

Brincat Anna at Parlament-MT

From: Muscat Alexander at OPM
Sent: Friday, 20 September 2019 13:50
To: CLAIRE BONELLO; Brincat Anna at Parlament-MT
Cc: campaigns@dinlarthelwa.org; demarco.mark1@gmail.com; info@naturetrustmalta.org; office@birdlifemalta.org; sponsors@moam.org.mt; info@moam.org.mt; info@foemalta.org; contact@faa.org.mt; zminijietna@yahoo.com; director@miema.org; albert.falzon@miema.org; jxuereb2@gmail.com; info@wirtghawdex.org; info@huntinginmalta.org.mt; secretary@huntinginmalta.org.mt; info@majjistrat.org; maltagreenyouth@gmail.com; youth4environment@gmail.com; admin@projectgaia.org; sbemalta@gmail.com; info@maltawaterassociation.org; Alfred E Baldacchino; frontharsienodz@gmail.com; info@maltachamber.org.mt; sec@mda.com.mt; info@mda.com.mt; cacopardocarm@gmail.com; arnoldcassola@gmail.com; astridvella@faa.org.mt; mbrig@hotmail.com; activistsmalta@gmail.com; partidemokratiku@gmail.com; Tara Cassar FAA; Nicholas.Barbara@birdlifemalta.org; Janina.Laurent@birdlifemalta.org; petractingli@gmail.com; Tara Cassar
Subject: RE: [EXTERNAL] - Re: Environment and Development Planning Committee Meeting - 09.10.19
Attachments: s-193-050219-kumitat-dwar-l-ambjent-mansjoni.pdf

Dear Claire, I take note of your email, which will be included in the correspondence during the next meeting.

I also note, regretfully, and number of incorrect assertions.

In my humble opinion, the Standing Committee report forms part of the public consultation and is not separate and distinct from such procedure. The law makes it clear that it is the Planning Authority that is obliged by law to receive public comments and not the Standing Committee. The purpose of the Standing Committee is to discuss any strategy, plan or policy referred to it and report back to the Executive Council, House of Representatives and Minister.

Kindly note that contrary to your assertion, this partial review does not include any green areas nor agricultural land.

You may also wish to take note of the policy-making procedure in terms of article 53 of CAP 552:

- 1) The Objectives of the Policy are issued for public consultation for a period of not less than 3 weeks, during which public and all organisations are free to file their submissions.*
- 2) Upon having public and organisations comments at hand, the Planning directorate drafts the policy according to the objectives and public and organisations submissions.*
- 3) The drafted policy together with the public and organisations comments on the objectives, is referred to the Executive Council for its approval or otherwise.*
- 4) When the drafted policy is approved by the Executive Council, the Policy document including public and organisations representations received on the objectives are issued for public consultation for a period of not less than 6 weeks.*

5) Drafted Policy document is referred to the Standing Committee to draw up a report during the consultation period.

6) If following the public consultation specified in point 4 and the Standing Committee report, the Executive Council does not make changes to the drafted policy document, it shall adopt it and refer it to the Minister.

7) If following the public consultation specified in point 4 and the Standing Committee report, the Executive Council make changes to this draft, the Executive Council shall publish the amendments in the revised draft for another public consultation of not less than 6 weeks and refer same amendments to the Standing Committee to prepare a new report if deemed necessary, such report is then referred to the Executive Council.

8) The Executive Council shall then refer its final draft of policy to the Minister together with all representations, reports and other documentation.

9) When Minister agrees with final draft, he shall refer it to the Standing Committee for its effective scrutiny and report to the House and Minister within 1 month.

If the Minister does not make further changes, he then provides his final approval.

As regards to the remit of the Development Planning and Environment Committee, I am attaching a ruling given by the Speaker on the 5th February, which states clearly how the Committee should operate.

