

## Infringement land



A report has been lodged by a public-spirited citizen on the indiscriminate smothering of carobs by an unscrupulous contractor. MEPA has been inspecting the site but to date no enforcement notices have been issued, since the culprits have not yet been identified. This comes hot on the heels of a similar case at the Grand Hotel in Mgarr, Gozo.

Throughout the years, we have always sought to sing our islands' praises, branding them as the islands of warm hospitality, culture and history, village feasts and a range of other attractions.

Yet we have overlooked some other less savoury attributes our islands are endowed with. One of these is the disproportionate number of planning and development infringements. Just go along any country lane and after a few metres you are bound to come across some glaring examples. Here is some feedback from MEPA to planning queries:

**Mtahleb cliffs** - report submitted by Ramblers Association. The help of the Police Administrative Law Enforcement Unit (ALE) was also sought in view of the sensitivity of the area and the seriousness of the illegal activity. In fact the site is subject to various constraints due to its ecological and scientific importance. The landowner was traced and warned to cease all further works. He was served with ECF 319/07. MEPA is seeking legal advice on this case.

**Wied il-Lunzjata, Xlendi, sewage outfall** - Nature Trust lodged a report with MEPA, Kercem and Victoria councils and the Water Services Corporation on the recurrent sewage outflow in the valley, which is scheduled as an Area of Ecological Importance, is a candidate Special Area of Conservation of International Importance, an Area of High Landscape Value and the only refuge in Gozo for the freshwater crab. The Gozo Public Health Unit promptly dispatched a WSC bowser to the area, which removed the stagnant sewage by suction, while the blockage in the sewers was ironed out.

**Birkirkara carob trees** - a private contractor started carrying out works to construct a new street at Triq I-Ghabex - a road overlooking Valley Road. To level the street, this contractor is pushing building debris down the valley with the result that he is burying three carob trees of venerable age. MEPA Emergency services and the Nature Protection Unit have been duly contacted by a conscientious member of the public, a site inspection was also conducted on site but the perpetrators could not be traced. No further feedback from MEPA re this case has been forthcoming despite repeated appeals.

### Floodlighting St Paul's Islands

Paul Vella and Vincent Agius, on behalf of the St Paul's Socio-Cultural Institute (ISKSP), fervently argue for lighting devices to be installed on St Paul's Islands so that "the whole bay would look magnificent at night", effectively sidelining much more important considerations. ISKSP, by their own admission, also wrote to the Commissioner of Lands in May 2006 to further drive their point home.

For this reason, Nature Trust (Malta), under the umbrella of the Light Pollution Awareness Group (LPAG), has also written to the Commissioner of Lands to make the following counter-arguments.

Firstly, the island of Selmunett is protected at the highest levels, namely as a proposed Natura 2000 site, scheduled as an Area of Ecological Importance/Site of Scientific Importance, a nature reserve and a bird sanctuary. Selmunett is home to the rare endemic plant *Parietaria cretica* and the endemic subspecies of Maltese Wall Lizard subspecies *Selmunett* (*kieselbachi*).

The area comprising Selmunett, Selmun and Mgiebah is currently devoid of excess lighting. This favours the preservation of the natural habitat and its ecosystems, allowing nocturnal and diurnal activities to take place unimpeded. Within this context it has been suggested that the

area become a Dark Sky Heritage Area, as for some parts of Gozo. Hence, one hopes that such wild-eyed suggestions, devoid entirely of any scientific foundations, as made by the ISKSP, are not taken on board.

## Local councils' laggard

A deluge of letters by irate Zurrieq residents have understandably inundated the newspapers in response to the local council's decision to deprive residents of the need to have a bring-in site within their locality on the premise that locals are not 'educated' enough to be able to discern between different types of waste.

This is somewhat presumptuous on the part of the local council, which has chosen to tar all residents with the same brush and treat them as backwoods morons. The stance taken by the local council contrasts starkly with the recent accession to the EkoSkola Green Flag award by the Zurrieq Primary School 'A' - in green terms, Zurrieq is quite an oxymoron at the moment!

## We know what we want for Gozo

Government will still find it hard not to alienate environmental NGOs as long as it harbours within its fold individuals like Euchar Mizzi who wrote an article "Ahna nafu x'irridu jew le?" ("Do we know what we want or not?", In-Nazzjon, March 28) in which he takes NGOs to task for opposing mega-projects in Gozo, such as the Hondq marina project and Ta' Cenc project, since, in his words, in so doing, NGOs are depriving Gozitans of good employment opportunities and are the major cause of unemployment in Gozo.

Needless to say, Mr Mizzi failed to mention the fact that more jobs in the tourism sector will be lost if Gozo is smothered by development, as has happened to Malta, in the Balearics, etc.; that Gozitans maybe prefer to have a good quality of life (e.g. enjoy clean bathing water at Hondq and uncluttered views at Ta' Cenc) rather than a good standard of living, which is often very difficult to quantify in feasibility studies.

