

## Boathouses in paradise



Enforcement was alerted after two wooden structures were illegally installed on government land at Xatt l-Aħmar. The structures were removed by the owners themselves.

Tucked away in the southeast coast of Gozo, a stone's throw from the busy Mġarr Harbour, is Xatt l-Aħmar. It owes its name to the reddish hues of the surrounding soils and of the sand on its beach. The site is a treasure trove for geologists and geomorphologists due to the variety of its landforms. For example, it boasts the widest shore platform on Gozo.

Naturalists also value it in view of the many rare floral and faunal species that still thrive there despite the very small size of the two sandy beaches and dune remnants found in the locality. Its lack of accessibility by car has largely shielded the enclave from mass tourism and its impacts.

Given the context, one can just imagine the angst experienced by those who witnessed the recent installation of two new wooden rooms in the idyllic environs of Xatt l-Aħmar, seen in the accompanying photo. Planning Authority enforcement officers were alerted to the case and they duly talked the perpetrators into clearing the site.

Paradise is safe, at least for now...

### Legitimacy through longevity, and jobs...

It might not be listed as a standard procedural dictum but it is certainly ingrained in our collective mindset. Illegal structures that have been standing for donkey's years gain a veneer of legitimacy with every passing decade and are gradually accepted by the public at large.

The sprawling (3,500-square-metre) storage facility operated by the Bonnici group in Burmarrad is a case in point. Roughly 30 years ago, the agricultural land was flagrantly converted into an industrial facility.

At the time of writing, the sanctioning of the illegal conversion of the site is set to be approved, with most Planning Authority board members expressing themselves in favour of the proposed sanctioning for the simple reason that many people are earning a living from the site.

Trawling through the multitude of online comments in response to the story, one realises that the prevailing strand of thought among commentators, including Malta Developers Association president Sandro

Chetcuti, is that more problems would be created rather than solved if draconian measures are taken and the site is not sanctioned.

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Besides pointing to the long-standing nature of the site, proponents of the sanctioning claim it is important in terms of generating employment. They also play the 'planning gain' card – namely that sanctioning the site would generate a substantial planning gain, which may take the form of a hefty penalty paid by the site owners.

If the sanctioning is given the green light, as seems likely, the Planning Authority would have set a dangerous precedent in that it would have made itself liable to future similar arm-twisting and ransom tactics on the back of the employment generation card.

The west of Delimara peninsula presents yet another case which demonstrates that the Maltese in general are more acceptable of illegal structures with which they are familiar in view of their long-standing nature.

No sooner had photos of a number of illegal rooms at Delimara been posted on social media than apologists claimed that the rooms 'have been there for eons' and that 'I can always recall those rooms'. Some even played the partisan card, accusing previous administrations of turning a blind eye towards these contraventions.

The drift of this blinkered reasoning is that one should not expect the current administration to do anything about these illegal rooms if the previous one had just swept the issue under the carpet. Another argument is that those flagging the issue now must probably have a hidden agenda and an axe to grind with the present administration.

The prevailing mentality seems to be: why rock the boat now when the structure/s in question have stood there for so many years? This vicious cycle of pettiness and parochialism plays nicely into contravenors' hands – it is essentially their best guarantee that no action will ever be taken in their regard so they can continue to enjoy the fruits of their illegal investment for years to come.

The 'legitimacy through longevity' card is sometimes taken to extremes, with some architects and notaries seemingly having a predilection for delving into the past, not necessarily the recent past, to prove that what is essentially currently a mound of rubble was inhabited in the past, thus justifying the granting of development permits.

Malta Today recently reported similar antics by architect Robert Musumeci, who has raised the bar even further by quoting the 1947 electoral register when making the case for a client wishing to convert a mound of rubble into a two-storey building in an Outside Development Zone area in Żabbar. This despite the fact that the building had been allegedly abandoned almost 40 years ago.

The development boundaries may not have been formally extended but policies such as the one allowing the conversion of ruins into residences are effectively allowing the development of spanking new developments in the middle of the countryside.

## No lessons learned at Għarb

The recent granting of a permit for the development of a fireworks factory at Għarb runs roughshod over the will expressed by the majority (60 per cent) of local residents who had expressed themselves against this type of development in their locality during a consultative referendum held by the local council some years ago after the two successive tragedies in 2010 and 2012.

The approval, which has been justified on the back of the tailor-made policy on fireworks factories ushered in last year, commits another ODZ area in Għarb, which is designated as landscape-sensitive and coveted by ramblers. The latter designation and considerations, however, don't seem to cut any ice with the Planning Authority, with fireworks-making trumping over the practise of countryside walks.

As if this was not brazen enough, it transpires that a second application to develop another fireworks factory in Għarb at a location that is even closer to the watercourse at San Dimitri, is pending. Despite it being rejected in 2012, the application was resurrected thanks to the new policy on fireworks factories.

Setting up two such factories in the same area also multiplies the dangers faced by farmers and ramblers in the area, but unfortunately I doubt whether this argument will be given any serious consideration.



The longer illegal structures are allowed to stand, such as these 'rooms' in Delimara, the less likely anyone will rock the boat and take any action, as longevity tends to breed legitimacy.