

Of sanctionings and deferments



The relatively pristine Wied Dalam between Ghaxaq and Birzebbuga faces the brunt of illegal dumping, especially of discarded metal drums, rusting corrugated iron, building rubble and even tyres. The valley should be cleaned up without affecting the ecologically important valley bed.

With all the goodwill in this country to stave off illegal building and with all the claims that the dark planning ages of the Seventies and Eighties are well and truly defunct, some cases surface occasionally as if to hint that there are still ways and means (albeit subtle ones) to beat the system.

A case in point is the notorious bungalow at Gebel Ghawzara, l/o Bidnija and Burmarrad. It all started towards the end of 2002, when an already existing (but modest) agricultural building was demolished illegally and a new one (much larger and more plush) sprouted in its stead.

MEPA, according to a well-oiled script, on May 5, 2003 duly meted out an enforcement notice - 00159/03. Still faithful to the same old script, the applicant, buoyed by a renowned architect, applied (in 02573/03) "to regularise changes in building configuration to achieve better outlook and remove dangerous construction" - simply attempting to sugar the pill of the word 'sanctioning'. The 'dangerous construction' phrase has become clichéd in planning circles, especially in cases referring to agricultural buildings such as farmhouses.

The DCC board, meeting on February 16, 2004, refused the sanctioning application. Unfazed, the applicant a month later (March 18) filed for a reconsideration of the board decision. Despite a recommendation for refusal, the reconsideration board on October 5 this year overturned the original decision, justifying itself quite lamely by stating that "applicant complied with the DCC's request, and since a landscaping scheme is no longer required, the application was approved subject to a planning gain and to conditions".

Since the applicant has actually built illegally, landscape considerations should be put on the back burner. MEPA fails to elaborate in its Website on the nature of the planning gain and we have to take its word that such planning gain will actually materialise. No amount of planning gain and no imposed conditions can compensate for the fact that an obtrusive, unsightly blue-painted building (flanked by two out-of-place palms) was given the green light.

The DCC should now realise that, as result of its decision to sanction the building, we are today left with Burmarrad residents looking at Gebel Ghawzara in disbelief, shocked that the applicant has managed to get away with building his dream dwelling on the best vantage point in the area right on the verge of the cliff face, a feat that they will never manage to do.

Such crass injustice will only serve to stoke the flames of even more injustice... the logical conclusion will be 'Why not me next time?' One hopes that the change at the helm of the DCC A board is complemented with a similar change in the timbre of decision-taking. Minister George Pullicino would do well to take a leaf out of this case when trying to improve existing planning legislation.

ECF00893/99 is a pending enforcement notice referring to the illegal additions to La Grotta Discotheque in Xlendi, a notice which has been waiting to ripen into a possible direct action since 1999. MEPA's Website appears to be in dire need of a facelift since it is currently stuck at April 6, i.e. the Appeals Board agenda date! An update on the case would be appreciated.

Chamber takes a stand

Despite our differences in the past, I must acknowledge that the Chamber of Architects has finally taken up the right cudgels in expressing concern over the demolition of ODZ (Outside Development Zone) hotels to make way for residential development.

Especially comforting is the statement that "where possible areas of natural beauty or of important visual impact should be recovered and the necessary decisions taken to preserve these sites".

The scheme, as revealed by the chamber, is quite Machiavellian - when the original application for hotels were processed and determined, planning regulations and zoning conditions were often relaxed due to the economic importance of hotel development, which generated employment, investment and income.

When the hotel operations made way to the residential development, the same conditions were applied, even though this development was of lesser nation-wide benefit.

Cases which come to mind are the Verdala Mansions, Kempinski Hotel in San Lawrenz and the Mistra Village, among others, which have all buckled under the pressure and had to shift part of their operations towards residential development.

One wonders... against the backdrop of our authorities failing to enforce existing regulations on the height, density and zoning conditions in these former hotel sites, can their claims that residential development within the proposed Xaghra I-Hamra golf course site will be strictly curtailed be taken seriously? The answer is a resounding no!

