



THE CHURCH IN MALTA

COMMUNICATIONS OFFICE
Archdiocese of Malta

7th November 2017
92/2017

PLANNING FOR TODAY FOR THE FEW - NOT FOR TOMORROW FOR EVERYONE

STATEMENT BY THE CHURCH ENVIRONMENT COMMISSION

On the occasion of World Town Planning Day (8th November 2017) the Church Environment Commission (KA) reflects on the current state of development planning in the country and is concerned, as it has been for the last years, about the direction that planning in Malta has taken.

1. Communities are being forgotten

It has become a feature of land-use planning in Malta to take the developers' side and not that of the wider community where the proposed developments would take place. This trend is manifestly evident in the preparation of the original Paceville Masterplan where the main aim of the exercise was the combination of a few developers' projects with hardly any concern for communities' concerns. It was only after vociferous protests by the communities that this plan was withdrawn. However, in the process, too many resources were wasted because at the core of the process it was the interest of a few developers that was of paramount importance. The construction of tall buildings in the middle of urban areas is also an effect of this approach to planning.

2. Publication of revised local plans

While towers are being built among communities in Gzira and Sliema, the local plans which should put communities at the centre of planning have not yet been published. This failure to publish the local plans stands in stark contrast to statements from minister after minister responsible for planning to the effect that such plans would be published within specified timeframes which have now long elapsed. It is when an economy is booming that planning becomes more essential because the relaxation of policies and plans to accommodate a few people will make life unbearable to others who have to absorb the negative effects of such developments. It is of deep concern that while new local plans are still unpublished, partial

reviews of the existing local plans are being carried out including through planning control applications which are changing in a piecemeal fashion, different areas in such local plans with only a few people in the country, if any, knowing what the combined effects of such changes would be. The KA appeals to the Planning Authority to immediately carry out an exercise to identify and address conflicts that may exist between various planning policies and between such policies and development plans, including local plans. Such conflicts are the joy of legalistic consultants and should be minimised in a serious planning framework.

3. Pre-electoral promises

Is the publication of the local plans being held hostage by pre-electoral promises to various individuals to extend the development boundaries, which promises are now being deemed to be impossible to entertain without compromising definitively large tracts of open spaces? Promising the Earth to various individuals risks imploding the whole planning governance system in the country. The wider community suffers the negative impacts of such promises which would also include promises of changing development plans and policies, as if public consultation and a rigorous planning process were of no relevance. Political patronage is destroying the country's urban and natural fabric. It seems the Government has retreated from planning and left the urban and natural environments to be exploited by developers with as few controls as possible. This approach is clear when one considers policies relating to the construction of tall buildings in the middle of urban areas, and developments in rural areas. These policies are wreaking havoc in urban and natural environments. A few people are trampling on the rights of a much wider, less well-off community with the result that social cohesion deteriorates. While some people make hay while the sun shines, they deprive others of the light of the sun. Repeated calls to Government to change the policies that are ruining the urban and natural environment have fallen on deaf ears.

4. The Constitution and the environment

One can only smile when there is talk about including the protection of the environment in the Constitution. There is a lot that can be done now to protect the environment by changing all the plans and policies that are compromising it without waiting for a process that nobody knows when it will start let alone when it will end. There is no need for a Constitutional Convention to publish local plans that do not extend the present development boundaries and which show how communities are going to be served by better planning. There is no need to change the Constitution for Government not to allow developments in areas that are outside development zones. It is pointless for Government to state that it will not carry out

itself development projects in outside development zones, when at the same breath it allows the private sector to do so.

5. National heritage not a priority

The Environment Commission has stated more than once that the Environment and Resources Authority, and the Superintendence of Cultural Heritage should be granted a veto in cases of development applications relating to areas within their competence. The Environment Resources Authority is, by design, not able to fulfil its role to safeguard communities from unbridled short-termism that is the result of uncontrolled market forces.

On the other hand, the KA is disappointed by comments to the media by the Superintendent for Cultural Heritage who has been reported to state that “the general trends and policies all favour development. We have to bridge the rights of the individual with the protection of historic sites”.¹ If this is the vision of the Superintendence of Cultural Heritage, then the country will gradually lose many of the yet-undiscovered sites that may be worthy of protection.

In this context, the KA appeals that in the development planning application process, the consultations required from the Superintendence of Cultural Heritage and the Environment Resources Authority would not be constrained by the 30-day response period beyond which the Planning Authority deems that there is no objection from such consultees. If no reply is received by the Planning Authority within the prescribed period then the Ministers responsible for such authorities should be informed so that the necessary measures are taken for a response to be transmitted to the Planning Authority. It is inconceivable that the national heritage, which also has a high economic value in terms of Malta’s attraction to tourists, is put at risk because of such guillotine procedures that may be open to abuse.

