

## Mistaking the wood for the trees



Birdlife's EU Life Yelkouan Shearwater project aims at safeguarding the population of ca. 500 pairs of this bird species located at Rđum il-Madonna, at the fringes of L-Ahrax Peninsula. Photo courtesy of F. Dhermain.

While the Ulysses Lodge case was hogging all the limelight (and rightly so for some of its aspects), very few drooled on an even more galling permit grant, still relating to the Ramla I-Hamra environs.

PA02407/04 relating to the construction of a large cemetery along Triq Ghajn Qasab in Nadur, was granted, pursuant to the granting of outline permission in reference to PA2887/02. The site lies on the upper reaches of the valley leading to Ramla I-Hamra and is shorn of any previous development scars.

Hence, if the Ulysses Lodge case (where the site was, at least partly, encroached on by a previous development and redevelopment was on the cards, up to an extent) kicked up all the rumpus it did, why then did the Nadur cemetery case (where not even the slightest sliver of redevelopment was contemplated) did not attract at least so much media attention?

The case officer had recommended a refusal for this ODZ development on the following grounds:

Structure Plan Policy RCO4 provides that, particularly within Rural Conservation Areas, areas of scenic value will be protected and enhanced. The area in which the site is located is of considerable scenic value.

The proposal would detract from this, and so it would conflict with Structure Plan Policy RCO4.

The proposal includes excessive areas of hard surfaces and the soft landscaping proposed is not adequately placed to mitigate the visual impact that the proposed development is bound to create. It would therefore detract from the visual amenity of the area and would not comply with Structure Plan Policy BEN17, which requires appropriate landscaping of development.

The proposed development would result in the destruction of two existing carob trees, protected by LN 12 of 2001, and thus conflicts with the provisions of this same legal notice.

There is no justification for the proposed size and height of the chapel, as well as the resulting limited landscaped areas as required by Structure Plan policy SET 12. It is apparent that there are no reasons from a planning point of view why the proposed chapel is to be so large and why no more landscaping is introduced.

The proposed development is located within an Area of High Landscape Sensitivity. Gozo and Comino Local Plan Policy GZ-RLCN-1 sets out a strong presumption against the creation of built structures in such areas. The proposed development thus conflicts with Gozo and Comino Local Plan Policy GZ-RLCN-1.

One can further add that the site harbours ca. 5,000 citrus trees and there are grave concerns on the impact of the development on groundwater resources in the area. Here again, no EIA has been commissioned to fully assess the hydrological impact.

A system of vaults and ducts were built on site by the Knights of St John. Agricultural land is being lost inexorably at the rate 2 km<sup>2</sup> every year and our agricultural produce meets just 17 per cent of our local demand. The MEPA Board chose to throw overboard such sacrosanct rationale and to approve the proposed development, which will quaff large swathes of arable farmland.

While the Church Green Commission should be lauded for decrying certain aspects of the Ulysses Lodge project, it should also take up the cudgels of the farmers opposing the cemetery in their back yard. Or is the same commission coy about taking such a stance since this would be tantamount to internal strife since a Gozitan parish is the applicant in this case?

The Gozo Curia should take a page out of the commission's book and avoid meddling in projects with a significant negative environmental impact.

### **The *Ramla l-Hamra* ruckus**

Let's break the mould for once and start with a silver lining - the deluge of protests witnessed in the local media on the controversial Ramla bungalows permit mirrors the clout that the environment as an issue wields on future political agendas - not even the most myopic politician can now afford not to be well versed in environmental issues.

I will certainly not be embroiled in whether the issue of the permit granting process was a flawed one or not. I will rather elaborate on issues that have been left by the wayside by many columnists, namely:

- the recent rationalisation exercise was partly justified on the premise that no more ODZ development will be sanctioned in the future. The Ramla case blows such a 'promise' to smithereens, although it may be argued that the outline permit for this project was issued in 2005, preceding the rationalisation exercise. In any case, this column had been a Jeremiah in stating that the projected 0.4 per cent increase in built-up areas would not be adhered to.
- the photo montages provided by MEPA on the project seem to throw a wet blanket on environmentalist concerns since they depict a minimal visual impact on a lower degree than the present one. Such photo montages will be stored and used in eventual indictments five years from now, should part of the proposed landscaping not be adhered to.
- MEPA has gone to great pains to placate public fury on the approved project, to the extent of publishing five press releases in quick succession and posting executive summaries and photo montages and the case history on its Website. This is the expeditious protocol that should be adopted by MEPA for all ODZ applications; it should not be an ad hoc approach adopted only when MEPA feels it has its back against the wall.

