



Lino Bianco & Associates

Architectural, Structural Design Studio
Environmental Management Consultancy
Urban Planning and Design Consultancy

Project Description Statement

Mgarr ix-Xini Regional Park,
l/o Sannat / Xewkija, Gozo

*We are part of the Earth and it is part of us...
Whatever befalls the Earth befalls the sons
of the Earth. If men spit upon the ground,
they spit upon themselves. This we know,
the Earth does not belong to man; man
belongs to the Earth.*

Chief Seattle, Letter to the American President, 1853

99, Triq Censu Bugeja,
Hamrun HMR 10, Malta (Europe)
Tel : (356) 21241747
Fax : (356) 21251302

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1.0 Introduction

1.1 Terms of Reference

The Project Description Statement for the proposed Mgarr Ix-Xini Regional Park is a response to a request by Sannat Local Council and Xewkija Local Council to develop a joint initiative aimed at protecting, safeguarding, sustaining and enhancing the ecosensitive, geocultural landscapes of Mgarr Ix-Xini valley. The aim of Sannat and Xewkija Local Councils is to develop a regional park based on the concept of inclusivity rather than exclusivity of the landowners and occupiers of properties falling within the boundaries of the regional park: the Local Councils are the guarantors while the land owners and occupiers are the prime movers.

Sannat and Xewkija Local Councils were set up in terms of the *Local Councils Act, 1993*.¹ One of the main functions of the Local Councils as listed in the Act is²

To provide for the upkeep and maintenance of, or improvement in, any street or footpath, not being privately owned.

It is in this spirit that the Local Councils of Sannat and Xewkija, will be jointly submitting a development planning application in due course to restore and/or reconstruct damaged rubble walls and, where absent, erect rubble walls to a maximum height of three (3) courses along the proposed boundary of the regional park and put markers delineating boundaries of same.

1.2 The Issue

Mgarr Ix-Xini is an area, which has long been identified for its significant geomorphological, ecological, agrarian and cultural importance. Its tourist potential, cultural, agrotouristic and otherwise, has not being exploited neither for locals nor overseas visitors.

Sannat and Xewkija Local Councils, in line with local legislation and planning policy, intend to develop Mgarr Ix-Xini Valley and its environs into a regional park (Drawing 16_04_01). Grounding the concept underlying this initiative is the environmental planning strategy of the Malta Environment and Planning Authority and other public agencies together with directives and legal obligations, which the Maltese archipelago has to abide with.

¹ *Laws of Malta. Act No. XV of 1993.*

² *Ibid, Section 33(1)(a).*

The objectives of this joint regional initiative is to protect, safeguard, sustain and enhance the natural and cultural landscapes occurring within the proposed boundaries of the park for present and future generations. The evolution of these landscapes in geological, archaeological and historical time can be largely traced. Memories, past and present, are a guarantor for the mental and physical well being, metaphorical and literal, of locals and Gozitans at large. The land and its surrounding environs recall various phases in the natural and cultural evolution of Gozo. This should not be left to pass unnoticed; this is what Gozitans need to know and experience in order to develop a psychologically and physically healthy identity. Despite the radical, highly agitated revolution in life styles and habits of the younger generations of Gozitans, still the typical Gozitan destination of Sunday strolls is Mgarr Harbour; Mgarr Ix-Xini Regional Park will certainly be an alternative.

In order to physically define the limits of the proposed Mgarr Ix-Xini Regional Park, the above referred outline development planning consent is being requested by the Local Councils of Sannat and Xewkija. It is the intention of both Local Councils that property that will be affected by the boundary wall of the proposed park is along a public right of way. No interference with private property is envisaged. The respective Local Councils do not want to interfere or in any way get involved in issues pertaining to land ownership.

2.0 The Site

2.1 Characteristics

Mgarr Ix-Xini lies at the south-eastern coast of Gozo. Mgarr Ix-Xini Valley, including its tributary, is a steep-sided valley running north-west to south-east to the fjord-like inlet of Mgarr Ix-Xini, the galleys' haven for part of the fleet that besieged Gozo in July 1551 which fleet took the main population of the island into slavery.³ According to tradition, the Gozitan population was gathered by the Turks in this valley prior their forced departure into captivity.

The area of Mgarr Ix-Xini is characterised by one of the main fault systems on the island that gave rise to the present geomorphology and the valley system. The main geological formations surfacing in the area are the Oligocene Lower Coralline Limestone and the Miocene Globigerina Limestone.⁴ The members of the Lower Coralline Limestone which outcrops in the area are the Attard and Xlendi members. All members of the Globigerina

³ Bezzina, J., *Forty Legends From Gozo*, Victoria-Gozo, Gaultitana No. 9, Second Edition, 1997, p.23.

