

Partial Local Plan Review of the Gozo and Comino Local Plan (2006)

Ghajnsielem and Xewkija

Public Consultation Draft



March 2025

Contents

Contents

1	Introduction	3
2	Background	4
3	Objectives.....	6
4	Public Consultation	8
5	Strategic and Local Planning Guidance.....	10
6	Policy Review	12
7	Way Forward.....	16
	Appendix 1: Maps	17
	Appendix 2: Public submissions with responses	21

1 Introduction

- 1.1 This partial local plan review relates to the Gozo and Comino Local Plan approved in 2006. This review affects two sites; one located in Ghajnsielem known as Ta' Passi, where the seasonal annual Christmas Village takes place, and the other area in Xewkija known as Torri Gorgun, which is an existing built-up area close to the development zone boundary.
- 1.2 The proposed revision takes forward Government's November 2023 request in terms of article 41(2) of the Development Planning Act (Cap 552) to designate the site in Ghajnsielem for an open air, formal recreational land use with ancillary structures through the formulation of a site-specific policy, and to designate the Xewkija area as a rural settlement.
- 1.3 The local plan review is required to provide specific policy direction for the site in Ghajnsielem, including development criteria which ensure the site is used exclusively for recreational activities with minimal commercial activity and site remains predominantly open with ancillary small-scale structures.
- 1.4 With regards to the Xewkija site, the review is required to establish a boundary around the rural settlement, identify the public roads within the settlement, the acceptable land uses, building heights limitations and apply strict control to development over vacant land.

2 Background

- 2.1 The area under review in Ghajnsielem commonly known as Ta' Passi has since 2008 been the location of the annual *Bethlehem f' Ghajnsielem*, a live reproduction of Betlehem at the time of the birth of Jesus which spans between December and January of each year. Each year the organisers have increased the number of attractions offered which include amongst others, a bakery, old trade shops like carpenter and blacksmith, a tavern offering local food, an open-air market, a small river and the grotto. Each area is animated by volunteers dressed up in period costumes over the span of the event.
- 2.2 Over the years that the event has been organised, the organisers applied for a temporary planning permission to hold the event and erect the structures needed for the event.
- 2.3 It is a Government objective to designate this site as a permanent open air formal recreation with ancillary structures with minimal commercial activity that supports the overall use of the site.
- 2.4 Development within the area under review in Xewkija known as It-Torri Gorgun appears first on the aerial photographs of 1978. This development continued to increase and by the year 1994 it reached the level of development that is present today, with smaller additions up to the year 2004 (Refer to aerial photographs below). There are still considerable areas of vacant land within close proximity to the existing buildings and it is an objective of this review to designate the built areas as a rural settlement in order to contain urban sprawl and thus protect the undeveloped areas from further development.



1978



1994



2004



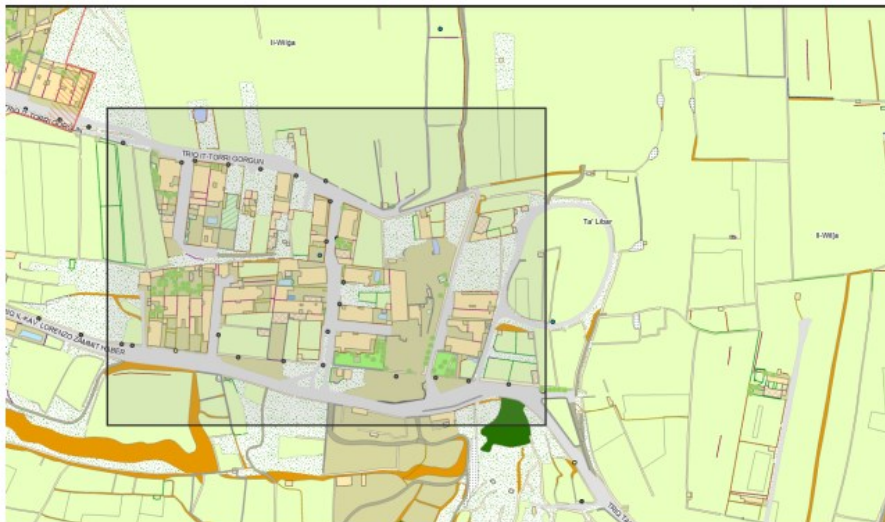
2024

3 Objectives

- 3.1 The Executive Council has agreed to initiate this partial review of the Gozo and Comino Local Plan and issued the objectives for public consultation.
- 3.2 The Objectives for the Partial Local Plan Review of the Gozo and Comino Local Plan (2006) for the area of Ghajnsielem and Xewkija, put forward by the Minister are as follows:
1. To designate a specific site within the broad area depicted on Map 1 at Ghajnsielem as an open air, formal recreational land use with ancillary structures. The site-specific policy should include development criteria to ensure that the site remains used solely for formal recreational with minimal commercial activity forming an integral part of the recreational land use, remain predominantly open and landscaped, any ancillary structures remain small in scale and their design and location within the site do not create unacceptable impacts.
 2. To designate the area located between Triq it-Torri Gorgun and Triq il-Kav. Lorenzo Zammit Haber, Xewkija, broadly indicated on Map 2, as a Rural Settlement and clearly delineate the development boundary, identify the developable land within the boundary, public roads, the acceptable land-uses and building height limitations within the overall framework of the Gozo and Comino Local Plan, provided that additional development on vacant land is strictly controlled.
 3. To amend or delete all other provisions in the Gozo and Comino Local Plan of 2006 which are deemed to run counter to the overall objectives set out in paragraphs (1) and (2) above.
- 3.3 These objectives and the associated maps depicted in Figure 1 were published for a public consultation period between the 15th of October 2024 to the 6th of November 2024.



Map 1: Site at Ghajnsielem



Map 2: Xewkija Rural Settlement

Figure 1: Maps to support the Objectives of the Partial Review

4 Public Consultation

- 4.1 During the public consultation period 63 submissions were received. These are included in Appendix 2: Public Consultation Submissions and Responses on Objectives of this report. Amongst the submissions received there are submissions by the Ghajnsielem Local Council, Din l-Art Helwa, Movimet Graffiti, ERA, Partit Nazzjonalista, and the Malta Sociological Association.
- 4.2 The submissions related to the site in Ghajnsielem were three. One of the submissions requested that the site known as Ta' Passi be designated as an informal recreational area with passages connecting paved areas and water features whereby paved areas can accommodate lightweight structures related with seasonal activities and identified two areas within the site that can house permanent buildings in relation with the activities carried out within same site. The same submission made other recommendations that include, a community centre with basement facilities and/or parking, proposed underground car park with open space recreation or sports facilities above with possibility of community facilities built above street level and a small extension of the existing football pitch. Another submission requested that the formal recreational area is limited to the site currently used for the nativity village and all interventions should be contained within this site boundary. The submission also indicated that structures should be small scale and temporary and accommodated to the western part of the site, away from open rural land and Wied Imgarr and that the development should not be a source of light pollution. The last submission related to Ghajnsielem requested a clarification on what is meant by formal recreation, that it is ensured that the site does not become a development zone for commercial purposes and proposed the adoption of a Social Impact Assessment.
- 4.3 The remaining 60 submissions related to site in Xewkija. 57 out of these 60 submissions supported the objective of this partial review to designate the site as a rural settlement. Most of these submissions claimed that development on the site started back in the 1960s and that this settlement was not included as a rural settlement by the GCLP 2006, unlike other areas with similar characteristics that were included. Additionally, these

submissions support the objective to clearly delineate the development boundary and identify the acceptable land-uses and building height limitation within the overall framework of the GCLP. They also agree with the strict control of any future developments on vacant land. One of the submissions indicated two clusters which were not included on the map published with the public consultation objectives to also be included as a category 1 rural settlement, in line with the definitions of GCLP. The same submission recommended that the other area indicated by the objectives map should be included as a category 2 rural settlement, in line with the GCLP definitions. Two of the submissions objected to the designation of the site as a rural settlement stating that the site was developed after 1968 and that a number of dwellings and structures were developed in the decades that followed, with several pending enforcement notices on site. The submissions added that this review is intended to sanction illegal development. This goes against the needs to restrict land take up within rural areas but only aggravates an already critical situation. Another submission stated that this review undermines the obligation that one adheres to the laws and planning policies.

5 Strategic and Local Planning Guidance

- 5.1 This Partial Review is guided strategically by the “Strategic Plan for the Environment and Development (SPED)”.
- 5.2 SPED Thematic Objective 5 requires **“to ensure that existing recreational resources are protected, enhanced and accessible, and to facilitate the provision of new recreational facilities to improve social cohesion, human health, air quality and biodiversity”**. Additional to this objective, Rural Objective 2 requires **“the provision of new recreational facilities which enhance the public’s rural experience”**. Thematic Objective 1 seeks to ensure that while socio-economic development needs are met, land take-up within the Rural Area must be limited.
- 5.3 SPED Policy RO4.6 requires a review of the hierarchy of rural settlements to guide the nature, scale and type of development within them under the objective of protecting and enhancing the positive qualities and the traditional component of the rural landscape.
- 5.4 The Gozo and Comino Local Plan policy map 14.2-A designates the site under review located in Ghajnsielem as a Strategic Open Gap subject to policy GZ-SETL-2. This policy prohibits any form of urban development in designated strategic open gaps except from small scale infrastructural uses subject to a number of conditions. However, the policy promotes the use of strategic open gaps for public informal recreation by improving the access to these areas through the provision of country walkways/paths and essential utilities and services as appropriate.
- 5.5 General Policy Map 11.2 indicates parts of the Ta’ Passi site as an area of agricultural value subject to policy GZ-Agri-1. This policy safeguards these areas and prohibits the subdivision of agricultural land within these identified areas.
- 5.6 GCLP Map 10.3.3 indicated the site at just outside, on the Eastern side of the area under review at Torri Gorgun as disturbed habitat subject to general policy GZ-RLCN-5. The policy identified sites subject to this designation as candidate sites for rehabilitation of damaged landscape.

- 5.7 GCLP Map 11.2, indicates the land of agricultural value in Gozo and Comino. The site in Xewkija is not indicated as an area of agricultural value.
- 5.8 General policy GZ-RLST-1 guides the development within Category 1 Rural Settlements, GZ-RLST-2 guides development within both Category 2 and Category 3 Rural Settlements and GZ-RLST-3 guides development within Category 3 Rural Settlements.
- 5.9 The site under review located in Xewkija is not subject to any site specific GCLP policy as it lies outside the development zone. At the periphery of the site however, but not within the area subject to this review, the local plan reserves an area for aviation facilities subject to policy GZ-TRAN-14. This area is safeguarded for a possible extension of air transport facilities. Since it is an objective of this partial review to designate the area as a Rural Settlement, Map 4.2.10 which is a geographical location map of all rural settlements in Gozo requires to be amended. Additionally, the respective policy depending on the category designation of this new rural settlement general policies GZ-RLST-1, GZ-RLST-2, and GZ-RLST-3 will apply and thus may require amendments so as to make provision for the inclusion of the new rural settlement in Xewkija.

6 Policy Review

GHAJNSIELEM

A new policy that designates the area known as Ta' Passi as an area for formal recreation with ancillary facilities is required to address one of the objectives of this partial review.

Ta' Passi Recreational Area

The area known as Ta' Passi with an approximate area of 1.12ha, lies in close proximity to the main piazza of Ghajnsielem where the predominance of public or institutional buildings, social and community facilities, and the Ghajnsielem football ground, are located. This renders the area very popular amongst local residents, and visitors from surrounding villages. Since 2008, Ta' Passi has been the location of the popular annual event, Betlehem f' Ghajnsielem which spans during the Christmas period. This location, being very close to Mgarr harbour has made this event also very popular amongst Maltese visitors as well as tourists.

The designation of the Ta' Passi as an open air, formal recreational area with ancillary structures will create an additional recreational area in close proximity to the main urban area of Ghajnsielem, which can be enjoyed by residents and visitors alike throughout the year.

Additionally, all the provisions of Maps 14.2G shall replace the provisions of all other maps in the GCLP in relation to this site.

