorities. A heritage building database using a

geographical information system (GIS) is being set up to monitor the state of conservation. The records kept in the heritage building inventory include the condition of the building and the actual interventions that have taken place. These records are maintained by the heritage units within the Planning Departments of the respective Municipal Councils.

ICOMOS considers that the key indicators proposed by the State Party are aimed at individual buildings or places but they are not sufficient for monitoring the effectiveness of maintaining the values, integrity and authenticity of the cities and their constituent villages and precincts. ICOMOS recommends that the State Party define a more complete set of indicators that could allow a more comprehensive monitoring system.

ICOMOS considers that the monitoring system must be improved by the definition and implementation of a more comprehensive set of key indicators that cover the whole range of urban and architectural heritage components.

7. CONCLUSIONS

Recommendations with respect to inscription

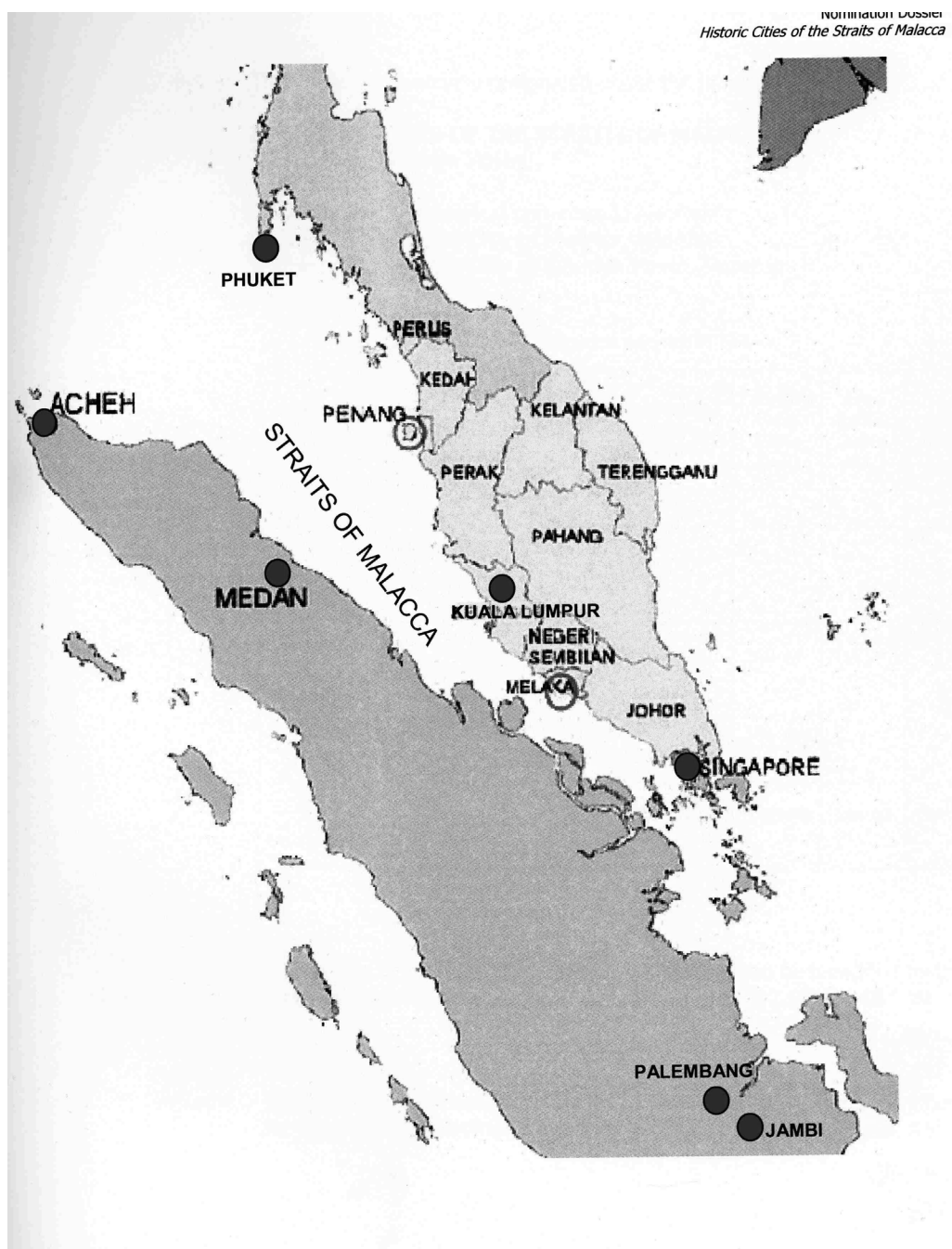
ICOMOS recommends that the nomination of the Historic Cities of the Straits of Malacca: Melaka and George Town, Malaysia, be ***referred back*** to the State Party in order to allow it to:

- Set up a management group or body for ensuring the co-ordinated management of the two cities as requested by paragraph 114 of the *Operational Guidelines for the Implementation of the World Heritage Convention*.
- Revise the boundaries of the buffer zone in Melaka in order to include the conservation area of Bukit China.