⁴ Oil Exploration Directorate, *Geological Map of the Maltese Islands: Gozo and Comino*, Office of the Prime Minister, Valletta, Malta, 1993. Plotted at scale 1:25,000.

Limestone Formation, namely, the Lower, Middle and the Upper, outcrop in the area. The main soils occurring in the area, that is, terra rossa – Xaghra series, xerorendzina – San Biagio series and carbonate raw soils – San Lawrenz series, largely mirror the parent material present with some degree of human interference.⁵ Terra rossa occurs where Lower Coralline outcrops while xerorendzinas and carbonate raw soils occur where Globigerina and Blue Clay surface.

The Mgarr ix-Xini Valley is rich in biodiversity and supports ecologically significant plant communities. Maquis communities characterise its bed while karstic garigue and maquis vegetation flourish on its sides. Together with the coastal cliffs extending to Ta' Cenc, it supports important bird nesting sites. In the publication *Localities with Conservation Value in the Maltese Islands*⁶, the entire Mgarr ix-Xini/Wied Sabbara area is considered of conservation value:

Mgarr ix-Xini Valley is the finest local example of a classical, steep-sided creek (drowned valley) in Lower Coralline Limestone; both valleys support an important flora including the very rare Spanish Broom *Spartium junceum* [Genista], wild populations of *Aloe vera* [Sabbara, hence the name Wied Sabbara] and the extremely rare Shrubby Campions *Silene fruticosa*; it is also one of the few remaining areas where the Barn Owl *Tyto alba* [Barbagann], a species nearly extinct from the Maltese Islands, breeds.

Furthermore, the valley is of significant cultural importance. A number of legends are tied with the area.⁷ Also, architectural elements and building structures are present, ranging from property markers to rock cut steps along the valley sides to the former pumping station and other items of hydrological history. Large-scale terracing of the area attests long standing anthropogenic interference and dryland small-scale farming still flourishes, albeit with pockets of land abandonment (Drawings 16_04_02_1 and 16_04_02_2). A number of small-scale dairy husbandry units mark a more recent intervention. Disturbed habitats, earmarked for restoration, are present in the area known as Ta' Trajsu. Development planning history since the establishment of the Planning Authority in 1992, is plotted in Drawings 16_04_04_1 and 16_04_04_2.

⁵ Lang, D.M., *Soils of Malta and Gozo*, H.M.S.O., 1960. Plotted at scale 1:31,680.

⁶ Schembri, P.J., E. Lanfranco, P. Farrugia, S. Schembri and J. Sultana, *Localities with Conservation Value in the Maltese Islands*, Ministry of Education, 1987, p.18.

⁷ These include Ras in Newwiela, Ghar ix-Xih and the revenge of the Xewkin (cfr. Bezzina, pp.16 and 23; Bezzina, J., *Forty More Legends From Gozo*, Victoria-Gozo, Gaultana No. 13, 1994, pp.28-9).

2.2 Brief Visual Overview

Mgarr ix-Xini is one of the most panoramic sites in Gozo. Photographs 1 to 12 give a brief visual overview of the valley and the rich surrounding environs, various landscapes of significant amenity value, aesthetic and otherwise. It illustrates contemporary agrarian activity being carried out in the area, a setting of important ecological and geomorphological significance. Anthropomorphic legacies of by gone time are also present. Photos of boundary wall of proposed regional park covered by the outline planning application which either need replacement (Photos 7 and 11) or reconstruction (Photo 4) are included.

3.0 Landscapes Defined

Landscape is defined as “scenery as seen in a broad view”,⁸ yet defining landscapes is perplexing. Some view landscapes as the biophysical characteristics of a given area in flux while for others it is merely the superficial, visual aspect of same.⁹ Landscapes are the expression of the relationship that develops between the human and the natural environments. In the most popular use of the term, landscapes are merged with the notion of countryside and hence with natural landscapes, even though untempered natural landscapes are nowadays rare. This is due to changes in the sociological fabric, namely the radical move towards urban conglomerates and the renewed interest in the rural and relaxing landscapes. Another facet of rural landscapes is the cultural aspect, the ‘local character’ which gives identity to a nation. The Maltese character is primarily Mediterranean and is increasingly threatened by urbanisation and modernisation of agricultural practice.