GZ-Ghjn-18: The local plan designates the area known as Ta' Passi as depicted on MAP 14.2G, as a formal recreational area. Within this site, the policy designates a sub-zone for formal recreation facilities ancillary to the existing football ground, for which provisions of general policy GZ-RECR-6 shall be applicable. The remaining of the indicated site shall be subject to the following conditions:

- a) A comprehensive development application covering all the site indicated on Map 14.2G but excluding the area within the site designated for formal recreation ancillary to the existing football ground, is submitted to the Planning Authority in accordance with the provisions of this policy,
- b) an area of not less than 65% of the total site area (excluding the area for ancillary sports facility) remains predominantly open. Only planting of trees typical of maquis or archaeophytic fruit trees typical of rural settings shall be allowed within this area,
- c) the proposal shall include one or more circular routes to serve as passageways and interspersed seating areas together with water features as part of the predominantly open area but that do not occupy more than 27% of the total site area (excluding the area for ancillary sports facility),
- d) all passageways are constructed with permeable material that allows runoff water to seep through,
- e) the proposal shall include small scale built roofed-over ancillary structures provided that:
 - i. comprehensively they do not exceed 8% of the total site area (excluding the area for ancillary sports facility),
 - ii. the proposal may include two permanent structures as indicated on Map 14.2G which can accommodate Class 4B, 4C and 4D commercial uses as indicated by the Development Planning (Use Classes) Order of 2014, provided that these structures do not exceed an overall building height of 7.7 metres,
 - iii. the proposal may also include additional low-lying built and roofed over structures ancillary to the formal recreation and the seasonal activities that may be organised within the area. These structures must not exceed an overall footprint of 145 sqm and a building height of 3.4 metres each,
 - iv. the proposal ensures that the design and the location of the ancillary buildings within the site do not create unacceptable impacts. It is encouraged that these structures are screened by landscaping as indicated in (b) above,

- v. **given its location, the use of traditional materials (e.g. timber and weathered stone) will be encouraged in order to convey an informal rural character.**

- f) **lighting shall consist of full cutoff downlighters with a colour temperature of 2500 – 3000 K and also in according to the provisions of GZ- UTIL-5. Lighting on high poles and/or floodlighting shall not be permissible.**

XEWKIJA

Triq it-Torri tal-Gorgun and Triq il-Kav. Lorenzo Zammit, from their Western extremities located within the development zone extend Easternly towards the area indicated for the partial review in Xewkija. The area under review lies in close proximity to the main urban area of Xewkija. An area of undeveloped land separates the urban area and the area under study. The buildings in the review area are no different from the predominance of buildings in the surrounding areas. Also, there are few abandoned buildings with this site. With these considerations, the rural settlement is recognised as a Category 1. Thus, the relevant policy GZ-RLST-1 that identifies the Category 1 rural settlements is also being reviewed so as to also include this new settlement. The development parameters of the policy do not need to be amended.

Category 1 Large Rural Settlements ODZ

The character of these settlements, due to their close proximity to the main urban areas, the building typology and land-uses within them does not distinguish them from the urban settlement within the boundary. However, they are separated from the main urban area by a gap site, which is locally significant as it contributes positively to the character of the urban area. The permission of development on vacant land within these settlements will not substantially increase the amount of land released for development since the large part of them are already built up.

GZ-RLST-1: Category 1 Large Rural Settlements ODZ

In Category 1 ODZ Settlements as indicated on MAPS 4.2.10 (including the relative inset maps) together with the settlement indicated on Maps A and B of the GCLP Partial Review for Ghajnsielem and Xewkija (2025), which are in close proximity to the main urban area, but separated by an undeveloped gap of local significance, due attention must be given to the design of new buildings within the established boundary, especially those on the edge of the boundary of the settlement, to ensure there are no adverse visual impacts, especially through the creation of new party walls. A side garden of at least 3.0m, with an elevation fronting upon it, will be required for sites on the boundary's edge. Priority will be given to the rehabilitation of buildings of historical or architectural interest within these settlements. Land uses which fall within those identified by Policy GZ-HOUS-1 will be permitted within this group of Category 1 ODZ Settlements except for the settlement indicated on Maps A and B of the GCLP Partial Review for Ghajnsielem and Xewkija (2025) where only residential units (terraced houses) shall be allowed.

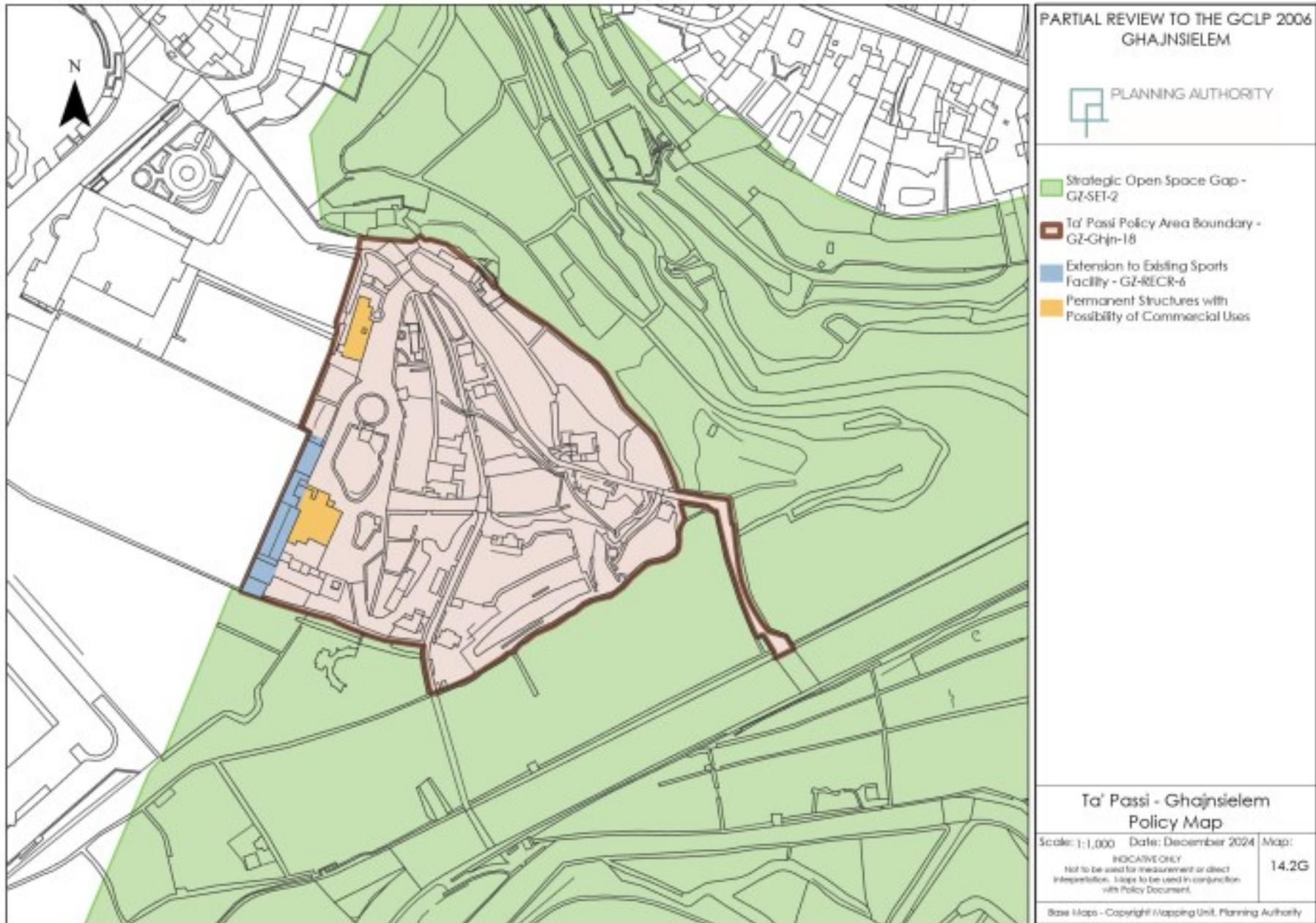
Permissible height shall be two floors without underlying basement **except for the settlement indicated on Maps A and B of the GCLP Partial Review for Ghajnsielem and Xewkija (2025), where the permissible height shall be as designated on same Maps A and B.** The aesthetics of the façade should be complementary to that of the adjacent dwellings.

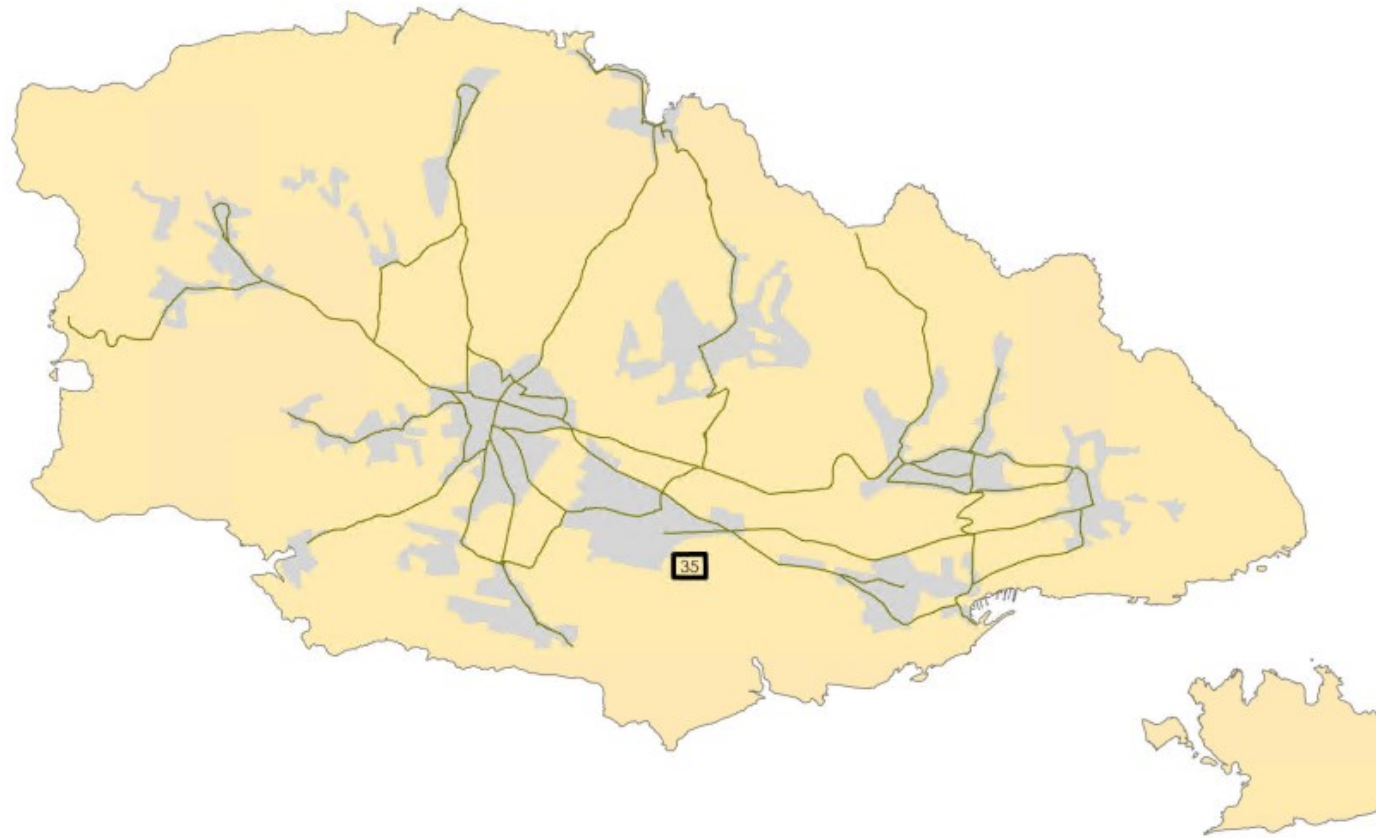
In exceptional circumstances, storage facilities for agriculture may be allowed provided that the facilities do not entail the creation of a basement or semi-basement and that the design fits with that of the rest of the Category 1 settlement. This concession (for agricultural facilities) shall not be applicable to areas which have a UCA character.

7 Way Forward

- 7.1 The Planning Directorate recommended the Executive Council to issue the Draft Partial Review to the Gozo and Comino Local Plan (2006), Ghajnsielem and Xewkija for a six-week public consultation period. At its meeting held on the 21st of January 2025, the Executive Council approved the publication of the Partial Review of the Gozo and Comino Local Plan (2006), Ghajnsielem and Xewkija for public consultation.