Another laudable initiative taken by MEPA is that it is ensuring the tourist project through public deed, to safeguard against future plans to convert the premises to residential or other uses. This certainly sets an interesting precedent - why isn't such a condition made mandatory for all ODZ developments?

George Pullicino, in a recent interview, poured cold water over the possibility of reinstating derelict sites to their original pristine condition in view of the prohibitive costs for public coffers. Government should seek to engage actively in reinstating at least a few coastal areas of high landscape value and reverting them to the public domain, as stipulated by Structure Plan policies, as embarked on in countries like Croatia and Spain.

The need for an EIA was waived since the PDS for the proposed development was "sound and detailed". Is this extraordinary stance yet another harbinger of the stance to be adopted in the future for other mega projects? Surely this must be a dangerous precedent to set.

Permit Condition 8 refers to the bank guarantee that should be deposited by the developer to ensure adherence to permit conditions - this is the derisory sum of Lm10,000. Surely, a higher sum could have been stipulated, especially in view of the purported selling price of the proposed bungalows, which would enable an eventual forfeiture of such a sum.

The executive summary compiled by the ASC (Archaeological Services Co-operative) ends by recommending the setting up a heritage trail at Ramla for the public to savour its cultural assets - will such a trail be included as part of the developer's responsibilities?

One augurs that the fracas over the Ulysses Lodge case serves as a poster for a more coherent public consultation protocol in future.

### **Entrenching the right to object**

A. Williams (The Times, June 8) could not have hit on the nail better when decrying the current sita notice affixation protocol adopted by MEPA, which, to use a platitude, is flawed. Herewith the bones of contention on such a protocol:

The date on which planning applications are signed by a MEPA representative should coincide as much as possible with the date that such applications are brought to the public's attention - most often, there is a discrepancy of weeks or even months between the two dates. Definite timeframes should be imposed - e.g. site notices should be affixed a full week (at least) prior to expiry of objection period.

The sole way through which the public should be alerted to such planning applications should be through the site notice affixation procedure and not through publication in limited sections of the press - presumption should be that members of the public generally do not read newspapers and not that they flit continuously through stashes of newspapers, with the apprehension that, if you do not keep your eyes peeled or if you lower your guard inadvertently, your rights as a party impinged by a proposed development will be taken away.

The Ramla Ulysses Lodge issue is a case in point - the green lobby was at fault for not objecting to the outline permit way back in 2005. Such a failure is hardly surprising in the light of how the onslaught of ODZ developments are advertised, often for fleeting moments.

The identity of the contractor to which the onerous task of fixing site notices has been delegated by MEPA is not disclosed. Although one might argue that this is done to stave off solicitations, in what is a two-sided sword, this also raises questions on whether the same contractor abides by any predefined mandate and to tenets of accountability. Who ensures that this contractor is fulfilling his onerous duties expeditiously? Why is this process not open to public scrutiny?

It is only through an acquiescence of this that MEPA is embodying its onerous task of informing the public about pending applications. All too often, due to trappings of the systems arising from these shortcomings, residents are faced with the customary "it's useless to object at this stage since the representation period is over" from MEPA after the site notice is fixed after the expiry of the objection period.

### **A bold decision at *Mgiebah***

Contrary to the report in *The Times* of June 14, beached *Posidonia oceanica* (Neptune Grass) debris is neither an "alga" and nor a "major problem". *Posidonia* is a seagrass (there are five different seagrass species in the Mediterranean, including *Posidonia* and *Cymodocea nodosa*) and a phanerogam (i.e. a seed-bearing plant).

The species, in exceptional years (e.g. 2004), can even flower and fruit, resulting in olive-like propagules being washed up on shores.