This holistic, multi-dimensional approach to landscapes forces one to abandon the narrow notion of conservation solely for its natural value, but extend it to the multiplicity of values a landscape inherently sustains. A healthy landscape significantly contributes to society’s physical and spiritual well being, it being a fundamental factor contributing to its identity. However, to retain healthy landscapes, developments must become increasingly sustainable. As established in the Biodiversity Convention, sustainable development encompasses environmental constraints, prevents inappropriate development while enhancing the environment. Nature has many facets: besides its scientific and environmental values which have been underlined in the Biodiversity Convention, nature has its economic, recreational and cultural values. Enhancing nature in its entirety increases direct and indirect employment through, say, direct conservation efforts and ecotourism,

⁸ D. Thompson (ed.), *The Oxford Dictionary of Current English*, Oxford University Press, Second Edition, 1993.

⁹ Luginbühl, Y., ‘Landscapes, projects for a pluralist Europe’, *Naturopa* No.86, 1998.

provided the infrastructure is well marketed. However, nature has its own intangible intrinsic value – how can one assess the pleasure in viewing a beautiful landscape, or the positive effect on one's health?

There is an increasing evidence suggesting health and emotional stability of a population may be profoundly influenced by frustrating aspects of an urban, biologically artificial environment. It seems likely that we are genetically programmed to a natural habitat of clean air and a varied green landscape ... it is evident that in our daily lives nature must be thought of not as a luxury to be made available if possible, but as part of our inherent indispensable need.¹⁰

Moreover, as emphasised in the UNESCO Convention on the Protection of the World Cultural and Natural Heritage, present generations have the obligation to conserve natural assets to future generations.

Europe's biological and landscape diversity is one of our greatest riches. It is a heritage passed down to us over thousands of years and linked to other natural systems worldwide. We have a shared responsibility to pass this heritage on to future generations as a diverse and sustainable system.¹¹

4.0 Legal Framework

4.1 European Landscape Convention

The Landscape Convention¹² was drawn by the Congress of Local and Regional Authorities of Europe within the Council of Europe due to concerns "to achieve sustainable development based on a balanced and harmonious relationship between social needs, economic activity and the environment". The only one of its kind in exclusively addressing European landscapes, the Landscape Convention aims at protecting, managing and enhancing European landscapes. In fact, it is declared that signatories "wish to provide a new instrument devoted exclusively to the protection, management and planning of all landscapes in Europe." The aim is to consolidate the European identity through the protection and management of the diverse landscapes.

... the landscape has an important public interest role in the cultural, ecological, environmental and social fields, and constitutes a resource favourable to economic activity and whose protection, management and planning can contribute to job creation [and that] developments ... are in many cases accelerating the transformation of landscapes

¹⁰ J.E. Todd (ed.), *Biography*, 1982.

¹¹ Council of Europe/UNEP/European Centre for Nature Conservation, *The Pan-European Biological and Landscape Diversity Strategy: a vision for Europe's natural heritage*, 1996, p.24.

¹² Council of Europe, CETS No. 176, Florence, 20th October 2000. www.coe.int
The Landscape Convention was open for signature on 20th October 2000 and entered into force on 1st March 2004. Malta is one of the Signatory States.

Signatories also acknowledged that “the landscape is an important part of the quality of life for people everywhere...” and “a key element of individual and social well-being”, in response to public demand “to enjoy high quality landscapes and to play an active part in the development of landscapes”.

For the purposes of the Convention, landscape means “an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors”. Any type of landscape may be worth promoting, those “that might be considered outstanding as well as everyday or degraded landscapes”. The objectives of this Convention are “to promote landscape protection, management and planning, and to organise European co-operation on landscape issues”.¹³

4.2 The Mediterranean Landscape Charter

This Charter was drawn in preparation to the European Landscape Convention in view of the greater sensitivity of the nature of Mediterranean landscapes given their unique setup of nature and culture and their transforming agents due to uncontrolled urban sprawl, tourism and loss of landscape values. It defines the Mediterranean landscape as¹⁴

¹³ Thus, each member state of the Council of Europe is bound to

- a. to recognise landscapes in law as an essential component of peoples surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity;
- b. to establish and implement landscape policies aimed at landscape protection, management and planning through the adoption of the specific measures set out in Article 6;
- c. to establish procedures for the participation of the general public, local and regional authorities, and other parties with an interest in the definition and implementation of the landscape policies mentioned in paragraph b above;
- d. to integrate landscape into its regional and town planning policies and in its cultural, environmental, agricultural, social and economic policies, as well as in any other policies with possible direct or indirect impact on landscape.

Moreover, they are bound to

- a.
 - i. to identify its own landscapes throughout its territory;
 - ii. to analyse their characteristics and the forces and pressures transforming them;
 - iii. to take note of changes;
- b. to assess the landscapes thus identified, taking into account the particular values assigned to them by the interested parties and the population concerned.