Appendix 1: Maps





PARTIAL REVIEW TO THE GCLP 2006
XEWKIIJA



Torri Gorgun
Category 1 ODZ
Settlement GZ-RLST-1

Category 1
Large Rural Settlement ODZ

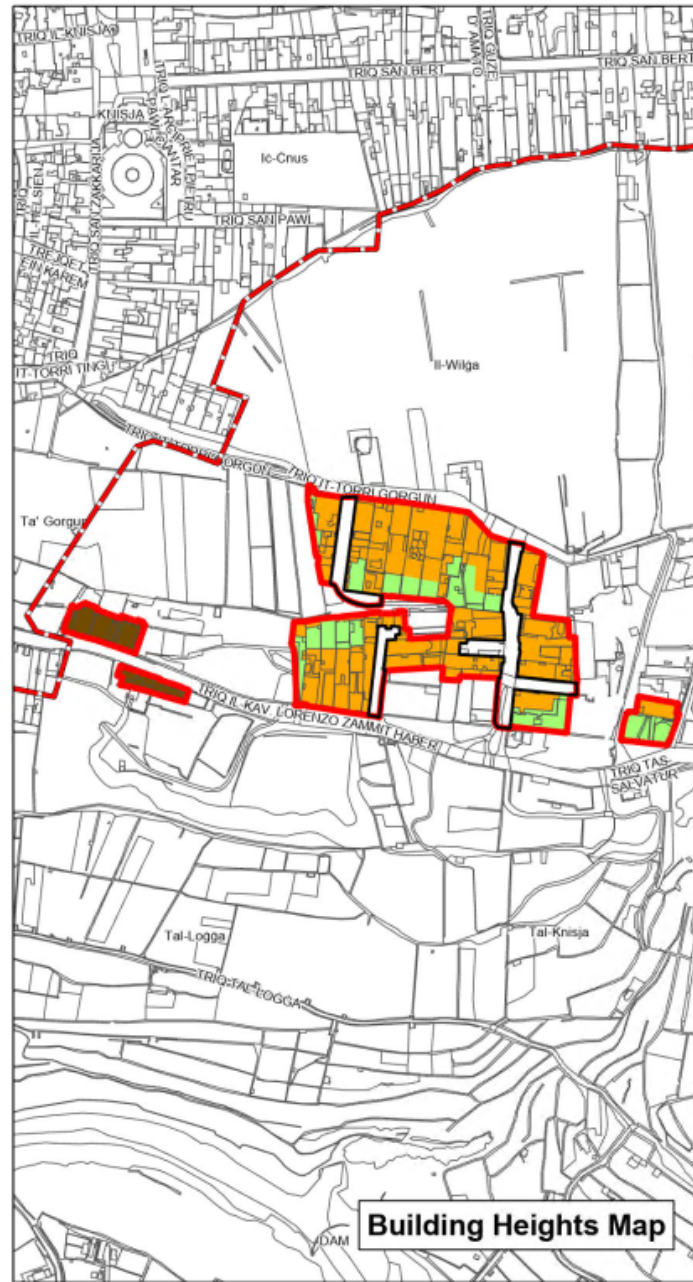
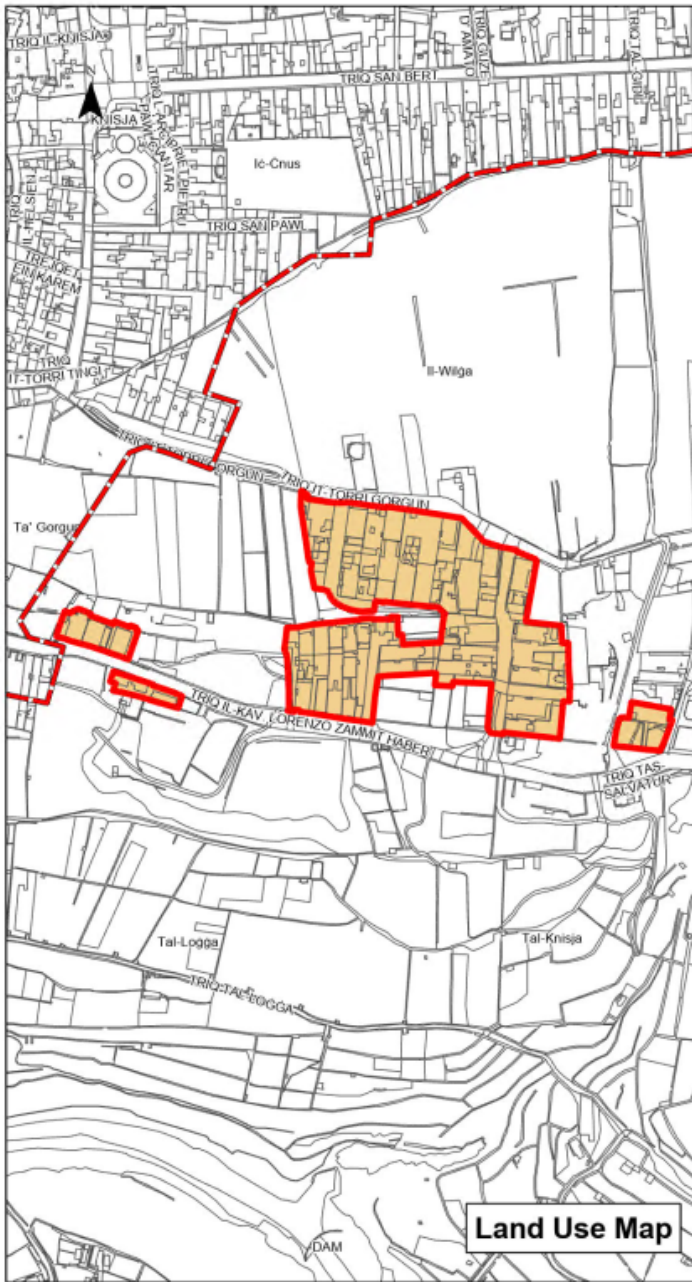
Scale: 1:50,000 Date: January 2025

Map:

INDICATIVE ONLY
Not to be used for measurement or direct
interpretation. Maps to be used in conjunction
with Policy Document.

A

Base Maps - Copyright Mapping Unit, Planning Authority



PARTIAL REVIEW TO THE GCLP 2006
XEWKIJA



- Limit to Development Boundary
- Category 1 ODZ Settlement GZ-RLST-1
- Residential Area subject to Policy GZ-HOUS-1 (terraced houses)
- 1 Floors without basement (7.70 m)
- 2 Floors without basement (11.40m)
- Private Open Space
- Public Roads

Category 1
Large Rural Settlement ODZ

Scale: 1:3,000 Date: January 2025

Map:

INDICATIVE ONLY
Not to be used for measurement or direct interpretation. Maps to be used in conjunction with Policy Document.

B

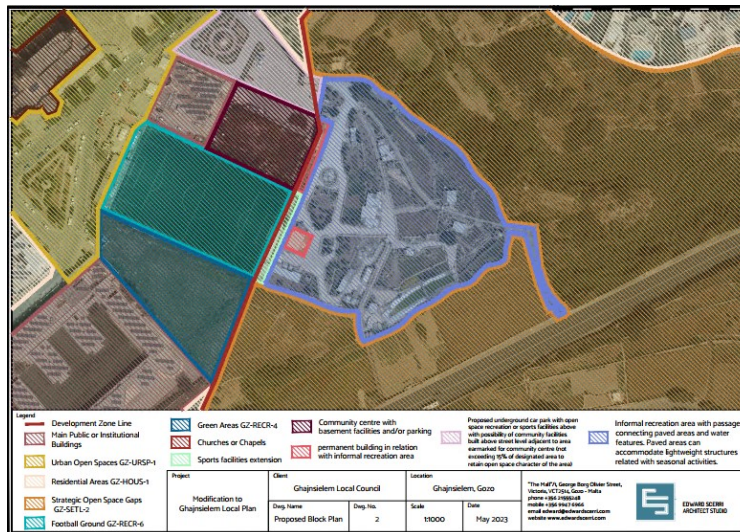
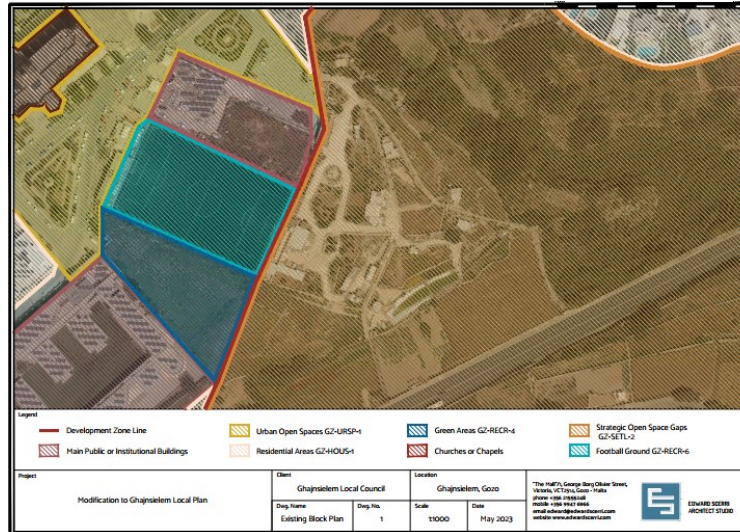
Base Maps - Copyright Mapping Unit, Planning Authority

**Public Submissions on Objectives
with responses
Phase 1**

Ref	Name/Company	Date	Comments Received	Remarks
-----	--------------	------	-------------------	---------

PR-Ghj/XE(1) - 1	Perit Edward Scerri obo the Ghajnsielem Local Council	26/10/24	<p>I am writing on behalf of Ghajnsielem Local Council (in copy) with respect to the above.</p> <p>The local council is in favour of this review and has, in actual fact, been its promoter. The local council supports a review of the Gozo Local Plan with respect to this area as long as it follows the attached proposal. The attachments include the existing zoning and the proposed zoning for the area (as proposed by Ghajnsielem Local Council). The salient points of the review are as follows:</p> <ol style="list-style-type: none"> 1. the establishment of the ODZ site at Ta' Passi annually used for the Betlehem f'Ghajnsielem activity as an informal recreation area with passages connecting paved areas and water features whereby paved areas can accommodate lightweight structures related with seasonal activities and the inclusion of areas close to the development zone which can house permanent buildings in relation with the activities carried out within same site; 2. a community centre with basement facilities and/or parking (within the development zone) 3. a proposed underground car park with open space recreation or sports facilities above with possibility of community facilities built above street level adjacent to area earmarked for community centre (not exceeding 15% 	<p>Comments from the Local Council have been noted.</p> <p>This review has designated the area known as Ta' Passi as a formal recreational area with ancillary facilities.</p> <p>Provisions in the approved GCLP 2006 designates the indicated site for the development of social and community facilities.</p> <p>The change in zoning of the indicated site extends beyond the objectives of this partial review.</p>
------------------	---	----------	--	--

		<p>of designated area to retain open space character of the area) - within the development zone</p> <p>4. a small extension of the sports facilities (football pitch) towards the east</p> <p>5. no modification to the development zone line is being proposed</p> <p>While we trust that these valid proposals are fully adopted within the review, we kindly request that the local council is consulted and informed at all stages of the review process.</p>	<p>Provisions have been made in the new policy for the area for the extension of the football ground.</p>
--	--	---	---



PR-Ghj/XE(1) - Mr Gorg Vella
2
29/10/24

I, the undersigned, welcome the partial review of the Gozo and Comino Local Plan (2006), specifically