Mr Mizzi harps on about cheap labour, which should be kept away from our shores - what about employment in the catering industry that the mega projects he speaks about will generate in the long term? The wages offered in this sector in Gozo are miserly.

What happened to the jobs promised by the proponents of some of the hotels that are being converted into apartment blocks? On the other hand, the site has been committed and lost forever. One should also not bank on the jobs in the construction sector that are being bandied about since these are only short term - the degraded bathing water quality however will be a more durable scar.

## Football pitches in valleys

Application PA 05219/05 was submitted two years ago seeking permission for the construction of football pitches and its associated facilities, replacing an existing field. The site covers a significant 5,600 m<sup>2</sup>, lies in a rural conservation area, in an ODZ (Outside Development Zone) just outside Hal Farrug industrial estate and housing estate. The proposals were refused by the DCC on May 29 on the following grounds:

- Structure Plan Policy SET 11 prohibits urban development outside existing or committed built-up areas;
- SET 12 seeks justifications by developer as to why SET 11 has to be infringed;
- BEN 5 states that ODZ applications should be assessed in accordance with designated policies and guidelines (e.g. South Malta Local Plan in this case);
- RCO 28 - proposed development could lead to contamination of a water catchment area and site is in close proximity to WSC Schinas pumping station; and
- RCO 29 seeks to protect the rural landscape, such as valleys.

The developer applied for reconsideration on July 14, 2006, on the following grounds:

Site is a disused quarry - as confirmed by EPD and through use of aerial photos, site has been fully reinstated however and is currently an abandoned field surrounded by a total of 13 carob trees;

Site is close to a residential area, with a number of permits being approved. Permits approved refer partly to the existing premises used by the developer (e.g. for a steel roof over loading area), have nothing to do with the proposed site and were approved prior to approval of Local Plan.

Proposal has social strings to it since the younger generation can spend their leisure time in sports and not other vices! My jaw almost dropped when reading this - this is tantamount to the argument that the children of illegal boathouse 'owners' should be allowed to enjoy their boathouse since they do not go to Paceville!

A stone's throw away are the Marsa sports facilities while another application for football pitches has been submitted for an inside scheme area at Luqa. Do youngsters need a football pitch under their noses to keep away from bad habits? What about the right of future generations to some open, uncluttered spaces, undeveloped water catchment areas and valleys, etc?

As rightly noted in the case officer's report, it is difficult to contemplate the need for such sport facilities effectively located on the Wied il-Kbir valley side. In conclusion, the case officer said that there is no valid justification for the proposed development, which is essentially of an urban nature since it runs counter to a number of Structure Plan policies and does not satisfy requirements outlined in the Draft South Malta Local Plan. End of story... why all the dithering in the form of appeals, reconsiderations, etc? Why create extra avenues which can be exploited by developers?

The planning misdemeanours committed on the other side of the same valley within Tal-Handaq Industrial Estate, an area riddled with enforcement notices, should not be emulated on this side of the same valley, which is relatively pristine.

One hopes that all the sterling spadework by the case officer is not ignored by the DCC board when it meets to decide on this application. The case officer's recommendations are based exclusively on existing planning legislation and hence should not be overruled by some last-minute expedient. In addition, if Qormi or Luqa councils are roped in the representation process by the developer, then they must justify their stance on sound arguments. The MEPA Directorate, in view of the above, also feels that the request for reconsideration should be dismissed and the original decision should be retained.

## **Silver linings**

Companies rally with WWF to save bluefin tuna - Major companies and organisations have joined WWF in a commitment to healthy oceans by signing an open letter appealing to the European Commission and member states to take action, before it is too late, for bluefin tuna in the Mediterranean.

As the bluefin tuna fishing season in the Mediterranean is about to begin, WWF and supporting companies and organisations are calling on the European Commission and member states to set aside half of the fishing quota for bluefin tuna in the Mediterranean this year. This would bring fishing levels in line with scientific advice. They are also urging the European Commission to put in place a sensible management plan to bring bluefin tuna and the fishery back from the brink.

EuroStar initiative - EUROSTAR, the high speed train company that operates between the UK, France and Belgium, has unveiled a plan to become carbon-neutral.

The plan ('Tread Lightly') consists of 10 commitments, including a reduction in direct carbon dioxide emissions by a quarter by 2012 and investments in carbon offsetting projects. The 2012 target will be achieved through measures like the purchase of more electricity from greener sources and investments in more energy-efficient trains.

Gozo ALE reconstituted - Gozo's ALE Unit, whose tasks are multi-faceted to say the least, has been reconstituted after a report published in MaltaToday.

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