

## Villa Mekrech's first victims



Time will tell if the precedent set by Mepa at Villa Mekrech in Ghaxaq will result in the piecemeal development of its entire gardens.



This stump is all that remains of one of the garden's chainsawed mature olive trees.

The diatribes between Flimkien għal Ambjent Aħjar (FAA) and the Malta Environment and Planning Authority about Villa Mekrech in Ghaxaq have confused many who found it hard to follow the timeline of events and judge both entities' actions.

I have tried to get the facts right to understand the villa's convoluted history. In 2005, Mepa's Heritage Advisory Board called for the urgent scheduling of Villa Mekrech and its gardens. This call went unheeded for seven years, as it was only on September 25 that the entire 7,551 square metres of the garden grounds were scheduled through an emergency conservation order.

But the significance of this scheduling was diminished, as on October 1, 2008, an outline permit PA 01350 /06 was granted for the development of a site that Mepa claims is adjacent to, not forming part of the villa's 'formal gardens', a claim disputed by the FAA. After the granting of the outline permit, an application for a full development permit for six residential units with underlying garages was submitted to Mepa in May 2010.

The outline permit and above-mentioned full development application might have induced Mepa to water down the rigour of the Emergency Conservation Order it issued on August 31 for the entire 7,551m<sup>2</sup> footprint of the villa's gardens as, just three weeks later, on September 25, part of this footprint which was fully protected from development – 569m<sup>2</sup> or 7.5 per cent of the entire footprint – were designated as a buffer zone (Grade 2), opening them up for limited development, which Mepa duly approved on October 25.

One may argue that the approval of the outline development permit has committed the site to development. But the permit should have been withdrawn once it was proven, through letters

and photos, that mature olive trees on site had been chainsawed or compromised, at least in one case, by having a nail driven through them.

Mepa claims the applicant was granted a permit to transplant three mature olive trees and that, so far, only one has died, but the photos featured with this article suggest otherwise. Mepa's Heritage Unit claims that the granting of this permit sets a precedent for the piecemeal destruction of the adjacent gardens.

One wonders why it took seven years to issue the Emergency Conservation Order for the site, which Mepa's heritage experts described as "unique in Malta", but just three weeks to water down this scheduling to accommodate the issuing of the outline permit.

The impression one gets, as transpires from the case officer's report itself, is that rather than preserve the garden's integrity, Mepa was more concerned to cover its back against a possible protracted legal battle with the applicant, emboldened with the outline permit in hand, and to preserve the public perception of the way outline permits are issued.

FAA members should be commended for their sterling work in bringing such cases to the fore and for exposing the Mepa's partial back-peddalling on the case.

## **It's fine being 167th**

In an article in Malta Today on November 6, Malta Developers' Association chairman Michael Falzon made much of the World Bank's survey on obstacles hindering business worldwide, which placed Malta in 167th place in ease of obtaining construction permits, lower than most African countries. Given his current role, he obviously couldn't do otherwise, but given his former role as the minister under whose watch the Structure Plan and the Planning Authority was ushered in, his cynicism somewhat rankles.

I am sure Falzon is fully aware of Malta's unique context, which may be summarised as follows: a built-up area that is over seven times the European average (roughly four per cent of the European mainland is built up, compared with almost 30 per cent of Malta); over 70,000 vacant buildings (according to the Mepa chairman himself) or as Carmel Cacopardo puts it on his blog, the equivalent of nine ghost Birkirkaras; and the issuing of redundant building permits (since more residential building permits are being issued than are necessary to meet demographic trends).

To further complicate matters Malta has one of the world's highest population densities, making the need to protect third party rights and minimise construction-related inconvenience all the more important.

Against this backdrop, it makes sense to call for the brakes to be applied, except for Falzon, it seems.

For instance, in 2006, when the so-called 'scheme rationalisation scheme' (which was actually an extension of building zones) was approved, Falzon had downplayed its significance, saying this would increase the area within the building scheme by a mere 0.18 per cent.

This rubs more salt in the wound of those who felt cheated that more Outside Development Zone (ODZ) land was being handed over for development. What will Falzon's position be in 2016, when the 10-year moratorium on further scheme extensions expires? Without doubt, he, along with his developers lobby, will again clamour for the building zones to be further extended.

Strangely, these facts were omitted in Falzon's opinion piece. By conveniently leaving out of his arguments the caveats imposed by our limited geographical space and stifling population density, he is doing a disservice to developers.

With so very little uncommitted space left on these islands, God forbid it should be 'business as usual', as Falzon would have it.

## **Leo Brincat and EIAs**

Labour's environment spokesman Leo Brincat recently claimed that the Government has warmed up to solar power because experts had advised it that the proposed offshore wind farm was not feasible, presumably through the recently-completed Environment Impact Assessment (EIA) study.

I fail to see the news value of Brincat's statement. Did he expect an EIA to formally endorse the project it was commissioned to assess?

Does he not realise that an EIA is not commissioned to give a project the green light but that some projects might actually be shelved as a result of the EIA? If this was not so, it would defeat the purpose of EIAs, which would otherwise simply become rubber stamps.

Decision-makers should be applauded for taking decisions based on expert assessments in EIAs rather than on the basis of populist considerations. Otherwise, we would regress to the dark old days when projects were rushed through without any impact assessment study being conducted.

## **The environment matters, or does it?**

In a recent interview featured in Mepa's Outlook newsletter, US Ambassador Gina Abercrombie Winstanley said she was buoyed by the interest the Maltese show in environmental matters. My upbeat reaction to this positive statement was somewhat deflated after watching two recent editions of Xarabank featuring the party leaders.

In an analysis by the programme producers, the word 'environment' does not feature as one of the key terms mentioned by the leaders of the two main parties, who stuck almost exclusively to terms such as health, employment and education.

The only reference to environmental issues involved photovoltaic panels and sewage treatment plants, which are laudable initiatives; but in both programmes, thorny issues like ODZ development, illegal boathouses and air pollution were only mentioned by Alternattiva Demokratika.

## **MIA tree-planting**

Kudos to Malta International Airport and its employees and to the Tree4U campaign, which recently planted about 300 indigenous trees, mainly olive, cypress and bay laurel in the areas of Gudja and Għaxaq.

[www.alandeidun.eu](http://www.alandeidun.eu)