Contents of these submissions have been noted and in line with the

PR-Ghj/XE(1) - 3	Mr John Paul Borg	29/10/24	<p>addressing two areas in Ghajnsielem and Xewkija, proposed by the Planning Authority on Tuesday 15th October 2024. I welcome the prospect of rectifying the long injustices we have suffered as residents in these rural settlements.</p> <p>I wish to refer to the letter sent to the Planning Authority dated 14th January 2019, attached herein, on behalf of the numerous persons residing in the settlements on Triq it-Torri Gorgun and Triq il-Kav. Lorenzo Zammit Haber, arguing that the demarcation of these settlements as 'Rural Settlements' has been long awaited on the grounds that similar Rural Settlements (then referred to as ODZ Settlements) had been granted in every Gozitan village through the Gozo & Comino Local Plan (2006) in instances where clusters of development fell outside the development zone. However, during that exercise, the settlements demarcated in <i>this</i> Public Consultation, which fall within the same characterisation, had been omitted for reasons which were never made clear to the residents. As a result our families have been living in fear and uncertainty for nearly twenty (20) years.</p> <p>The roots of our extended family are embedded in these settlements, as our ancestors have been settled here since before World War II. We have built our homes on our family's lands since the 1960s only to find ourselves shunned, for some reason which was</p>	<p>objectives of this partial review the area known as Torri Gorgun has been designated as a Category 1 rural settlement.</p>
PR-Ghj/XE(1) - 5	Mr Eric Vella	29/10/24		
PR-Ghj/XE(1) - 6	Ms Therese Vella	29/10/24		
PR-Ghj/XE(1) - 7	Mr Salvu Vella	29/10/24		
PR-Ghj/XE(1) - 8	Mr Darren Vella	29/10/24		
PR-Ghj/XE(1) - 9	Ms Josephine Vella	29/10/24		
PR-Ghj/XE(1) - 10	Ms Rita Borg	29/10/24		
PR-Ghj/XE(1) - 11	Mr Paul Borg	29/10/24		
PR-Ghj/XE(1) - 12	Mr Joel Borg	29/10/24		
PR-Ghj/XE(1) - 17	Mr Giovann Vella	30/10/24		

PR-Ghj/XE(1) - 18	Ms Emily Azzopardi	30/10/24	<p>never made known to us, when the Gozo and Comino Local Plan (2006) was drawn; the only cluster from (fourteen) 14 total ODZ Development clusters to not be granted the status of ODZ Settlement, now known as Rural Settlements. Moreover, it should be noted that the land denoted in the attachment 'Map 2: Rural Settlement Xewkija' on the Public Consultation has no archaeological, ecological, or agricultural value in the eyes of the Planning Authority (see Map 14.13-C Gozo & Comino Local Plan (2006)).</p> <p>Through the reviews proposed in this Public Consultation, these long-suffered injustices will be rectified, as our homes will no longer be deemed illegal, but will be regulated according to the policies afforded to the other fifty-eight (58) ODZ settlements, from fourteen (14) ODZ Clusters regularised through the Gozo and Comino Local Plan in 2006 within: San Lawrenz, Għarb, Għasri, Victoria, Fontana, Kerċem, Munxar, Sannat, Xagħra, Nadur, Qala, Għajnsielem, and others in Xewkija as well (all of Gozo).</p> <p>As a resident/owner in one of the rural settlements in Triq it-Torri Gorgun, I have known and treated the demarcated areas as home for the entirety of life, and I am certain that this is a sentiment that I share with all second and third generation residents living within these abodes, all of which have grown up with the reasonable aspiration that these settlements will one</p>
PR-Ghj/XE(1) - 19	Mr Charlie & Ms Marianne Azzopardi	30/10/24	
PR-Ghj/XE(1) - 20	Ms Sarah Grech	30/10/24	
PR-Ghj/XE(1) - 21	Mr Carmenu & Ms Josephine Magro	30/10/24	
PR-Ghj/XE(1) - 22	Mr Joseph Mario Vella	30/10/24	
PR-Ghj/XE(1) - 31	Mr Francis Vella	31/10/24	
PR-Ghj/XE(1) - 33	Ms Laurissa Buttigieg	01/11/24	
PR-Ghj/XE(1) - 34	Ms Carol Zammit	01/11/24	
PR-Ghj/XE(1) - 36	Ms Francelle Haber and Mr Jayden Buttigieg	03/11/24	

PR-Ghj/XE(1) - 41	Ms Eugenia and Mr Carmel Buttigieg	03/11/24	<p>day be some of our own homes wherein we would raise our own families.</p> <p>Given that, I wholeheartedly support the objective to clearly delineate the development boundary and identify the acceptable land-uses and building height limitation within the overall framework of the Gozo and Comino Local Plan as this would result in the said settlements - our homes - to no longer be deemed illegal for the Planning Authority. I also agree with the strict control of any future developments on vacant</p>
PR-Ghj/XE(1) - 43	Mr Joseph Vella	04/11/24	
PR-Ghj/XE(1) - 46	Mr Francesco Vella	04/11/24	
PR-Ghj/XE(1) - 47	Mr Gavin Buttigieg	04/11/24	
PR-Ghj/XE(1) - 50	Mr John Vella	05/11/24	
PR-Ghj/XE(1) - 51	Ms Josephine Vella	05/11/24	
PR-Ghj/XE(1) - 52	Mr Raymond Vella	05/11/24	
PR-Ghj/XE(1) - 53	Mr Carmel Vella	05/11/24	
PR-Ghj/XE(1) - 54	Ms Margaret Vella	05/11/24	
PR-Ghj/XE(1) - 55	Ms Angele Vella	05/11/24	

PR-Ghj/XE(1) - 56	Ms Ann-Marie Vella	05/11/24		
------------------------------	-------------------------------	-----------------	--	--

<p>PR-Ghj/XE(1) - 57</p>	<p>Mr Luke Vella</p>	<p>05/11/24</p>	<p>I, the undersigned, welcome the partial review of the Gozo and Comino Local Plan (2006), specifically addressing two areas in Ghajnsielem and Xewkija, proposed by the Planning Authority on Tuesday 15th October 2024. I welcome the prospect of rectifying the long injustices we have suffered as residents in these rural settlements.</p> <p>I wish to refer to the letter sent to the Planning Authority dated 14th January 2019, attached herein, on behalf of the numerous persons residing in the settlements on Triq it-Torri Gorgun and Triq il-Kav. Lorenzo Zammit Haber, arguing that the demarcation of these settlements as 'Rural Settlements' has been long awaited on the grounds that similar Rural Settlements (then referred to as ODZ Settlements) had been granted in every Gozitan village through the Gozo & Comino Local Plan (2006) in instances where clusters of development fell outside the development zone. However, during that exercise, the settlements demarcated in <i>this</i> Public Consultation, which fall within the same characterisation, had been omitted for reasons which were never made clear to the residents. As a result our families have been living in fear and uncertainty for nearly twenty (20) years.</p> <p>The roots of our extended family are embedded in these settlements, as our ancestors have been settled here since before World War II. We have built our homes on our family's lands since the 1960s only to find ourselves shunned, for some reason which was</p>	
------------------------------	----------------------	-----------------	---	--

never made known to us, when the Gozo and Comino Local Plan (2006) was drawn; the only cluster from (fourteen) 14 total ODZ Development clusters to not be granted the status of ODZ Settlement, now known as Rural Settlements. Moreover, it should be noted that the land denoted in the attachment 'Map 2: Rural Settlement Xewkija' on the Public Consultation has no archaeological, ecological, or agricultural value in the eyes of the Planning Authority (see Map 14.13-C Gozo & Comino Local Plan (2006)).

Through the reviews proposed in this Public Consultation, these long-suffered injustices will be rectified, as our homes will no longer be deemed illegal, but will be regulated according to the policies afforded to the other fifty-eight (58) ODZ settlements, from fourteen (14) ODZ Clusters regularised through the Gozo and Comino Local Plan in 2006 within: San Lawrenz, Għarb, Għasri, Victoria, Fontana, Kerċem, Munxar, Sannat, Xagħra, Nadur, Qala, Għajnsielem, and others in Xewkija as well (all of Gozo).

As a resident/owner in one of the rural settlements in Triq it-Torri Gorgun, I have known and treated the demarcated areas as home for the entirety of life, and I am certain that this is a sentiment that I share with all second and third generation residents living within these abodes, all of which have grown up with the reasonable aspiration that these settlements will one day be some of our own homes wherein we would raise our own families.

			Given that, I wholeheartedly support the objective to clearly delineate the development boundary and identify the acceptable land-uses and building height limitation within the overall framework of the Gozo and Comino Local Plan as this would result in the said settlements - our homes - to no longer be deemed illegal for the Planning Authority. I also agree with the strict control of any future developments on vacant	
--	--	--	--	--

land.


DR. DAMIAN BIGENI LL.D.
Legal & Consultancy

14 ta' Janar 2019

L-Official Inkariġat
Awtorità tal-Ippjanar
St Francis Kaxxla,
Floriana, Malta

Minghajr Preġudizzju

Sinjur/a,

Ref. Reviżjoni li-Pjan Lokali
Siti fi Triq il-Torri Gorgan u Triq il-Kavallier Lorenzo Zammit Haber,
Newkija, Għawdex.

Niċċ għan-nom ta' irvinja u hamsin (58) persuna illi koll għandhom proprjeta residenzjali jew illi aktrament jgħidu li-zona fuq irvinenja, liema zona tinaab idestifikazzjoni aljar li-pjanu hawn annessu b'isem dokument "A". Il-dettalji ta' dawn il-persuni jirrinżultaw aljar minn dokumenti "B1", "B2" u "B3" hawn annessi.

Skont il-Mappa 14-13-C tal-Pjan Lokali, din il-zona hija Outside Development Zone. Parti mill-proprjeta fuq irvinenja giet żviluppata qabel is-sena 1968, minni l-kompliment tal-proprjeta giet żviluppata u mtejjja 'il fuq minn għaxrin (20) sena ilu. Kif jirrinżulta argoment skali, din il-zona ma għandha valur arkejologiku, ekoloġiku jew agriku f'għajnejha l-Awtorità.

Il-mittenti għandhom kollu interess illi l-zona in kwenzjoni ma ttejjja klassifikata b'isem Outside Development Zone, u li minflok din ttejjja skema taht rikka differenti ta' għan illi hawn ma jtejjja ukur fi stat ta' il-għajnejha l-Awtorità tal-Ippjanar.

F'dan il-kontest il-mittenti jinfurmaw minn hawn illi hawn qed mtejjja fuq zona residenzjali - li jfisser għalhekk illi hawn aspekt soċjali illi tabilfers irid jtejjja in kwenzjoni - jada wkoll illi hawn qed jtejjja si haga illi l-Awtorità digħ' applikat l-issues diversi drabi oħra. Eserġji f'dan-sens hawn basta, midni s-segwenti:

- **L-introduzzjoni tal-ODZ Settlement**

Il-Gov u Conino Local Plan, 2008 introduca l-hekk imsejjja ODZ Settlement lija profilament kollu lija hawn cluster ta' hiri residenzjali illi hiri jagħ' hawn mi-zona ta' irvinja (parti mill-hema kien għalhekk il-għajnejha), ingħata hawn legat. Taht hu hekk illi hiri f-għajnejha kollu min għandu proprjeta li taq' l-hema sinili jista' jivvinjappu li-termini ta' poliċis applikabbli.

N/L, George Berg Grove Street, Victoria, Għen, Malta VCT2018
T: 00356 21 58 11 34 M: 00356 79 20 46 40 E: damian@bigenillegal.com



Parti minn dawn ta' sors gew hekk inkluż abbażi ta' ragunijiet soċjali jew unaritarji. Hekk peremprja kien hemm il-kaz fejn lura rreżenżjoni E ma kienx inbena fuq sors tal-involpp għo inkluż fuqna tal-involpp bħala parti minn dan l-elezzjoni.

Minn tali hekk inbena tali No-solva ta' dan l-elezzjoni gew introdotti sors għadka fuq sors tal-involpp, alavolja ma kien hemm l-ohlo kien f'hom u'ew ragunijiet soċjali lokalisti. Forsi l-aktar ewerjo klassifika fuq sors hu l-inklużjoni ta' territorji mdaqqa f'Sannat, Għawdex u il-Munxer, Għawdex fuq sors tal-involpp.

ta-sors f'Għawdex li stlaqta b'dan l-elezzjoni jingħu jgu mighura hekk:

Lokaltà	Partijiet mill-lokaltà illi bbenefikaw mir-Ratifikazzjoni Elezzjoni
San Lawrence, Għawdex	2x sors u waha minnhom (dik bejn Triq il-Torri / Triq il-Dwejja) hija għadta kbira.
Għarf, Għawdex	2x sors kbira (Triq Turnas Caesar u Triq il-Mungar)
Għasri, Għawdex	2x sors (Triq il-Krija, u Triq Wied Sara)
Victoria, Għawdex	4x sors (Triq Serrom, Triq For nil-GK, Triq il-Sellam u Triq San Arzard)
Serrom, Għawdex	2x (Triq Khala u Triq Qasim San Pawl)
Munxer, Għawdex	4x sors (Territorju sħab fi Triq ta' Rikott, Triq Ras il-Rajada, Triq ta' Lawker, u Triq Marzusa)
Sannat, Għawdex	4x sors illi finkien jarmontaw għal kwoti kwoti mir-rahil (Territorju sħab fi Triq ta' Xarson, Triq il-Bevewieja, Triq Debusakki u Triq Dan Luqa)
Xerokja, Għawdex	1x (Triq Antonio Saliba)
Nigħra, Għawdex	6x (Triq il-Krija, Triq Mowden, Triq il-Maari, Triq Gajdaru u Triq Għajn Qasim)
Nadur, Għawdex	2x sors (Triq l-Enniganti, Triq il-Qala u Triq Prangib Attard)
Qala, Għawdex	2x sors (Triq l-Ingarr, Sqaj il Triq il-Wiġ u Triq il-Kanċerjoni)
Għajnsielem, Għawdex	2x sors (Territorju kbir fi Triq l-Ingarr illi kwoti jinstemdi għal-Ingarr il-inkluż għajra, Triq Lallana, Triq ta' Cordina)

Mislija dan kollu, ta-sors fejn jinsbu r-reżenżjoni tal-mittenti ma bbenefikaw minn dan l-elezzjoni; alavolja kien il-kaz fuq sors ta' sors (jew fuq sors ta' sors) anqas prekarjo minn sors bbenefikaw. Dan kollu waha stlaqta il-dimensjoni illi sors di parti tal-mittenti fuq ta-sors.

