

ODZ applications



Should credibility be given to this sign? With the setting up of the Ramblers' Association and, one hopes, with the collaboration of the Lands Department, ramblers will no longer doubt whether they are trespassing or not. Incidentally, this site features on the front page of an MTA walking tour guidebook for tourists!

I refer to the letter by Architect David Pace, president of the Chamber of Architects, published last Sunday. I concede that not all architects are cut of the same cloth, but I think Mr Pace is well aware of the same circle of architects whose names are connected with sanctionings and ODZ applications. Can he vouch for all his colleagues that they would normally advise their clients not to apply for ODZ sites, for the 'common good' as he states?

What I object to is Mr Pace's branding my claims and those of Maurice Mizzi as 'frivolous'. After all the pains I take to get public scrutiny of all the planning foul-ups in this country, Mr Pace dispels my efforts as frivolous. So are all the pictures accompanying my articles regarding specific cases simply a figment of my imagination? Is it not architects who apply on their clients' behalf to get all the shameful sanctionings I show week in week out? Isn't it obvious that I will lambast architects if they are responsible for continuously piling up the pressure on MEPA to reach their ends?

It is intriguing that Mr Pace chose to rebut only the accusations levelled at architects by Chev. Mizzi and myself rather than those in the same vein coming straight from the horse's mouth, as it were, Environment Minister George Pullicino, who is also an architect. Would Mr Pace consider the minister's statements as frivolous too?

Constructive criticism always comes up against an obstacle - the threat of expensive legal action, which indirectly favours the financially well off. Instead of making an implied threat of legal action, Mr Pace should have told us that the chamber is to come up with a list of recommended amendments to the architects' code of ethics, such as that no architect can apply for an ODZ site on behalf of his client, that no practising architect can be part of a decision-taking board or of any political force, etc.

If, as Mr Pace claims, an architect is bound to pursue every legal avenue to defend his client's cause and the law condones ODZ applications, then architects should press for a revision of planning legislation so that they are not put in the untenable position of having to apply for an ODZ permit because their client instructs them to do so and at the same time they feel they should not do so in conscience.

If they fail to do so, then we will continue to witness the vicious circle of ODZ illegal development, eventual sanctioning, journalists lambasting architects, etc. The onus is on architects to clear their name, with tangible facts, rather than simply stating that they are abiding by a code of ethics.

We may be excused for lambasting architects since, for example, it was with the help of an architect, and not, say, a butcher, that a permit was obtained for an agricultural store with a satellite dish in Bidnija. This is simply stating facts.

I refer Mr Pace to an interesting letter by Mr Alex Montanaro (The Times, February 1) where he writes: "A DCC member said that in a case such as ours it would be very probable that the developer would win his case at the appeals stage... One member of the DCC gave us hope and a breath of fresh air in expressing his opinion that developments such as ours are good for the economy - this is the common sense that our country needs".

Without going into the merits of this particular case, and without knowing whether the implied DCC member was an architect or not, does Mr Pace think that such behaviour, namely where DCC decision-taking members converse quite candidly with applicants, is ethical or not?

Apart from my so-called 'insinuations', if he is not left slack-jawed at the justification given by the DCC for overturning the Directorate's recommendations regarding the much-publicised Dingli barracks case (that a previous permit had been granted for an adjacent site, therefore, setting a dangerous precedent), then, I do envy him.

Does the Chamber of Architects see this as an example of "behaviour by architects which goes against the proper practice of the profession or the interest of the community"? To further prove that such weekly claims are not frivolous, I am listing the ODZ applications submitted to MEPA over the last few weeks:

January 15 - four ODZ applications, referring to two sites in Qala (to sanction existing building at Ta' Zewwieqa - 02219/04 - and to sanction existing landscaping scheme at Triq tal-Wileg - 5736/04), one in Ta' Cenc (06807/04, referring to the planned construction of a swimming pool and other alterations to a villa, even though this is a strictly scheduled Level 1 site, protected both as an AEI and an SSI) and 06966/04 referring to the restoration of stormwater channels at Salini in Burmarrad.

January 22 - three ODZ applications, referring to sites in Nadur (Triq il-Buskett, 04971/04, for proposed additions to an existing building, including construction of swimming pool), in Siggiewi (for the proposed extension of hardstone quarry to 190 m², 07213/04, although it is very close to Ghar il-Kbir) and the proposed construction of an agricultural residential unit at Tal-Qadi, l/o Naxxar (06591/04).