6. The importance of having meaningful and publicly available information in drawing up plans and policies

In the very essence of its meaning, planning is future oriented so that communities of lasting value can be created and sustained. The KA is concerned that plans and policies are not being formulated on a community-based vision, supplemented by hard facts that are meaningful for the proper planning and execution of such plans and policies. For the last two years, the KA has been appealing to Government to commit itself to carry out a property study and update it every year. However, instead of carrying out a study of its own, with the

¹ <https://www.timesofmalta.com/articles/view/20171101/local/superintendent-for-cultural-heritage-explains-controversial-mosta.661916>

terms of reference agreed upon by a wide spectrum of stakeholders and, then, publishing the study in its entirety, Government has preferred to be present at the launch of a study by the private sector. Both the Planning Authority and Government have a fundamental responsibility to ensure that national resources are used sustainably and that policy measures are wisely devised and not drawn up hastily in response to a crisis which would have been evident much in advance for those who dared to acknowledge it.

The proposed property study needs to ascertain whether the development projects being currently built, when added to those that are currently being negotiated with the Planning Authority will not produce a bubble which will have serious implications on the country when it bursts. Such study needs also to investigate the extent to which the Citizenship by Investment Programme (IIP) is inflating prices in the country and whether the possibility of money laundering activities is contributing to this phenomenon. In a market where information spreads very fast, a few transactions can have an impact on the whole market. The study should address demographic projections, the demands for industrial, commercial and office space that is really required by new or expanding economic sectors together with the risks attached to the over-reliance and growth of such sectors. Although obviously there is no bubble bursting now, the KA can never be convinced that the country may not be heading towards one in the future unless a published study proves otherwise.

7. Institutions to stand up for the common good

There are various institutions in the country relating to land-use planning for the enjoyment of present and future generations. In this respect, the Planning Authority, the Environment and Resources Authority, the Lands Authority, the Attorney General's Office and Parliament are the foremost institutions in granting public land, regulating its use and ensuring that conditions attached to granting of land and development permissions are respected. There cannot be proper governance of public land without ensuring full transparency and respect of the laws and treating all bidders for public land equally.

Professionals at these institutions have a duty of care to the whole population and not to powerful developers which include Government or developers which use Government as their proxy through the granting of development permissions or changes in policies and plans. The KA appeals to all professionals at these institutions to uphold their responsibilities towards the current and future generations and resist any pressure in changing their professional opinion when such pressure is not founded on properly and ethically acceptable reasoned motivations. It is then up to the final decision-makers to explain clearly the reasons why recommendations from professional staff are overturned at the decision stage.

In this context, it is the duty of such decision-makers and Government to ensure that consultants that provide advice to both Government and such institutions do not have conflicts of interest that may contaminate the advice that they provide.

The KA notes that the Office of the Guardian for Future Generations is conspicuous by its absence in the national debate on safeguarding the environment for future generations. The KA hopes that this Office will start to make its presence felt strongly in order to safeguard the environment for future generations.

Regarding statements in the media about SmartCity, the Environment Commission would welcome a statement from Government as to whether the development there and the current plans for the area depart from the agreement that was approved by Parliament or the Masterplan approved by the then MEPA. This project has been the subject of various claims carried by the media which do not seem to have been denied by an official statement to date.

At the same time, one cannot turn a blind eye to the proliferation of so-called 'massage parlours' in residential neighbourhoods. Judging from reports in the media published these last few months one wonders whether the services offered in these places and the way they are run, are subjected to some kind of monitoring.

8. Road widening and the protection of trees

The KA again appeals to the authorities to safeguard trees in road widening projects. This appeal is stronger in the case of scenic areas such as the road from Mistra to Selmun. Road widening cannot become an uncontested policy which has total overriding concerns especially in cases where the benefits are not clear or where the negative environmental impacts are too pronounced in terms of damage to or destruction of trees and other ecosystems. On the other hand, the introduction of trees in the rebuilding of roads in urban areas helps in cleaning the air, cool the streets and provide oxygen making up for the toxic gases and particulates released by motorised vehicles.

Conclusion

The Environment Commission hopes that this reflection contributes to a reminder to the national institutions that, if we do not think of the wellbeing of future generations we run the risk of even forgetting the current one and give an implicit or explicit licence to the powerful few to trample over the rights of all creatures, particularly the weak and vulnerable. In this way, national institutions would have failed both current and future generations.