Dan kollu qed jingħad apparti l-din 28:

747, George Road Office Street, Victoria, Gozo, Malta VCT2115
T: 00356 21 50 11 94 M: 00356 19 20 46 40 E: demarc@ipcr.govt.mt



- Matal dawn l-ohbir min l-Awtorita jgħer illi qed garranten tlewi pozizzjoni li-wen illi nappajiet tal-ppjanar illi ssewri minn fuq - u din meta ma kienet bawen dappjant awariness min-naha tal-poplu u infurcar min-naha tal-entitajiet li pcedew l-awtorita rrebita - jingħu jgħi ssewri. Eżempji car hija r-regolazzjoni Schengen (u l-iskema li pcedietha).
- L-Kanali Lokali Xewkja, Għawdex ma oggjezjonat irzi qabel illi s-sena li kwestjoni għandha tigi l'odi mod inkontra b'vala zana illi l-levellu li hemm fha traww leqali;
- Fil-wen ta kwestjoni diġa' hemm ngħoddja s-servizi kollha infrastrutturali (bil dawl u ilma);
- Diġa' kienet giet budgeted somma mill-Gvern Centrali bi-ghan illi jkun jata' jgħaddu s-servizi tal-densaggi f'lin le-wen;

Hawn evidenti għalhekk illi l-mittenti mhux qed jippretendu xi trattament preferenzjali jew xi pjeċir. Hawn qed jinfurcar b'isillu illi dak li għe applikat illi-konfront ta' zoni oħra u terni ma jgħi applikat illi-konfront tagħhom ukoll. Kemm-ill darba dan ma jgħaddu hawn ser jgħaddu jgħi diskriminazzjoni f'għajnejha illi-għi.

Il-mittenti jgħaddu illi din il-talba ta parti tagħhom illi illa mhux isir mhuxon tigi dettament idurridotta, anke sabiex hawn ma jgħaddu f'dan il-imbaw leqali illi kien, għadu u ser jgħi jgħaddu tagħthem ssewri din il-problema kbira li qed jaffaccaw ma tigi indirizzata.

Talbiet,

Dr. Damian Nigro LL.D.

PR-Ghj/XE(1) - 4	Ms Josianne Borg	29/10/24	<p>I, the undersigned, welcome the partial review of the Gozo and Comino Local Plan (2006), specifically addressing two areas in Għajnsielem and Xewkija, proposed by the Planning Authority on Tuesday 15th October 2024. I welcome the prospect of rectifying the long injustices suffered by the residents in these rural settlements.</p> <p>Through this submission, I wish to vouch for the families who have made these settlements their homes, and had been living there, generation after generation since before World War II. This partial review will regularise and regulate their homes, which had been omitted when the</p>	<p>Contents of these submissions have been noted and in line with the objectives of this partial review the area known as Torri Gorgun has been designated as a Category 1 rural settlement.</p>
PR-Ghj/XE(1) - 13	Ms Lorna Borg	29/10/24		
PR-Ghj/XE(1) - 14	Ms Glorianne Spiteri	29/10/24		
PR-Ghj/XE(1) - 15	Ms Pauline Xuereb	30/10/24		
PR-Ghj/XE(1) - 16	Mr Francis Xuereb	30/10/24		

PR-Ghj/XE(1) - 23	Mr Dexter O'Brien	31/10/24	Gozo and Comino Local Plan (2006) was drawn, and I believe that this was a grievous, inexplicable injustice against these residents, since fourteen (14) separate ODZ Development Clusters consisting of fifty-eight (58) ODZ Settlements has been regularised around Gozo as Rural Settlements in that same Plan.
PR-Ghj/XE(1) - 24	Ms Zea Xuereb	31/10/24	
PR-Ghj/XE(1) - 25	Ms Jessica Muscat	31/10/24	
PR-Ghj/XE(1) - 26	Mr Luke Azzopardi	31/10/24	
PR-Ghj/XE(1) - 27	Ms Ashley Cutajar	31/10/24	
PR-Ghj/XE(1) - 28	Ms Zea Xuereb	31/10/24	
PR-Ghj/XE(1) - 29	Mr Donald Caruana	31/10/24	
PR-Ghj/XE(1) - 30	Ms Kimberly Meilak	31/10/24	
PR-Ghj/XE(1) - 32	Ms Sharon Fenech Richard	01/11/24	
PR-Ghj/XE(1) - 35	Ms Marilyn Vella	01/11/24	

PR-Ghj/XE(1) - 37	Mr Joseph Galea	03/11/24		
PR-Ghj/XE(1) - 38	Mr Danny Muscat	03/11/24		
PR-Ghj/XE(1) - 39	Ms Maria Zammit	03/11/24		
PR-Ghj/XE(1) - 44	Mr Josiah Buttigieg	04/11/24		
PR-Ghj/XE(1) - 48	Ms Gabriella Grima	05/11/24		
PR-Ghj/XE(1) - 49	Ms Maria Cassar Sultana	05/11/24		
PR-Ghj/XE(1) - 58	Ms Hayley Xiberras	05/11/24		

<p>PR-Ghj/XE(1) - 40</p>	<p>Ms Mary, Mr Saviour and Mr Johan Haber</p>	<p>03/11/24</p>	<p>We the undersigned have been living at Sunrise Gorgun Street Xewkija for several years. In this household. Mary Haber 118883M and Saviour haber 28663G. While at the older part lives our son Johan Haber 7390G with his wife and son and daughter before there lived his Grandmother and Grandfather Victor Haber and Catherine Haber now deceased for several years beforehand.</p> <p>Please we would like you to make amendments so our building will have the necessary permits.</p>	<p>Content of this submission have been noted and in line with the objectives of this partial review the area known as Torri Gorgun has been designated as a Category 1 rural settlement.</p>
---------------------------------	--	------------------------	--	---

<p>PR-Ghj/XE(1) - 42</p>	<p>Dr Gordon Knight</p>	<p>03/11/24</p>	<p>Reference is made to the public consultation regarding the subject in caption which was published on the 15th October 2024 and will close on the 6th November 2024. This representation refers to the area at Xewkija.</p> <p><i>Rural Settlement A</i></p> <p>The scope of the Partial Review of the Gozo and Comino Local Plan for this area of Xewkija is “to designate the area located between Triq it-Torri Gorgun and Triq il-Kav. Lorenzo Zammit Haber, as a Rural Settlement”. However, the published document does not state whether the designation will be as Category 1, Category 2, or Category 3 Rural Settlement. It is therefore assumed that the categorisation will be eventually done in line with the definitions provided in Section 4.2.10, Section 4.2.11, Policy GZ-RLST-1, Section 4.2.12, Policy GZ-RLST-2, Section 4.2.13, and Policy GZ-RLST-3 of the Gozo and Comino Local Plan.</p> <p>This settlement has been in existence prior to the enactment of the Development Planning Act (1992). Indeed, the settlement is already visible on the 1988 aerial photos. Yet, this cluster of building was, for some reason, not included within the development boundaries when these were prepared and approved in 1989. According to Section 4.2.10 of the Gozo and Comino Local Plan, the settlement is eligible for designation as a Rural Settlement.</p> <p>From an analysis of the abovementioned sections and Local Plan policies, in view of the density and type of</p>	<p>Content of this submission have been noted and in line with the objectives of this partial review and both areas indicated by this submission have been designated as part of the Category 1 rural settlement.</p>
---------------------------------	--------------------------------	------------------------	--	---

existing development and its distance from the Development Zone boundaries, the Rural Settlement should be designated as Category 2. Thus, development on this site would eventually be regulated by Local Plan Policy GZ-RLST-2.

However, similar to the other Rural Settlements defined by the Gozo and Comino Local Plan, the boundary of the settlement needs to be better delineated, by following buildings, streets, and other features. Figure 1, below, indicates the proposed boundary around the Rural Settlement.

Rural Settlement B

In addition to the abovementioned Rural Settlement, the undersigned is also proposing that another group of buildings (located on the western side of this Rural Settlement) is included within another Rural Settlement, which abuts the Development Zone boundary. These are shown on Figure 2 below. The proposed Category 1 Rural Settlement is just across the street from the Development Zone boundary. The furthest boundary of this Settlement from the Development Zone boundary is just circa 80 metres. The buildings located on the north side of the proposed Rural Settlement existed prior to 1988, whereas the building located on the south side of the proposed Rural Settlement is covered by the latest development

permission PA/4387/08 dated 3rd June 2014. I, the undersigned, am the owner of this latter property.

In line with the definitions in Section 4.2.11 and Local Plan Policy GZ-RLST-1, it is proposed that this small Rural Settlement (shown on Figure 2) is designated as Category 1, similar to other Category 1 Rural Settlements designated by the Gozo and Comino Local Plan. Typical examples are the Settlements indicated on Maps 14.2.10-A and 14.2.10-A of the Local Plan. These are very small Rural Settlements designated by the Gozo and Comino Local Plan with a defined boundary, similar in size and contiguity to the Development Zone boundary as the proposed Category 1 Rural Settlement shown in Figure 2.

Conclusion

I agree with the proposed objectives for the designation of the Rural Settlement (A) as Category 2 and with the delineation, shown in Figure 1; and also propose the inclusion of an additional Rural Settlement (B) designated as Category 1 and with the proposed delineation, as shown in Figure 2, in the next phase of the Partial Review of the Gozo and Comino Local Plan of Xewkija.



Figure 1. Proposed boundary around the Rural Settlement
A



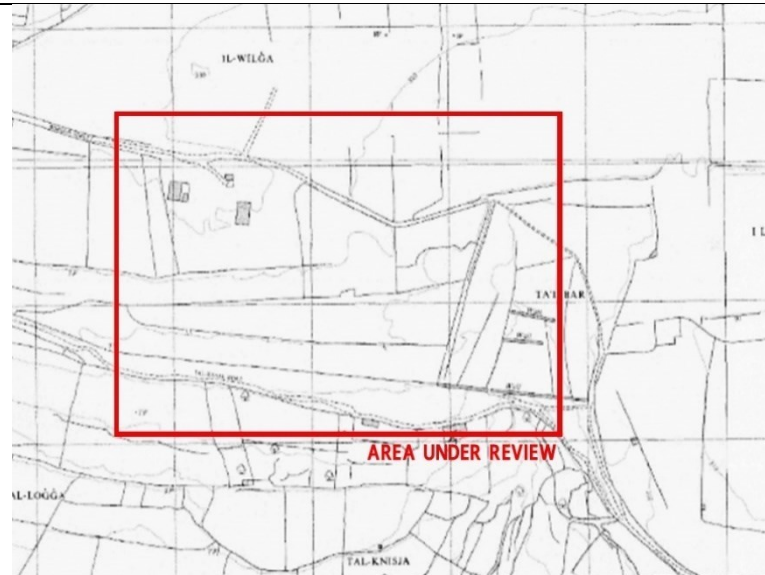
Figure 2. Proposed boundary around the Rural Settlement
B