Sincerely,
Alex Muscat

From: CLAIRE BONELLO <drcbonello@gmail.com>

Sent: Wednesday, 18 September 2019 10:00

To: Muscat Alexander at OPM <alexander.muscat@gov.mt>; Brincat Anna at Parlament-MT <anna.brincat@parlament.mt>; Tara Cassar <tara.cassar@gmail.com>

Cc: campaigns@dinlarthelwa.org; demarco.mark1@gmail.com; info@naturetrustmalta.org; office@birdlifemalta.org; sponsors@moam.org.mt; info@moam.org.mt; info@foemalta.org; contact@faa.org.mt; zminijietna@yahoo.com; director@miema.org; albert.falzon@miema.org; jxuereb2@gmail.com; info@wirtghawdex.org; info@huntinginmalta.org.mt; secretary@huntinginmalta.org.mt; info@majjistral.org; maltagreenyouth@gmail.com; youth4environment@gmail.com; admin@projectgaia.org; sbemalta@gmail.com; info@maltawaterassociation.org; Alfred E Baldacchino <aealdacchino@gmail.com>; frontharsienodz@gmail.com; info@maltachamber.org.mt; sec@mda.com.mt; info@mda.com.mt; cacopardocarm@gmail.com; arnoldcassola@gmail.com; astridvella@faa.org.mt; mbrig@hotmail.com; activistsmalta@gmail.com; partitdemokratiku@gmail.com; Tara Cassar FAA <env.officer@faa.org.mt>; Nicholas.Barbara@birdlifemalta.org; Janina.Laurent@birdlifemalta.org; petracdingli@gmail.com

Subject: [EXTERNAL] - Re: Environment and Development Planning Committee Meeting - 09.10.19

The Honourable Alex Muscat
Chairman
Environment and Development Planning Committee
Parliament
Valletta

Honorable Muscat,
I trust this email finds you well.

Re : Holding of sitting to discuss TA Qali Action Plan Review before close of Public Consultation

I act on behalf of FUTUR AMBJENT WIEHED and other eNGOs.

I refer to the appointed sitting of the Environment and Development Planning Committee's agenda for Wednesday 9 October at 4:30 p.m to discuss the Partial Review of the Ta Qali Action Plan.

I find it extremely irregular to appoint a sitting of the Standing Committee well before the time for public consultation is closed. The public consultation period lapses on the 25th October - a full two weeks after the sitting of the Committee.

If the Committee sitting is held before there is the very clear risk that the Committee will not be aware of all possible representations - making a mockery of the Committee's role as an expert, parliamentary entity to ensure a modicum of scrutiny of change of plans. Doesn't the Committee want to be informed of all possible expert representations made by all possible stakeholders?

In this case, this is a very sensitive issue as the proposed change to the plan effectively means the urbanization of a green area and intensification of use - another incremental step in the urbanization of the ODZ and agricultural land leading from Attard to the bottom of Saqajja Hill. I should think that this deserves greater scrutiny than this rushed pretend consultation at a premature stage. It is felt that the sitting before the Committee will simply be a box-ticking exercise.

Moreover, it is of extreme concern to note that despite repeated and constant reminders for the Committee to discuss the Public Domain applications supported by over 5000 citizens - which application has been filed a full three (3) years ago, this discussion never makes it to the Committee's Agenda.

Kindly note that we have supplied requisite land title searches to the Planning Authority in good time, for the Authority to prepare any report. We cannot understand why discussions to increase development zones in ODZ and agricultural land, leapfrog over other discussions to preserve some measure of ODZ land.

We note that the partial review of the Dingli Local Plan - to increase heights - has slalomed through the whole consultative process in 9 months. We cannot understand why our applications cannot be seen to with the same alacrity.

We emphasise the point that discussion of the report regarding Public Domain designations which should be prepared by the PA and discussed by the Committee is a mandatory obligation at law with specified dead lines and not a discretionary issue. The inertia of both the PA and the Committee is resulting in the stultification of the whole Public Domain process which shows clear contempt of citizens and volunteers who give up time and resources to make representations, attend sittings and send constant reminders. It seems that this is to absolutely no avail as the only issues which are given attention or priority are those resulting in increased and unsustainable development whilst we are always fobbed off with one excuse or other.

We would like to draw your attention to the above, have the same appended to the minutes and the Public Domain Discussion put on the agenda in a timely manner and have the TA Qali Plan Review discussed after the close of public consultations.

Thanking you in advance for your kind attention.

Kind regards

Claire Bonello LL.D

On Tue, Sep 17, 2019 at 4:43 PM Brincat Anna at Parlament-MT <anna.brincat@parlament.mt> wrote:

Good afternoon Dear All

Please find attached copy of Environment and Development Planning Committee's agenda, being held on Wednesday 9 October at 4:30 p.m., together with relevant document.

You are all being invited to attend the said meeting.

Regards

Anna Brincat

Committee Clerk for Public Accounts Committee, Environment and Development Planning Committee and National Audit Office Accounts Committee

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HOUSE OF REPRESENTATIVES
PARLIAMENT OF MALTA

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