Additionally, each Party is bound to

to define landscape quality objectives for the landscapes identified and assessed

Landscape protection means “actions to conserve and maintain the significant or characteristic features of a landscape, justified by its heritage value derived from its natural configuration and/or from human activity”. Landscape management means “action, from a perspective of sustainable development, to ensure the regular upkeep of a landscape, so as to guide and harmonise changes which are brought about by social, economic and environmental processes” and landscape planning means “strong forward-looking action to enhance, restore or create landscapes”.

¹⁴ Zoido Naranjo, F., ‘The Mediterranean Landscape Charter: An Idea that is gaining ground’, *Naturoipa* No. 86, 1998.

A reality built upon a natural substrate although deeply marked by human agency and, at the same time, as a fundamental resource for guiding and applying environmental, regional planning and heritage management policies.

The Mediterranean Landscape Charter also aims at including the landscape dimension in all the stages of policy making and planning, and at increasing awareness and appreciation of the Mediterranean landscape values for their better protection.

4.3 The Pan-European Biological and Landscape Strategy

The Pan-European Biological and Landscape Strategy, endorsed by the Ministers of Environment in Sofia in 1995 and is being implemented by the Council of Europe in conjunction with the United Nations Environment Programme,¹⁵ seeks to strengthen the biological and landscape diversity in all social and economic sectors, in response to the Biodiversity Convention. Protecting specific areas or species is no longer held sustainable and the greater the integration of the various stakeholders in conserving nature, the greater the chance of success. More specifically, in the Fourth Action Theme regarding the Conservation of Landscapes,¹⁶ it is highlighted that

- further degradation of landscapes and the cultural and geological heritage they represent should be prevented;
- the beauty and identity of landscapes should be preserved;
- an integrated view of landscapes as part of a unique mosaic of cultural, natural and geological features is developed; and
- making the public and policy makers more aware of landscapes to ensure their protection.

To this effect, landscape protection is here not perceived as rigid conservation, but in a more inclusive manner where the right to profitability is balanced by the right to visual amenity.

4.4 The Habitats Council Directive 92/43/EEC

The aim of the Habitats Directive on the conservation of natural habitats and of wild fauna and flora is to conserve natural habitats and species in the European Union, keeping in mind the economic, social and cultural requirements and regional and local characteristics.¹⁷ With

¹⁵ Council of Europe/UNEP/European Centre for Nature Conservation, *The Pan-European Biological and Landscape Diversity Strategy: a vision for Europe's natural heritage*, 1996, p.28.

¹⁶ Council of Europe/UNEP/European Centre for Nature Conservation, *The Pan-European Biological and Landscape Diversity Strategy: a vision for Europe's natural heritage*, 1996, p.41.

¹⁷ Directive 92/43/EEC, Article 2, www.europa.eu.int
Natural habitats of conservation worth means those which (Article 3)
(i) are in danger of disappearance in their natural range; or
(ii) have a small natural range following their regression or by reason of their intrinsically restricted area; or

this directive a European-wide ecological network of special areas of conservation is set up, termed Natura 2000 programme. By this programme, Member States are bound to maintain and even develop “features of the landscape which are of major importance for wild fauna and flora” in their respective areas of conservation value.¹⁸ Moreover, they are bound to avoid their deterioration and promote sustainable development in the vicinity of the protected areas.¹⁹

4.5 The European Union Biodiversity Strategy

In response to the Bern Convention on the Conservation of European Wildlife and Natural Habitats, the European Union set up the European Biodiversity Strategy²⁰ in order

to anticipate, prevent and attack the causes of significant reduction or loss of biodiversity at the source. This will help both to reverse present trends in biodiversity reduction or losses and to place species and ecosystems, including agro-ecosystems, at a satisfactory conservation status...

(iii) present outstanding examples of typical characteristics of one or more of the five following biogeographical regions: Alpine, Atlantic, Continental, Macaronesian and Mediterranean

¹⁸ Directive 92/43/EEC, Article 3.