--	--	--	--	--

<p>PR-Ghj/XE(1) - 45</p>	<p>Ms Ann Marie Vella</p>	<p>04/11/24</p>	<p>Il-proposta biex jiġi rivedut il-Pjan Lokali f'dak li jikkonċerna ż-żona tax-Xewkija huwa totalment ġustifikabbli għar-raġuni li dan huwa każ fejn se tissewwa inġustizzja li saret mal-familji u r-residenti in kwistjoni għal diversi snin. Meta wieħed jirrevedi l-każ kollu jara li sa mill-bidu dawn ir-residenti mxew mal-proviżjonijiet legali fejn jidhlu l-permessi rilevanti ta' djarhom iżda mat-twaqqif tal-Awtorita għall-Ambjent u l-Ippjanar lura fl-1992 dawn l-istess residenti kienu suġġetti għal diversi anomaliji f'dak li jirrigwardja l-permessi u l-legalità ta' djarhom. Filwaqt li din iż-żona bir-residenzi ma ġietx irreġistrata u rikonoxxuta bħala żona ta' żvilupp, aktar tard fl-2006 f'eżerċizzju ta' riveżjoni tal-Pjan Lokali li sar biex jiġu regolarizzati diversi residenzi madwar Għawdex li kienu fl-istess sitwazzjoni, din iż-żona partikolari ġiet injorata kompletament u miċħuda mill-istess privileġġi li ngħataw lir-residenzi l-oħra kollha. Jekk ir-riveżjoni proposta tkun aċċettata se jiġi regolarizzat dak li bi dritt huwa tagħhom u għal snin twal kienu miċħuda minnu, speċjalment meta wieħed iqis li ma ġietx applikata l-istess proċedura u ma ntuzatx l-istess riga li ntuzat fl-2006 meta ġew regolarizzati għexieren ta' residenzi mferrxin f'diversi lokalitajiet madwar Għawdex kollu. Żewġi, flimkien ma' ħutu u l-kuġini tiegħu trabba ġo dawn ir-residenzi, u t-fal tagħna wkoll spiss ikunu għand in-nanniet u l-qrabata li joqgħodu f'Triq it-Torri Gorgun jilgħabu, u jagħamlu memorji flimkien. Mhuhiex ġust li dawn il-persuni, ħafna minnhom saru anzjani jibqgħu f'din</p>	<p>The area subject to this review qualifies to be designated as a rural settlement as it lies in close proximity to the urban area and the building typology and land-uses within this area does not distinguish it from the urban settlement within the development boundary. The settlement boundary seeks to consolidate the existing buildings and streetscapes to ensure the least take up of vacant land possible. The review also limits the land use and building heights within the settlement.</p>
---------------------------------	----------------------------------	------------------------	---	---

			il-‘limbo’ regolatorju, u ma jridux jgarrbu aktar inkwiet għall-futur tagħna u t-tfal tagħna.	
--	--	--	---	--

<p>PR-Ghj/XE(1) - 59</p>	<p>Perit Tara Cassar obo Din I-Art Helwa</p>	<p>06/11/24</p>	<p>The following is being submitted on behalf of eNGO Din I-Art Helwa.</p> <p>The Planning Authority issued this call for public consultation on the <i>Partial Review of the Gozo and Comino Local Plan of 2006 for Ghajnsielem and Xewkija</i> on the basis of the following objectives for Xewkija:</p> <p><i>2. To designate the area located between Triq it-Torri Gorgun and Triq il-Kav. Lorenzo Zammit Haber, Xewkija, broadly indicated on Map 2, as a Rural Settlement and clearly delineate the development boundary, identify the developable land within the boundary, public roads, the acceptable land-uses and building height limitations within the overall framework of the Gozo and Comino Local Plan, provided that additional development on vacant land is strictly controlled.</i></p> <p><i>3. To amend or delete all other provisions in the Gozo and Comino Local Plan of 2006 which are deemed to run counter to the overall objectives set out in paragraphs (1) and (2) above.</i></p> <p><u>Submission:</u></p> <p>1. The land under review in Xewkija falls outside the development zone. As of 1968 the site was for the most part free of any development.</p>	<p>The area subject to this review qualifies to be designated as a rural settlement as it lies in close proximity to the urban area and the building typology and land-uses within this area does not distinguish it from the urban settlement within the development boundary. The settlement boundary seeks to consolidate the existing buildings and streetscapes to ensure the least take up of vacant land possible. The review also limits the land use and building heights within the settlement.</p>
--------------------------	--	-----------------	--	---



In the decades since, a number of dwellings and structures were built illegally on this land as evidenced through several pending enforcement notices tied to the land in question, some of which have been active since 1996.



2. Rather than enforcing adherence to planning legislation and applicable policies, the Authority is aiming to make changes to the same policies to allow for the potential sanctioning of these illegal developments in the rural area, effectively rewarding the contraveners after decades of abuse.

3. Din l-Art Helwa insists that since the establishing of the development zone boundaries, the need to restrict land take-up to curtail the effects of urban development within the rural areas, and protect agricultural land has, contrary to the direction adopted through this amendment, drastically intensified. Any amendments allowing for the sanctioning of the illegal take-up of land within the rural area, as would result through the designation of this site

			<p>as a rural settlement, will only aggravate an already critical situation.</p> <p>Given the above, Din I-Art Helwa objects to the designating of this site as a rural settlement.</p>	
--	--	--	---	--

<p>PR-Ghj/XE(1) - 60</p>	<p>Dr Claire Bonello obo Moviment Graffiti</p>	<p>06/11/24</p>	<p>www.planning.qld.gov.au <u>Submission in relation to ongoing public consultation on the Partial Review of the Goro and Cowles Local Plan of 2006 for Gabaletta and Nankiville</u></p> <p>The following is being submitted on behalf of Moviment Graffiti</p> <p>The Planning Authority issued this call for public consultation on the Partial Review of the Goro and Cowles Local Plan of 2006 for Gabaletta and Nankiville on the basis of the following objectives for Nankiville:</p> <p>2. To designate the area located between Dela D-Territ Goro and Dela D-Kav. Lorenzo Zommit Haber, Nankiville, broadly indicated on Map 2, as a Rural Settlement and clearly delineate the development boundary, identify the developable land within the boundary, public roads, the acceptable land-use and building height limitations within the overall framework of the Goro and Cowles Local Plan, provided their additional development on vacant land is entirely controlled.</p> <p>3. To amend or delete all other provisions in the Goro and Cowles Local Plan of 2006 which are deemed to run counter to the overall objectives set out in paragraphs (1) and (2) above.</p> <p>Submission:</p> <p>Improper motivation for this Local Plan Review exercise</p> <p>It is a matter of concern as to what prompted this proposed Local Plan Review. This is being stated following reports in The Shift news portal that the said exercise is being carried out to accommodate existing illegal development (<u>Planning rules set to change for illegal residences occupied by PM's contractors</u> The Shift News). The relevant article states: "Through Prime Minister Robert Abela's personal intervention, the government has ordered the Planning Authority to change the rules (local plan) in the area where a cluster of residences was built illegally in a rural CDE area in Nankiville to sanction and legalize the residences eventually." If this is the real motivation behind this proposed Local Plan Review, there is no reasonable planning justification for the exercise and it is only an exercise in corruption. This flies in the face of good governance, the promotion of legality and sustainable land use. For the sake of transparency, all communications whereby the Planning Authority was instructed with this Local Plan Review should be published, together with the relevant Executive Council minutes wherein this exercise was discussed.</p> <p>Condoning illegality</p> <p>The land under review in Nankiville falls outside the development zone. As of 1968 the site was for the most part free of any development.</p>	<p>The area subject to this review qualifies to be designated as a rural settlement as it lies in close proximity to the urban area and the building typology and land-uses within this area does not distinguish it from the urban settlement within the development boundary. The settlement boundary seeks to consolidate the existing buildings and streetscapes to ensure the least take up of vacant land possible. The review also limits the land use and building heights within the settlement.</p>
------------------------------	--	-----------------	--	---

In the decades since, a number of dwellings and structures were built (legally on this land as evidenced through several pending enforcement notices tied to the land in question, some of which have been active since 1996).

Rewarding ~~concomitance~~ and neutralizing efforts at law enforcement

Rather than enforcing adherence to planning legislation and applicable policies, the Authority is aiming to make changes to the same policies to allow for the potential sanctioning of these illegal developments in the rural area, effectively rewarding the contraveners after decades of abuse.

Allowing further take-up of agricultural land

Movement Graffiti insists that since the establishing of the development zone boundaries, the need to restrict land take-up to curtail the effects of urban development within the rural areas, and protect agricultural land has, contrary to the direction adopted through this amendment, drastically intensified. Any amendments allowing for the sanctioning of the illegal take-up of land within the rural area, as would result through the designation of this site as a rural settlement, will only aggravate an already critical situation.

<p>PR-Ghj/XE(1) - 61</p>	<p>Mr Stefano Miceli obo ERA</p>	<p>06/11/24</p>	<p>ERA Feedback on the Partial Review of the Gozo and Comino Local Plan of 2006 for Ghajnsielem and Xewkija (Phase 1)</p> <p><u>Għajnsielem site:</u></p> <p>The site boundary should be clearly defined and limited to the site currently used for the nativity village. The surrounding rural areas of Wied Imgarr, Ta' Passi and Ta' San Mikiel should be conserved.</p> <p>(i) All future development and related interventions, including the entire width and extent of roads, access routes, pavements, car parking areas/spaces, landscaping, substations, sewer connections, etc, should be contained within the site boundary. Development should be located away from the edge of the site overlooking the valley and should follow the natural topography of the site and immediate context.</p> <p>(ii) Any ancillary structures for this site should be small in scale and temporary, most accommodated to the western part of the site. The main structures, along with most infrastructure and services should be located adjacent to the existing football ground, away from the predominantly open rural land and</p>	<p>Comments by ERA have been noted.</p> <p>The new policy for the Ta` Passi area clearly defines the area under review and ensures that the area remains predominantly open with minimal ancillary facilities that support the designation of the area for formal recreation and the seasonal activities that occur within the site.</p>
--------------------------	----------------------------------	-----------------	--	--

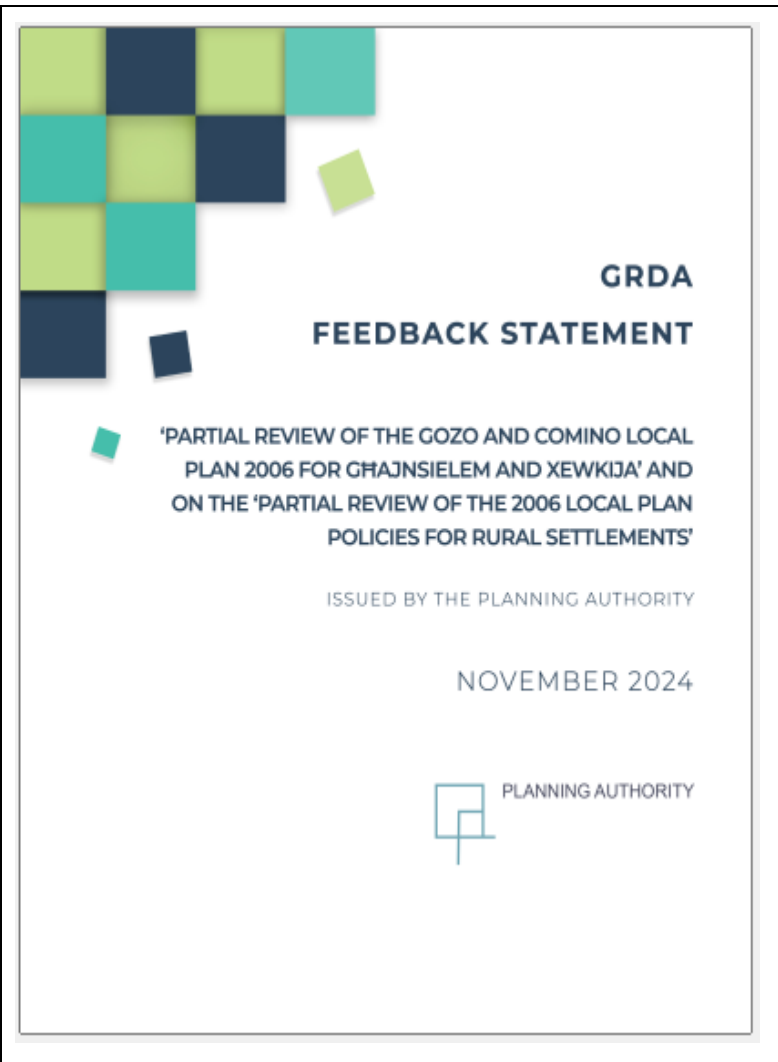
			<p>Wied Imgarr. The less developed areas within this site should remain relatively open and kept informal in character.</p> <p>(iii) The type of formal recreational use should incorporate a predominantly rural element or theme, ensuring compatibility with the surrounding landscape. Measures should be implemented to prevent future conversions of this site for other purposes.</p> <p>(iv) The development should not be a source of light and noise pollution.</p> <p><u>Xewkija site:</u></p> <p>(i) In principle, there is concern on the further proliferation of urban development into the ODZ and impacts on the rural character of the area. In this regard, it is recommended that this area is designated as a Category 2 Settlement and that its boundary is confined to committed areas also as a way of avoiding higher-density development. It is also recommended that the design and height of buildings takes into account the rural character of</p>	<p>The area in Xewkija qualifies to be designated as a rural settlement as it lies in close proximity to the urban area and the building typology and land-uses within this area does not distinguish it from the urban settlement within the development boundary. The settlement boundary seeks to consolidate the existing buildings and streetscapes to ensure the least take up of vacant land possible and avoid creation of blank party walls. The review also limits the land use and building heights within the settlement.</p>
--	--	--	--	---

