

## ODZ figures don't lie



ODZ site: A fourth attempt to uproot this mature carob tree and develop this site within a rural hamlet at Kalkara will be defended by architect Robert Musumeci on April 28.

Sandro Chetcuti, the president of the Malta Developers Association (MDA), and Robert Musumeci, consultant to government on planning policies as well as private practice architect with a knack for ODZ permits, are both in denial mode.

They both recently downplayed the impact that the 2014 revised ODZ policies are having on the fabric of our countryside, going so far as to say that they don't believe that such policies have translated into an actual upsurge in the number of permits granted for ODZ areas.

The preposterous nature of such assertions is amplified further when one considers that statistics had been released in the media just weeks before clearly showing that the number of ODZ permits granted in 2016 was higher than ever recorded for a single year since at least 2006.

As if 2016 was not bad enough, 2017 is promising to be a trailblazer one, with a total of 269 permits being granted for ODZ areas in just three months.

Architect and lawyer Musumeci went one step further, claiming that a nuanced approach must be adopted in assessing such statistics and that an ODZ permit does not necessarily go against the spirit of planning policies.

That's rich from the same individual who currently has a foot on both sides of the fence and who is fully aware that the ODZ planning policies he helped usher in are fuelling all sorts of abuse in the countryside, under the guise of assistance for farmers. Former fields are being taken up by expanded luxury farmhouses, rubble walls are being constructed on dense garigue and 'tool rooms' are mushrooming. This is coupled with the bane of sanctioning which is being applied to whitewash some of the most obscene developments in our rural areas.

The exploits of Musumeci are highly visible in former hamlets like Wardija and Bidnija, where individuals with well-lined pockets and absolutely no connection with farming have managed to lodge themselves among the farming community by riding on the loopholes provided by the permissive ODZ policies.

*Individuals with absolutely no connection to farming have managed to lodge themselves among the farming community by riding on the loopholes provided by the permissive ODZ policies*

Chetcuti claims that the MDA is against the development of ODZ areas and that they are supportive to any move to stem such development. Well, for starters, the MDA should advocate the total repeal of the infamous 2014 ODZ policies. You surely cannot go wrong with that.

## **Planning Directorate vs Musumeci at Kalkara**

As I have reiterated on numerous occasions, some applicants, and architects never demur. Take PA 04437/17, which proposes the development of four residences and underlying garages within the Santu Rokku hamlet in Kalkara, with Musumeci acting as architect.

As aptly pointed out in the case officer's report, this is the fourth attempt at seeking approval for such a development given that the previous three applications (PA1509/09, PA1510/09 and PA2153/12) were all rejected since they were not consistent with Local Plan and Structure Plan policies for rural areas. The case officer was unequivocal once again when drawing up his conclusions for this fourth application:

"The proposed construction of four residential units runs counter to Local Plan Policy GK04, which sets a presumption against additional new urban development. The proposal also runs counter to Thematic Objective 1.10 and Rural Objective 3 of the SPED since the site lies completely outside development zone and the proposal is not considered justified to be located in a rural area. In this regard, the proposal is being recommended for refusal."

There is not much room for manoeuvre by the Planning Commission when it gets to decide the case on April 28, giving the damning recommendation submitted by the case office. One augurs that any legalistic antics which will invariably be resorted to on the day will be not be entertained by the Commission.

The case officer's report includes invaluable insight into exchanges between the Planning Directorate and the applicant's architect. Paraphrasing from such a report: In line with the direction by the PDAT in minute 105, the architect was requested to submit a revised proposal description and revised drawings limiting the proposed development to the construction of one dwelling unit abutting each blank party wall on either side of the indicated site... In his reply at document 104A, the architect contested these issues and requested to proceed with the application as is.

## **Out with the sand dune....in with the deck chairs**

Many have decried the recent opening up of the beach at Santa Marija on Comino to conventional tourism through the allocation of a beach furniture rental licence. The beach is considered to be one of just five beaches on the islands still harbouring some form of sand dune remnant.

Sand dunes are specialised vegetational communities colonising compacted sand in back-beach areas and featuring a diversity of highly endangered plant and animal species. And, as anticipated, such a development had repercussions, with considerable swathes of the dune remnants in the area being recently cleared of any vegetation, coupled with a heavy pruning of the mature Tamarisk tree stand. All this presumably to bolster the beach surface area available for paying patrons willing to rent out some form of beach furniture.

The Santa Marija sand dune remnants are ecologically important since they are the last known haunt for a critically endangered plant (the sand restharrow), besides still supporting a number of vulnerable plant species such as the sea daffodil, the searocket and the sea knotgrass. In addition, quoting verbatim from the Natura 2000 factsheet for Comino, "the native stands of tamarisk (*Tamarix africana*) are listed in the national RDB since these native trees have a restricted distribution in the Maltese Islands and are strictly protected under national legislation".

Hence, what action/s will be taken to safeguard the integrity of the site from further degradation?