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V.A.T. Registration number 1108-0503

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Your Ref: PA/00253/18  
Our Ref: 17297\_APL01

Secretary Appeals Board  
MEPA  
St. Francis Ravelin  
Floriana



To whom it may concern,

**Re: PA/00253/18 – Proposed excavation and construction of 2 underground reservoirs and pump rooms.**

I am writing on behalf of my client, Mr. Paul Zahra, to request the Appeals Board to reconsider the decision taken by the EPC on the 6<sup>th</sup> of June 2018, to refuse permission for the aforementioned application. My client, his lawyer and myself would like to be present during the deliberation of this application.

We would like to appeal on all the reasons for refusal which are the following:

1. The proposed two reservoirs run counter to criteria 1 of Policy 2.7A of the Rural Policy & Design Guidance (RPDG) 2014 as are to be located on land having important natural habitat. The excavation will adverse impact on landscape features and thus run counter to policy 1.2H.  
Furthermore, the size of each reservoir is considered as excessive when compared to the size of the legal arable holding, thus runs counter to para 2.7.2 of Policy 2.7A of the Rural Policy & Design Guidance (RPDG) 2014 which stipulate that reservoirs should be proportional to the total land area of applicants arable land.
2. The proposed pump room runs counter to criterion 5 of policy 2.7A of the Rural Policy & Design Guidance (RPDG) 2014 as the height of the pump rooms is in excess of 2 meters. Furthermore there is no justification for the two pump rooms as the reservoirs are not acceptable as site is not a legally established arable land but natural habitat.
3. The proposal cannot be considered further unless the illegal development listed in Enforcement Cases ECF 0102/07 and ECF 0409/10 are first sanctioned or removed and this in terms of regulation 17 of Legal Notice 162 of 2016.

With reference to refusal 1 and 2, please find attached revised drawings with a decrease in size of the proposed reservoirs and in height to pump rooms.

With reference to refusal no 3, enforcement ECF 0409/10 make reference to another site in Wied Hazrun, Dingli.

Please find attached an aerial photo of the 1967, were it clearly indicates that at least 13 fields existed on site. Following every rainy season, soil is washed downwards due to the sloping nature of the terrain. The fields were continuously and yearly topped and the soil shifted back in place.

The fields were always used for agricultural purposes and our client's intention is to continue to use the existing fields for such purposes.

Regards,

Dr. Edwin Mintoff