The seagrass is not a "major problem", although it may be from a purely anthropogenic perspective, since it might be considered a nuisance to some bathers. But from an ecological perspective, the seagrass has a multifarious role. Such wrack (dubbed "banquettes" in the Mediterranean) helps to trap beach sand underneath, shielding it from eroding waves.

This is a useful source of organic material to the beach (our sea is generally an oligotrophic one - i.e. poor in nutrients) helping in the regeneration of dunes by aiding the compaction of sediment through the formation of 'sandwich-like' layers and is also a transient habitat for specialised macrofaunal species, known as psammatophiles (restricted to the strandline of beaches), which form a veritable ecosystem of their own.

A number of endemic fly species have also been recorded from such accumulations. Beaches in southern France and northern Spain have already smelled the coffee when it comes to embracing the importance of such banquettes by marketing beaches 'marred' by the presence of such debris as 'eco-beaches' - such marketing involves informing tourists that the presence of such profuse debris on their shores is an indication of the good bathing water quality of their beaches.

Needless to say, since such an information campaign is also a fledgling one locally, it will be met with sneers and will raise eyebrows at its onset - but the first bold step has been made.

The Blue Flag beach certification scheme, so much in vogue at the moment, also provides for the accumulation of such debris on our beaches "as long as this is not a nuisance to bathers". The presence of such seagrass accumulations is rationed by the availability of inaccessible beaches, which are not targeted for "grooming exercises" - such inaccessibility can be viewed as a blessing in disguise.

For those still unconvinced about the positive spin-offs from not grooming some of the less popular beaches, just run a search on the Web to flit through the slew of countless published works on the ecological importance of banquettes.

### **Labour's environmental plans**

Some of Noel Farrugia's proposals in the environmental sphere (A new beginning in agriculture: hydrology), well-meaning as they are, will cause apprehension to any ecologist worth his salt -

namely, the "rehabilitation of cliffs and valleys".

Such habitats are among the most vulnerable and would certainly fare better without running the gauntlet of heavy-handed human intervention, as happened recently in a number of valleys 'embellished' by government employees or as happened in the 1980s within the ambit of botched attempts at restoring valley systems in the wake of heavy flooding (e.g., the infamous Riscq il-Widien scheme).

On the other hand, some of the other proposals are commendable ones, such as the retention and storage of water for irrigation purposes, the rehabilitation of the hydrological system, a greater investment in agro-tourism and a protection of biodiversity.

## **Latest objections**

This section has been compiled with the help of Ms Annalise Falzon, NTM.

The latest objections filed by Nature Trust to MEPA are the following:

Submitted on Monday - objection to PA 02049/07 (sanctioning of batching plant at Quarry No. 33, Ta' Bellula, Siggiewi) - NT rebuts that no further applications or sanctioning should be granted on site, an area that continues to be highly degraded and subject to several enforcement notices, before the owner commits to restore the whole area and mitigate the constant nuisance and ecological damage by fine dust particles, which cover the vegetation within a considerable distance of the plant. The site lies next to a protected and candidate Natura 2000 site, which is also popular with tourists and locals, who have to face this huge eyesore and suffer the clouds of dust and disastrous roads to get to Ghar Lapsi.

Submitted on June 1 - objection to PA 02409/07 referring to the change of use from warehousing to a supermarket at ground level at Triq il-Fortizza, Mosta. The site is an ODZ one, on the upper reaches of Wied il-Ghasel. MEPA's own Interim Retail Planning Guidelines state that supermarkets should be sited within town centres or at most 100 metres away from the boundary edge; objection to PA 07244/06, referring to a proposed ODZ supermarket in Zabbar (featured in this column two weeks ago); objection to PA 02162/07, referring to the proposed extensions of showrooms and garages in an ODZ site at Ta' Xkora, in Mosta.

If fees were to be charged for every objection submitted, as suggested by the GRTU, the way would be paved for most of these controversial developments, as objection costs would spiral prohibitively.

## **SmartCity clarification**

The last issue of this column featured photos of dereliction at Xghajra and apportioned these to the SmartCity project. It has now transpired that the works shown are in fact part of the sewage treatment plant relocation project and attributed to the WSC.

Such a contretemps would have been avoided had MEPA replied to my queries on the photos in good time - the queries were submitted on May 18.

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