			<p>the whole area in order to ensure compatibility with the surroundings and minimize potential visual impacts on both short and long-distance views.</p> <p>(ii) The planning commitment should be self-contained and should not introduce additional commitments onto undeveloped rural land, including new or widening of roads, pavements, car parking spaces, access, landscaping, etc. No new peripheral routes or blank party walls should be established.</p>	
--	--	--	---	--

<p>PR-Ghj/XE(1) - 62</p>	<p>Ing Stanley Zammit MP</p>	<p>06/11/24</p>	<p>Il-Partit Nazzjonalista jeżiġi trasparenza, kontabilita' u konsultazzjoni reali mal-pubbliku.</p> <p>Minħabba l-possibilità li jista' jkun hemm żviluppi fl-inħawi bejn Triq it-Torri Gorgun u Triq il-Kav. Lorenzo Zammit Haber f'Xewkija li jistgħu jkunu mhux konformi mar-regolamenti jew taħt notifika ta' infurzar, hemm bżonn ta' eżami bir-reqqa biex ma jsirux passi li jistgħu jnaqqsu l-obbligu li wieħed josserva l-liġi u policies tal-ippjanar.</p> <p>Il-fiduċja tal-pubbliku fl-Awtorità tal-Ippjanar tiddependi fuq it-trasparenza u l-konsistenza. Għalhekk, ikun xieraq li l-Awtorità tal-Ippjanar tkun aktar trasparenti billi tippubblika l-informazzjoni kollha rilevanti, inklużi dokumenti u studji li wasslu għal din ir-reviżjoni.</p> <p>Ippjanar responsabbli jitlob qafas ċar, ġust u ferm. Kull tibdil fil-pjan lokali jew policies għandu jkun evalwat bir-reqqa, sabiex tiġi evitata sitwazzjoni fejn is-sistema tal-ippjanar tista' tiġi kompromessa jew tħajjar żviluppi oħra barra mill-konformità.</p>	<p>The area subject to this review qualifies to be designated as a rural settlement as it lies in close proximity to the urban area and the building typology and land-uses within this area does not distinguish it from the urban settlement within the development boundary. The settlement boundary seeks to consolidate the existing buildings and streetscapes to ensure the least take up of vacant land possible. The review also limits the land use and building heights within the settlement.</p>
---------------------------------	-------------------------------------	------------------------	---	---

<p>PR-Ghj/XE(1) - 63</p>	<p>Mr Dylan Cassar obo Malta Sociological Association (MSA) (Government portal)</p>	<p>02/11/24</p>	<p>The Malta Sociological Association (MSA) notes the public consultation for the Partial Review of Gozo and Comino Local Plan. The MSA requests clarification on what is understood by 'formal recreation', and to ensure that the site does not become a developed zone for commercial purposes and not open to non-patrons. The MSA also proposes the adoption of a Social Impact Assessment (SIA) that follows a comprehensive and scientific approach in conformity with the International Principles for Social Impact Assessment. The International Association for Impact Assessment defines SIA as being “the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions (policies, programs, plans, projects) and any social change processes invoked by those interventions”. An SIA is an interdisciplinary process, and follows established social-scientific methods, both quantitative and qualitative. Social impact assessments should not be one-off exercises, but ongoing processes which engage with various stakeholders and which report back so as to ensure effective policy processes.</p>	<p>The new policy for the Ta` Passi area clearly defines the area under review and ensures that the area remains predominantly open with minimal ancillary facilities that support the designation of the area for formal recreation and the seasonal activities that occur within the site.</p>
---------------------------------	--	------------------------	---	--

	<p>Anonymous (Government Portal)</p>	<p>29/10/24</p>	<p>Il-proposta biex jiġi rivedut il-Pjan Lokali f'dak li jikkonċerna ż-żona tax-Xewkija huwa totalment ġustifikabbli għar-raġuni li dan huwa każ fejn se tissewwa inġustizzja li saret mal-familji u r-residenti in kwistjoni għal diversi snin. Meta wieħed jirrevedi l-każ kollu jara li sa mill-bidu dawn ir-residenti mxew mal-proviżjonijiet legali fejn jidhlu l-permessi rilevanti ta' djarhom iżda mat-twaqqif tal-Awtorita għall-Ambjent u l-Ippjanar lura fl-1992 dawn l-istess residenti kienu sugġetti għal diversi anomaliji f'dak li jirrigwardja l-permessi u l-legalita ta' djarhom. Filwaqt li din iż-żona bir-residenzi ma gietx irreġistrata u rikonoxxuta bħala żona ta' żvilupp, aktar tard fl-2006 f'eżerċizzju ta' riveżjoni tal-Pjan Lokali li sar biex jiġu regolarizzati diversi residenzi madwar Għawdex li kienu fl-istess sitwazzjoni, din iż-żona partikolari giet injorata kompletament u miċhuda mill-istess privileġġi li ngħataw lir-residenzi l-oħra kollha.</p> <p>Jekk ir-riveżjoni proposta tkun aċċettata se jiġi regolarizzat dak li bi dritt huwa tagħhom u għal snin twal kienu miċhuda minnu, speċjalment meta wieħed iqis li ma gietx applikata l'istess proċedura u ma ntużatx l'istess riga li ntużat fl-2006 meta ġew regolarizzati għexieren ta' residenzi mferrxin f'diversi lokalitajiet madwar Għawdex kollu. Lill hinn minn dak kollu li ntqal fuq dawn ir-residenti fil-media, għal fini ta' ġustizzja, trasparenza u ugwaljanza din ir-reviżjoni proposta għandha tiġi aċċettata u b'hekk wara diversi snin ikunu rranġati l-inġustizzji li saru magħhom u ġew meqjusa fl-istess livell tal-oħrajn.</p>	<p>Content of this submission have been noted and in line with the objectives of this partial review the area known as Torri Gorgun has been designated as a Category 1 rural settlement.</p>
--	---	------------------------	---	---

<p>Late submission</p>	<p>Marthese Cassar obo Gozo Regional Development Authority)</p>	<p>12/11/24</p>		
------------------------	---	-----------------	--	--

GRDA Feedback on the 'Partial Review of the Gozo and Comino Local Plan 2006 for Ghajnsielem and Xewkija' and on the 'Partial Review of the 2006 Local Plan Policies for Rural Settlements'

1. Preamble

The consultations published on 15th October 2024 by the Planning Authority (PA) are concerned with the 'Partial Review of the Gozo and Comino Local Plan 2006 for Ghajnsielem and Xewkija' and with the 'Partial Review of the 2006 Local Plan Policies for Rural Settlements'.

The 'Partial Review of the Gozo and Comino Local Plan 2006 for Ghajnsielem and Xewkija' specifically addresses two areas in Ghajnsielem and Xewkija. In Ghajnsielem, the objective is to designate a specific site which recently accommodated the 14th edition of the live nativity event of Bethlehem as an open-air, formal recreational land use with ancillary structures. It is proposed that the site-specific policy include criteria that ensure that the site remains used solely for formal recreation with minimal commercial activity, and that any ancillary structures remain small in scale and their design and location do not create unacceptable impacts.

In Xewkija, the scope is to designate the area located between Triq it-Torri Gorgun and Triq il-Kav. Lorenzo Zammit Haber, as a Rural Settlement. The objective is to clearly delineate the development boundary and identify the acceptable land-uses and building height limitation within the overall framework of the Gozo and Comino Local Plan, provided that additional development on vacant land is strictly controlled.

Meanwhile, the other proposed review, entitled 'Partial Review of the 2006 Local Plan Policies for Rural Settlements', which is concerned with rural settlements (category 2 & 3), seeks to bring clarity, and update the policies to ensure that the management and development of these areas align with contemporary planning standards while respecting their rural character. In this regard, rural settlements were first designated in 2006 through the local plans. These areas, located outside development boundaries, consist of areas where several buildings for dwellings already existed.

Through this proposed partial review of the 2006 Local Plan Policies for Rural Settlements, which will affect four local plans, namely the North West, Central Malta, South Malta, and Gozo and Comino, the Planning Authority is proposing to amend the policies relating to Category 2 and Category 3 Rural Settlements within the four local plans to clearly define:

- I. The acceptable types of development considered as ancillary to a dwelling in Category 2 and 3 Settlements.
- II. The guidelines for the take-up of fresh land in Category 3 Settlements for development that is considered as ancillary to a dwelling.

2. Context

The Gozo Regional Development Authority (GRDA) has been set up to formulate, streamline, and help in the implementation of regional policies to ensure Gozo's sustainable socio-economic development. This socio-economic development needs to reflect and enhance the long-term needs of Gozo taking into consideration its social fabric, its economy structure, and its man-made and natural assets. To successfully attain such role, the GRDA plays a proactive role in an array of areas, including spatial planning and the use of land. As part of this role, the GRDA on a regular basis conducts and publishes a number of studies and Discussion Papers focusing on different subjects, including spatial planning, and the construction and real estate sectors in Gozo. These include a Discussion Paper focused on *Nurturing Gozo's Urban Character through Context-Sensitive Design*¹, and a *Note on Government Housing Estates*². These studies and Papers have provided research material which the Authority used to pilot public discussions and propose a number of policy recommendations for Gozo, including a proposed change in Local Plans to protect terraced houses that form part of the Home Ownership Schemes of the late 1970s till early 1990s.³

The GRDA considers sensible use of land and the natural environment as a key to Gozo's sustainable development. It strongly believes that the key to Gozo's future is the persistent adoption of a formula that maintains a sustainable and balanced territorial development through optimal use of land and the preservation of landscape and Gozitan traditional urban and rural features.

The GRDA's overarching objective for spatial planning and development in Gozo is to attain the following strategic goals, namely safeguarding and building an ecologically sustainable environment which contributes positively to the economic prosperity and quality of life of present and future generations; achieve a natural network of open spaces for residents and visitors alike in which the island's biodiversity can thrive; ensure that the urban landscape of Gozo represents the rich communities that live within; and build on Gozo's identity as an 'Island of Villages'.

As an 'Island of Villages', characterized by its "smallness", peripherality, and a more rural dimension than Malta, the symbiosis of land and environment is the bedrock for all growth on the island, particularly given its size limitations. Should development not be properly planned in Gozo, the risk would be that of losing the island's identity and distinctiveness. These distinctive characteristics are

¹ <https://grda.mt/wp-content/uploads/2024/02/Nurturing-Gozos-Urban-Character-through-Context-Sensitive-Design-WER.pdf>

² <https://grda.mt/wp-content/uploads/2024/09/Note-on-Government-Housing-Estates.pdf>

³ <https://grda.mt/wp-content/uploads/2024/09/Outlook-2024-2026-and-Budget-Proposal-2025.pdf>

a strength that Gozo should build upon to effectively become a destination of excellence. Gozo's distinctiveness from the main island enhances its attractiveness and is a source of added value. This also contributes to the quality of life of Gozo's residents.

3. Feedback by the GRDA

The Gozo Regional Development Authority (GRDA) notes the Planning Authority's public consultation on the proposed "Partial Review of the 2006 Local Plan Policies for Rural Settlements" and the "Partial Review of the Gozo and Comino Local Plan 2006 for Ghajnsielem and Xewkija" as an opportunity to enhance Gozo's sustainable development. In light of the objectives identified by the Planning Authority for the proposed reviews, which were outlined earlier in Section 1 of this Feedback Note, the GRDA provides the following observations and recommendations to ensure that any policy updates align with Gozo's distinct identity, the well-being of its residents, and its long-term sustainability.

