

Legitimising illegality



The sprawling development at the Hal-Farruġ business park is strewn with so many enforcement notices it is hard for anyone to keep track.

Now that L-Istrina fundraising marathon is over, any comment is game. The choice of venue for this year's event - Monte Kristo winery at Hal-Farruġ in Luqa - for such a charitable event should not detract from the unadulterated infringements conducted on site and in the immediate environs.

Despite having had illegalities on site tacitly sanctioned by the Malta Environment and Planning Authority in December 2006, the winery's administration was presented with further enforcement action this year for converting agricultural land into an impromptu car park, for example.

Against the backdrop of commitments taken by government to curb illegal developments in ODZ areas, Mepa should have not allowed the commercial use of the area for L-Istrina and for the wine festival held last September.

The massive, recently-extended business park at Hal-Farruġ, covering a staggering 45 tumoli, is peppered with enforcement notices most of which have not even uploaded on the Mepa mapserver.

Besides a handful of resilient Mepa enforcement officers, who is actually keeping track of all the onslaught taking place at Hal-Farruġ? Planning infringements should not be whitewashed in the name of charity.

An objectionable mushroom farm

Planning application PA 05707/07 was submitted in October of last year for the construction of a mushroom cultivation unit within a 16,000 square metre site, at Ta' Dbiegi in Gozo. The Għarb council is objecting to the application despite the application details hinting that the site will be located in Kerċem.

The local council jurisdiction over the exact location of the proposed development is one of the many contentious issues surrounding this development.

It transpires that access to the site is through Ta' Dbiegi Crafts Village, which lies in Għarb/San Lawrenz and not in Kerċem. You might shrug this off as a triviality, which it is not, since details of the development would not be retrievable during a search for all planning applications submitted for the locality of Għarb or San Lawrenz.

Therefore, residents and local councils of these two localities would be oblivious to a development lying squarely within their precincts. The applicant should have been judicious enough to at least include a mention of the crafts village in his application. Other bones of contention include the voluminous Environment Planning Statement documents for the proposed development that contest the Mepa designation of an 'industrial development', instead classifying the development as an agricultural one (Class 18), and obfuscating the clear-cut distinction between industrial and agricultural development by describing it as 'industrial agricultural'. Obviously, the applicant is pinning his hopes on the fact that projects of an agricultural nature are considered more permissible for ODZ areas than those of an industrial nature. With the current rampant conversion of agricultural land into industrial zones in Malta (most notably at Maghtab/T'Alla W Ommu and at Hal-Farruġ, Luqa), Gozitan entrepreneurs seem to have jumped on the same bandwagon.

The applicant is proposing a 14,000 square meter (14 tumoli) construction within an ODZ area. The area is designated, within the relevant Local Plan, as land of agricultural value. The area is also included within the Linear Country Parkways and Circular Walking Routes in the Local Plan. The proposed development will effectively dwarf the crafts village since its total roofed area is almost twice the size of the entire crafts village.

No viable alternative site assessment has been conducted. For instance, alternatives such as the Xewkija Industrial Estate have been ditched outright due to potential conflicts with adjacent residential areas, even though the area is designated as an industrial estate. In stark contrast to this, the proposal impinges on a residential area in Għarb.

Transport considerations also go against approval of the application. The documents state that a staggering 22,000 kg of chicken manure and 42,000 kg of straw will have to be transported to the site each week, so as to produce the mushroom substrate on site. This is strangely classified as a benefit.

The mind further boggles considering that the straw will have to be imported and that 70 per cent of all the mushrooms cultivated will be shipped to Malta.

So why not have the cultivation unit directly in Malta, in the numerous available industrial spaces or abandoned farmhouses, to save on the superfluous island-hopping exercises? An assessment of the visual impact from the Ta' Dbiegi and Għar Ilma/Għajn Ilma hillocks was strangely not requested by Mepa, even though the massive roofed structure will be visible from these areas. Furthermore, only a narrow sliver of land was allowed for landscaping within the proposed footprint.

Unfortunately, the representation time window during which one could have submitted an objection elapsed last week. With so many ODZ applications constantly being churned and still being processed and considered by Mepa, rather than being refused outright, it is hard to keep track and to make deadlines.