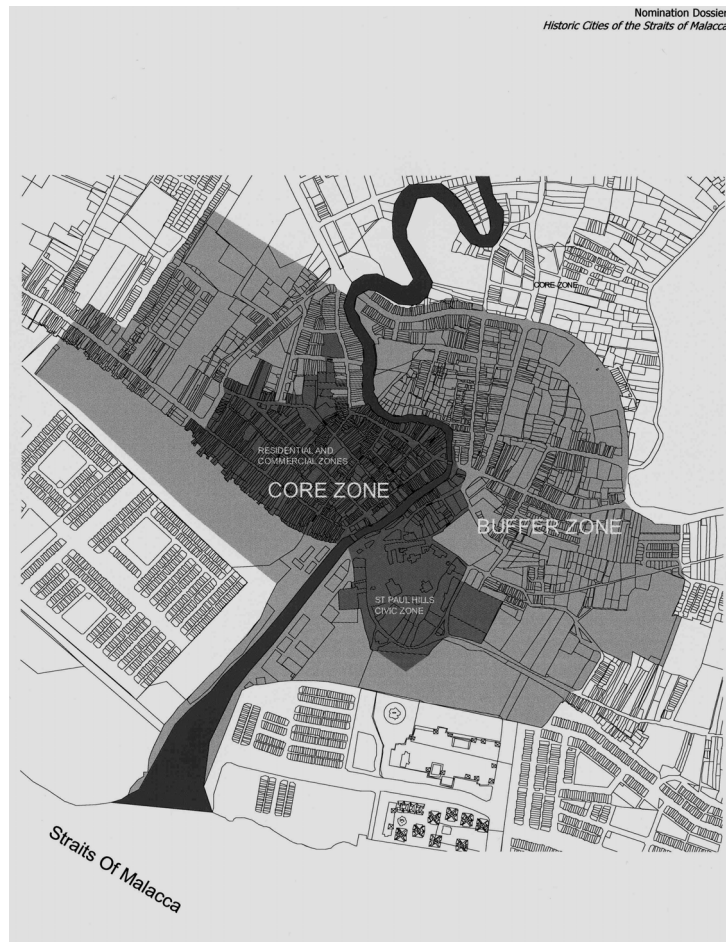
ICOMOS further recommends that the name of the property be changed to “Melaka and George Town, Historic Cities of the Straits of Malacca”.

In order to enhance the conservation of the properties, ICOMOS recommends that:

- A comprehensive conservation plan dealing with all the buildings must be designed and implemented for both cities. This plan must especially take into account the proper conservation of shophouses and the adequate techniques of intervention.
- Measures for decreasing motor traffic should be implemented for both cities.
- Control of tourism pressures must be one of the goals of the management plan.
- The monitoring system should be improved by the definition and implementation of a more comprehensive set of key indicators for the whole range of urban and architectural heritage components.



Map showing the location of Melaka and George Town



Map showing the boundaries of Melaka



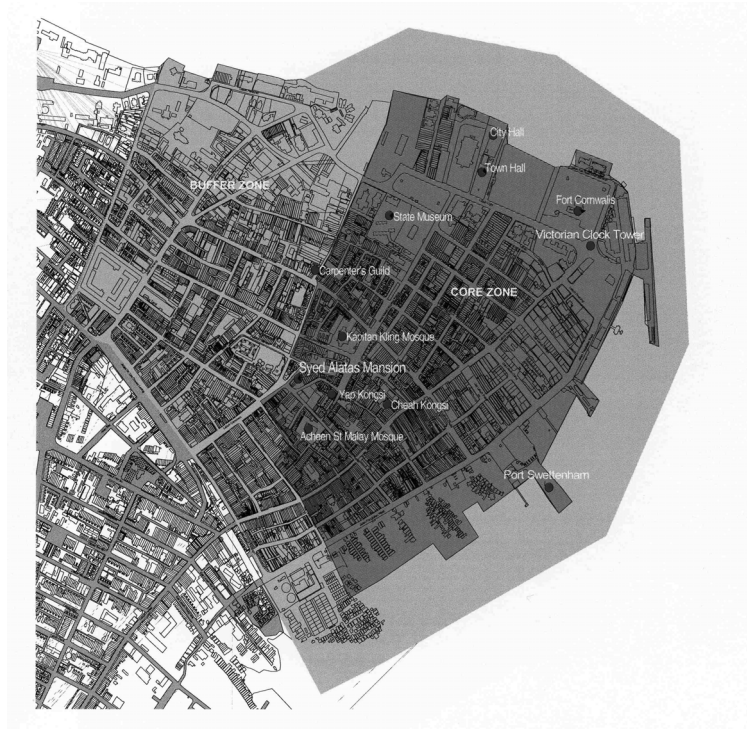
Dutch buildings



Shophouse



Chinese Cheng Hoon Teng Temple (1645)



Map showing the boundaries of George Town



Aerial view of the historic city



Houses in the compound of Khoo Kongsi



Goddess of Mercy temple