



CHRIS GRECH B.E.&A., (Hons) A.&C.E.

Perit

52, "Office 2" Triq San Silvestru, Mosta, Malta - MST 3725
Tel: (+356) 2143 8231 • Mob: (+356) 9949 6995 • Email: chris@gcmalta.net

14th November 2022

Environment and Planning Review Tribunal
Block B, St. Francis Ditch,
Floriana

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL



Environment and Planning Review Tribunal (EPRT)

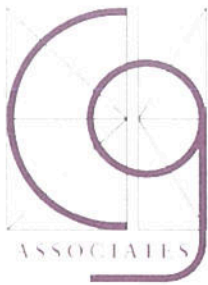
- Office's ref: 25/20
- PA ref: PA 184/21
- Development: Sanctioning of part infill with existing rock/debris and covered by soil on top. The application also includes soil levelling to convert it from a dis-used land into an agricultural field.
- Location: Site at, Wied il-Buzbiez, Mtahleb l/o Rabat, Malta, Rabat

Dear Sir/Madam,

Reference is made to the above captioned application which was approved by the Environment and Planning Review Tribunal sitting held on 28 April 2022. Following the approval, on the 14th of October 2022 the Planning Authority issued Request for Post Decision Requirements. One of the matters requested to be settled prior to the issue of the executable permit was:

"The payment of a fine to the value of EUR28590.00. This fine is applied in accordance with the Development Planning Act 2016, Article 103(6), since you have committed an offence against the provisions of the Act; which fine is being applied only for that part of the infringement which has been approved, namely infringements on site;"

Application PA 184/21 was approved since the Environment and Planning Review Tribunal declared in the decision that the principle of the development was in accordance with Policy 2.8 of the Rural Policy. The applicant main purpose of the application is to rehabilitate 'the mess' into arable land to be used solely and exclusively for farming. The interventions done by the applicant consisted in the levelling the upper part of the deposited material and finally covering the site with agricultural soil.



CHRIS GRECH B.E.&A., (Hons) A.&C.E.

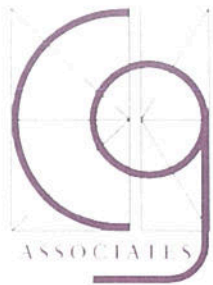
Perit

52, "Office 2" Tna San Silvestru, Mosta, Malta - MST 3735
Tel: (+356) 2143 8231 • Mob: (+356) 9943 6995 • Email: chrisg@cmalta.net

As can be noted from the above, the application was granted since the works done on-site were done to promote an un-used site to a arable land in order to compliment the surrounding. In addition, such works leads to the beginning of the removal of a 'mess' which was created along the years. This 'mess' consisted of deposited material which was stacked in several piles and were negatively impacting the landscape of the area. The mounds were visible from various distant points as can be seen in the photos below.



Photo 1 – Distant view 1



CHRIS GRECH B.E.&A., (Hons) A.&C.E.

Perit

52, "Office 2" Triq San Silvestru, Mosta, Malta - MST 37/25

Tel: (+356) 2143 8291 • Mob: (+356) 9949 8999 • Email: chris@grega.com.mt



Photo 2 – Distant view 2



Photo 3 – Distant view 3



CHRIS GRECH B.E.&A., (Hons) A.&C.E.

Perit

52, "Office 2" Triq San Silvestru, Mosta - Malta - MST 3795

Tel: (+356) 2143 3291 • Fax: (+356) 9949 6995 • Email: chris@cgamalta.net

Therefore, in view of the above and any further submissions that may be made during the hearing, appellant humbly submits that the fine imposed would be lowered drastically due to the following facts:

1. The applicant main purpose of the application is to rehabilitate 'the mess' into arable land to be used solely and exclusively for farming.
2. The lengthy period for issuing the final conclusion of the Environment and Planning Review must be considered. This period, which was outside the applicant's control, had a significant impact on the daily fines. As the hearing was scheduled for a number of times, the daily fines have been significantly accumulated.
3. The fine imposed on the applicant will undoubtedly be a detriment to the appellant's investment in converting unused land into arable land. Such funds can be instead allocated to cover the proposed works and to cultivate the land during the season. It is important to encourage cultivators to invest and promote arable lands. Such fines would definitely have a negative financial impact on the cultivator.

Regards,

Perit Chris Grech