The GRDA supports the objective of designating a site in Ghajnsielem for open-air, formal recreational land use. Considering the site's use for the live nativity event of Bethlehem, the proposed review presents a valuable opportunity to recognise the site as a community-oriented recreational space, which shall serve to enrich residents' quality of life and to foster social cohesion. However, to achieve these benefits, it is crucial that any permitted ancillary structures remain small-scale, unobtrusive, and designed with sensitivity to the surrounding environment. Also, commercial activity should be minimal, as outlined in the Planning Authority's proposal, emphasizing the importance of maintaining the site's openness and landscape. By doing so, the specific site can serve as a community recreational area without compromising its natural characteristics.

Regarding the proposal to designate the area located between Triq It-Torri Gorgun and Triq il-Kav. Lorenzo Zammit Haber, Xewkija, as a Rural Settlement, the GRDA acknowledges the need to clearly delineate development boundaries and to clearly define the acceptable land-uses within this zone. The GRDA strongly encourages the Planning Authority to set clear limitations that restrict take-up of fresh land in this zone, and to ensure that the height limitations and the land uses within the boundary align with the characteristics of a Rural Settlement and the identity of Gozo as an 'Island of Villages'.

In this regard, the GRDA emphasises the importance that building height limitations of Rural Settlements be approached with an emphasis on achieving harmony with the surrounding landscape and townscapes, and preserving the visual integrity of Gozo's skylines, in line with good-practice Guidance G2 of DC15. This approach being encouraged by the GRDA was reinforced by the Santa Luċija Court of Appeal ruling (Case Reference 75/2022)⁴. This would support development that respects the character of rural settlements in Gozo.

In reviewing the Local Plan policies specifically related to Rural Settlements, the GRDA underscores the importance of stringent policies which clearly establish the acceptable types of development

⁴ <https://courts.gov.mt/online-service/Judgements/Details/JudgementsId=08CaseJudgementsId=13764>

considered as ancillary to a dwelling in Category 2 and 3 Settlements. As land within these settlements is limited, allowable developments should be minimal, and must preserve the rural dimension of these settlements. Moreover, any proposed take-up of fresh land in Category 3 Settlements for development that is considered as ancillary to a dwelling should undergo rigorous scrutiny to ensure that the proposed land take-up aligns with this purpose, and to prevent excessive land take-up, thus avoiding adverse impacts on the landscape. Ancillary developments should support the function of existing dwellings rather than contribute to urban sprawl or unrelated land use encroachment.

Any spatial planning policy changes should be examined in the context of Gozo's distinct needs and character, and in the context of the Gozo Regional Development Strategy. The latter emphasises that spatial planning needs to go beyond the physical and also consider the economic, social, cultural and environment trajectory of the island since all of these elements are interlinked. In this regard, the GRDA advocates a holistic approach to policy revisions, one that carefully considers Gozo's economic, social, cultural, and environmental context. A well-rounded policy is essential for ensuring that the island's development remains sustainable, contributing positively to the quality of life for both residents and visitors.

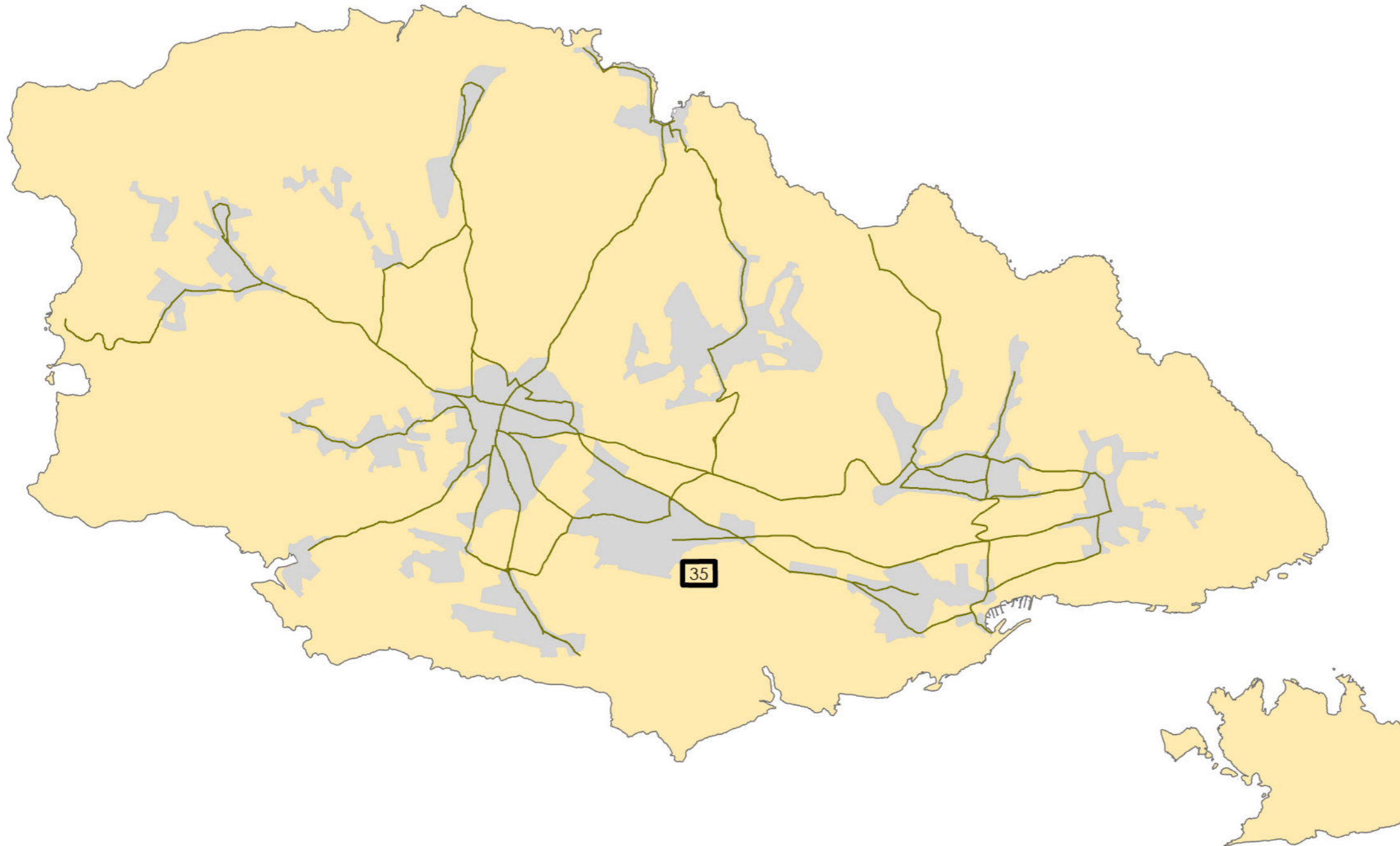
4. Concluding Remarks

The GRDA would like to emphasise that development should be a tool to enhance the well-being of the community, rather than an end in itself. Consequently, planning policies should be regarded as a means to enhance the community's quality of life, rather than being limited to regulate construction and real estate development. The primary objective is to create liveable environments that preserve the existing semi-urban context, while also respecting the long term needs and interests of the residents.

The GRDA also emphasizes that any review of Local Plan policies affecting Gozo must reflect the Strategic Plan for the Environment and Development (SPED), which treats Gozo as a distinct spatial area. Gozo's policies should avoid a generalized "one size fits all" approach. Instead, they should recognize and respond to the island's specific characteristics, such as its small scale, peripherality, and rural appeal. This region-focused approach ensures that policies for Gozo are tailored to its unique needs and strengths, reinforcing Gozo's appeal as a destination of excellence, and supporting a high quality of life for residents, while preserving the island's unique heritage and natural landscape.



Torri Gorgun
 Category 1 ODZ
Settlement GZ-RLST-1



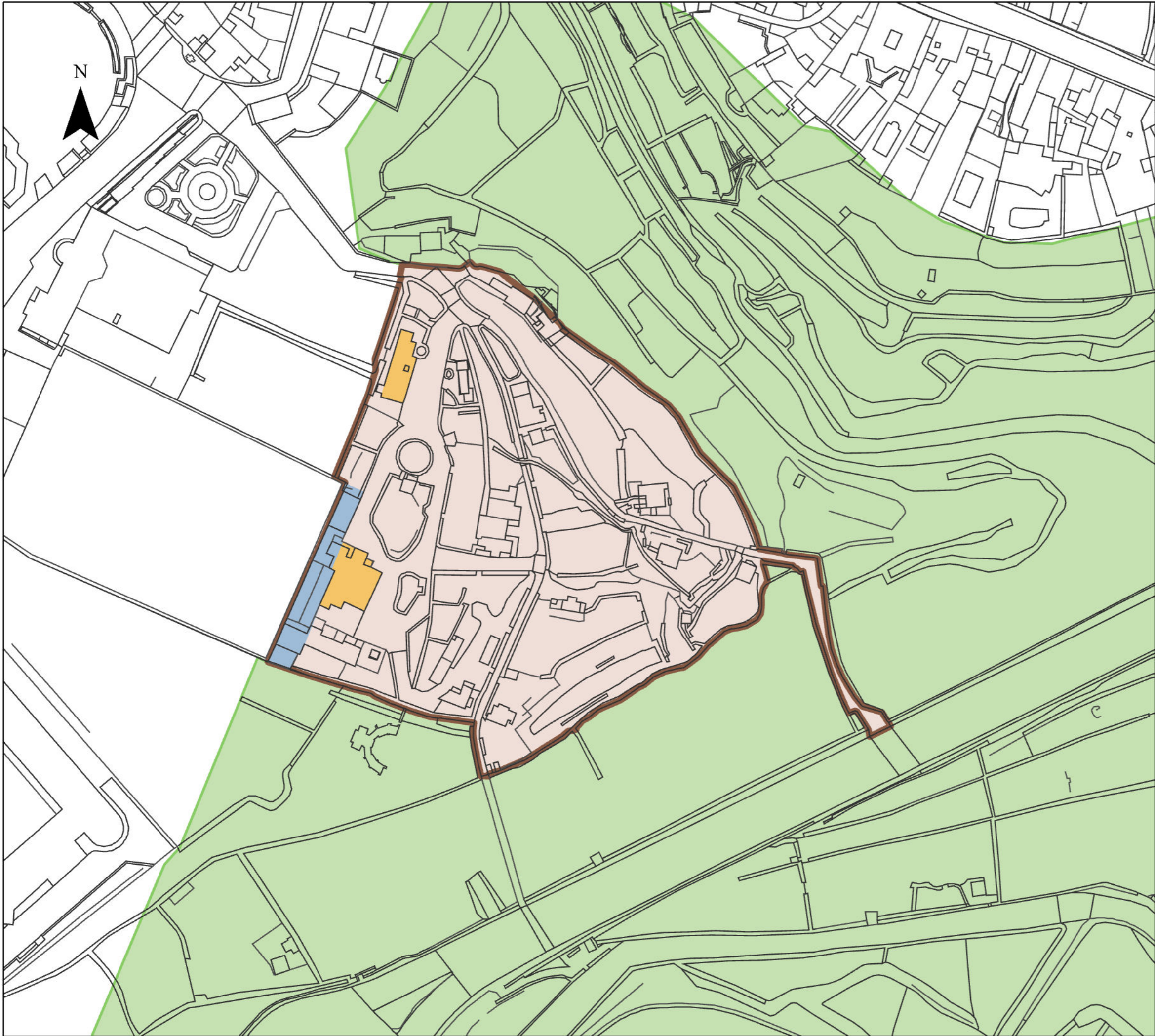
Category 1
Large Rural Settlement ODZ

Scale: 1:50,000 Date: January 2025

Map:

INDICATIVE ONLY
Not to be used for measurement or direct
interpretation. Maps to be used in conjunction
with Policy Document.

A



PARTIAL REVIEW TO THE GCLP 2006
GHAJNSIELEM



- Strategic Open Space Gap - GZ-SET-2
- Ta' Passi Policy Area Boundary - GZ-Ghjn-18
- Extension to Existing Sports Facility - GZ-RECR-6
- Permanent Structures with Possibility of Commercial Uses

Ta' Passi - Ghajnsielem
Policy Map

Scale: 1:1,000 Date: December 2024 Map: 14.2G

INDICATIVE ONLY
Not to be used for measurement or direct interpretation. Maps to be used in conjunction with Policy Document.