January 29 - four ODZ applications, referring to sites at Mgarr (06352/04 for the construction of terraced maisonettes along Triq il-Banjijiet Rumani), in Munxar (06649/04 for the construction of flats along Triq Ras il-Bajjada), in Wied Glavan in Xghajra (06465/04) for the construction of a garage and residence, and at Tas-Salib, l/o Rabat (07342/04 - construction of a tool room).

(This section has been compiled with the help of Annalise Falzon of Nature Trust, Malta).

Add to this the final cherry - that three per cent of all granted permits are for ODZ sites (Structure Plan review) and you are in a vantage position to decide for yourselves whether my claims and those of other environmental correspondents are frivolous or not.

However, despite the letting off of so much steam on my part, I appreciate Mr Pace's endorsement of my efforts to curb ODZ and illegal development.

Misinterpreting MEPA building permit statistics

The spotlight has already been turned previously on the fact that MEPA gave a somewhat flawed interpretation of development permit statistics issued lately. While MEPA DG was somewhat buoyed by the figures, the fact that the number of granted permits in 2003 (6,128) are way above what our country actually needs (1,700 households every year), that although terraced houses, bungalows and villas make up just eight per cent of the total granted permits, they were still increasing (increasing by 11 per cent on 2002 figures, and more than 170 per cent higher than 1999) is inalienable.

When will somebody finally wake up and state that a permit should be refused since it is surplus to what we need? Scouring through the property market, one can catch a glimpse of many plush villas with a sign saying "Owner leaving island" - so first develop a pristine site in no uncertain ways and then they speculate since they are able to leapfrog abroad leaving behind an impoverished (in environmental terms) island. Just visit places like Fawwara in Siggiewi to see what I mean.

Is it too much to expect MEPA case officers to start writing in their report on specific cases "Recommended refusal since property is surplus to the country's needs since there is tangible proof that it will be inhabited in the near future but is just another speculation pawn"?

Recently, the MEPA chairman, in an interview with Vanessa Macdonald carried in The Times Business Weekly stressed that 60 per cent of the land within development schemes is still

undevalped - god forbid that it should not be since, from an aerial survey, Malta looks like one giant limestone conglomerate. And who needs land within scheme anyway when people are increasingly applying for ODZ sites?

Shameful application at Ta' Cenc (Wied Sabbar)

Few non-Gozitans actually have any idea where Wied Sabbar is but those who do know would not dispute its inherent beauty and ecological importance. In acknowledgement of its importance, it is in fact scheduled as a Level 1 site as an AEI (Area of Ecological Importance) and SSI (Site of Scientific Interest) by PA - GN 937/01. The same site, together with the Ta' Ġenġ area, may well be included in the Natura 2000 network by declaring it on SAC (Special Area of Conservation).

Despite this, an application has been filed to carry out modifications to an existing villa on site, for its carport to be roofed and for the construction of a swimming pool. Some powerful figures seem to have a predilection for remote, scenic sites on which to build their villa and pool. Such a permit should be refused, no matter who the applicant is, and the waste dumped in the environs (to degrade its environmental value) should be cleared.

Offroading - no real attempt at stemming the flow

A full 12 months ago this column published eloquent photos of offroading vehicles wreaking havoc with the clay slopes at Selmun. To date, no authority has raised a finger to stop this illegal activity which can only be condoned in places like Ta' Qali and Óal Far. One can always call the beleaguered ALE to stop the illegality but with risible fines being handed every time by our courts, many are willing to take the risk.

Many of those visiting Gozo this weekend reported seeing offroad tracks in vulnerable sites like valleys, as part of an activity branded 'National Offroading Challenge', most probably held without the consent of the major offroading associations. It would be interesting to receive feedback from such associations, as to whether they were aware of such an activity and their position on illegal offroading.

Silver linings - MEPA takes action

MEPA, despite its many flaws, does manage sometimes to take the bull by the horns. With reference to the illegal building at San Martin Valley, I/o St Paul's Bay, MEPA finally managed to identify the occupiers and landowners of the site and ECF 990/04 was issued.

Once the period for such an enforcement notice expires, the case will be referred to Direct Action. I shall certainly continue to monitor progress, so that the site may finally be restored to its pristine condition.

In addition, the owner of the illegal garage opening in Mosta has agreed to demolish the whole thing himself, rather than wait for MEPA to do the job.

Our first Ramblers' Association

The first landmark Ramblers' Association for the islands has just been set up, thanks to the hard work put in by Lino Bugeja, who has his sights set high, such as on the publication of a public paths map and frequent liaising with the somnolent Lands Department.

An excursion to the elusive Ras ir-Raheb or Ras il-Pellegrin may very well become possible quite soon. Well done!

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