Golf... more food for thought

MR CHARLES ZAMMIT, writing from New York (The Sunday Times, November 27) should realise that what makes sense for the United States does not necessarily make sense for Malta. A golf course might not be 'monstrous' to look at, but the morays it leads to certainly are. Mr Zammit can opt to embark on some roaming in a whole plethora of sites in the US, while we Maltese rank Xaghra I-Hamra as one of the very few remaining havens for ramblers.

Mr Zammit claims that he "has yet to read an opponent articulate convincingly" on the shortcomings of a golf course in the islands... I will not bore him with all the facts but I can refer him to a number of sterling, scientific anti-golfing contributions (in contrast to mainly amateurish contributions from golfing proponents) sent to this newspaper over the last few months.

I will just mention the fact that, according to a Blue Plan study, Malta had the highest competition index for water resources (24,800 inhabitant/hm³/year during the 1990s) among national Mediterranean basins. Spain, boasting over 300 golf courses already, is having second thoughts on the 400 golf courses it has in the offing due to chronic freshwater shortages, which have culminated in large-scale forest fires last summer.

Thinking of having a reverse osmosis (RO) plant (too expensive) or a sewage treatment plant on site is also not feasible due to the high costs involved with treating the water to a sufficiently high standard that its fit for irrigation purposes (as revealed by Minister Austin Gatt himself). May I also refer Mr Zammit to a letter by Mr Carmelo Aquilina from Brighton, England (The Times, November 28) who summarises the various reasons why there should be no more golf courses on the island.

Mr Zammit is right on one thing, though - anti-golfers outnumber golfing proponents by a large margin. Gone are the days when the public sways along with official fanfare and statements... everyone is now free to roam the Web to get hold of the real facts about golf courses.

Illegal building fines to be beefed up

The news that Minister Pullicino will be asking for a beefing up of fines (raising the maximum from Lm1,000 to Lm10,000) when an applicant asks to sanction an illegality should have drawn more plaudits. May I ask what stance will be adopted regarding illegal boathouses, especially those built on public land, such as those at L-Ahrax tal-Mellieha? Or has their case been time-barred, at least after election time?

As a further suggestion, may I add that developers of illegal buildings should be blacklisted in the same way that employers of illegal immigrants are barred from government contracts for three years. How's that for a deterrent?

Jumbo Lido and demolition costs

MEPA's PRO Sylvana Debono rightly laments the pains taken by MEPA to recoup part of the enforcement process costs (The Sunday Times, December 4), conservatively estimated at about Lm250 an hour. This must be seen against the revelation last Sunday by MaltaToday that the former owners of the Jumbo Lido in Sliema (thankfully demolished) will not have pay for the costs incurred during the demolition process (nor any rent arrears).

The demolition costs, according to the same newspaper, amount to Lm4,500, a sum which will be billed to the MTA. Government's compensation for all this - pretty meagre - relinquishing of the tenancy of the site just nine years before the expiry of the lease to the operators.

The government should now demolish the Mare D'Oro premises in Xemxija (as hinted by Mr Arthur Muscat, writing in The Times of November 11), which have long fallen into disrepair and which are detracting from the attractiveness of the popular Fekruna Bay.

Silver linings

Dwejra, finally! - After two whole years, the management plan for Dwejra, the site of a Heritage Park project by Nature Trust (Malta) and MEPA, has finally been approved by the MEPA board.

Such a plan, which contains 23 management measures, is to be revised every two years - the next stage is the implementation stage which can finally begin now that the 'Magna Carta' for the area has been approved.

Wied Garnaw victory - hot on the heels of the Wied Moqbol and Has-Saptan success stories, the DCC last Monday yet again refused an application to site a waste separation plant in the middle of Wied Garnaw, I/o Santa Lucija.

Greenpeace initiative - On November 18, Greenpeace launched its biggest project ever - "Defending our Oceans". This one-year ship voyage around the world's oceans will highlight the different problems facing them, and propose solutions.

The ultimate aim of the project is to propose an international network of marine reserves. A stop in the Mediterranean is being planned, to highlight the problems posed by tuna pens. Further information from www.oceans.greenpeace.org

Intelligent PQ - Labour MP Evarist Bartolo is be commended for tabling a useful parliamentary question to Minister Pullicino which revealed that 20.9 per cent of our coastline is already developed.

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