¹⁹ Directive 92/43/EEC, Article 6 states that

3. Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

4. If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

²⁰ www.europa.eu.int/comm/environment.htm

5.0 Local Planning Framework

5.1 Planning Policy

Following rigorous environmental surveying, the *Gozo & Comino Local Plan*²¹ acknowledged the natural and cultural importance of the Mgarr ix-Xini area and designated it as an Area of High Landscape Value with Triq ta' Gruwa/Triq ta' Mgarr ix-Xini as a panoramic route.²² The *Structure Plan for the Maltese Islands*²³ has long recognised the importance of establishing areas of landscape value and it is emphasised that development in rural areas will be strictly controlled since the Malta Environment and Planning Authority recognises the countryside as one of the "nation's most valuable natural resources", especially in scheduled areas.²⁴ Structure Plan Policies AHF 7 and 8 encourage the enhancement of landscapes through the removal of visual intrusions.²⁵ Moreover, in the *Structure Plan* it is recognised that "natural landscapes are intimately related to agricultural activity" and that both have to be protected from undue developments.²⁶

In the spirit of Policy REC 13 of the *Structure Plan*, the *Gozo & Comino Local Plan* has established Mgarr ix-Xini area as a linear country parkway and a circular walking route.²⁷

²¹ Malta Environment and Planning Authority, June 2002.

²² Gozo & Comino Local Plan Map 13.1-B. This map notes that the indicated areas of high landscape value may include disturbed ground which is envisaged to be restored through the rehabilitation of damaged landscapes (see remark in legend of Map 13.1-B).

²³ Ministry for Development of Infrastructure, Planning Services Division, December 1990.

²⁴ Ibid, para. 15.21, p. 91.

²⁵ Policy AHF 7 states that

The removal of visual intrusions in the landscape, the reinstatement and maintenance of random stone boundary walls, and the establishment of rights of way will be a condition of development permits.

Policy AHF 8 states that

Further measures will be developed to promote the reinstatement and maintenance of random rubble walls throughout the countryside with priority given to walls alongside rural roads, and for the removal of visual intrusions.

²⁶ *Structure Plan for the Maltese Islands*, para. 15.27, p. 92.

²⁷ *Gozo & Comino Local Plan*, Map 10.3.3, thus subject to Policies GZ-RECR-1 and GZ-RECR-3. Policy GZ-RECR-1 states that

Proposals to encourage informal rural recreation will be given favourable consideration provided that ... conditions are observed...

Policy REC 13 establishes a country parkway

From Mgarr eastwards along the coast to Wardija off Qala, and west to Mgarr ix-Xini and along Wied Hanzira.

Country parkways are (*Structure Plan for the Maltese Islands*, Para. 13.30, p.71)

The *Structure Plan* emphasises the need of a management plan for the upkeep of country parkways.²⁸ In the Local Plan, the entire valley is designated as a Dark Sky Heritage Area.²⁹ Arable land in the area is considered as of Agricultural Value. The designation of Areas of Agricultural Value is primarily intended as a preservation device for rural land against undue development including modern agriculture and dereliction.³⁰ The area known as Ta' Trajsu is earmarked as disturbed habitat to be eventually restored back to its original land use.³¹

5.2 Scheduled Properties

The natural and cultural heritage of Mgarr ix-Xini area has long been acknowledged and Wied Mgarr ix-Xini and Wied Sabbara have been scheduled in November 2001 for their ecological, geomorphological and cultural heritage importance.³² Mgarr ix-Xini watercourse is scheduled as Level 1 Areas of Ecological Importance and Level 1 Site of Scientific Importance (Ecology), while the valley sides is scheduled as Level 3 Areas of Ecological Importance, except for GHar ix-Xih area which is scheduled as Level 2 Area of Ecological Importance. The entire valley is scheduled as Level 1 Site of Scientific Importance (Geomorphology).³³ In the Explanatory Memorandum of the *Structure Plan*, it is emphasised

Public rights of way and their immediate surroundings within which a variety of open air recreational activities will be located. The parkways will link tourism and/or recreation attractions by tracing routes through areas that are of intrinsic natural and/or man made value.

Policy GZ-RECR-3 states that

Proposals for upgrading walkways ... will be favourably considered by MEPA provided that all the following criteria are observed:

- (a) the proposal shall include one or more whole circular routes wherever possible;
- (b) a management programme that clearly indicates responsibilities and accountabilities, phasing of projects, implementation and maintenance programmes, will be prepared and submitted together with the planning application; and
- (c) proposals for the creation of new pedestrian routes (i.e. excluding vehicular access) other than those indicated ... will need to be strongly justified. The creation of new pedestrian routes on garrigue or boulder screes shall be prohibited.

²⁸ *Structure Plan for the Maltese Islands*, para. 13.31, p.71

²⁹ *Gozo & Comino Local Plan* Map 13.8, thus subject to Policy GZ-DARK-1 which states that

... Where relevant, reflective signs shall be employed to guide driving at night whilst the installation of lighting which is not related to aerial or maritime navigation, shall be strongly discouraged.

³⁰ *Structure Plan* Policies RCO 8 and 9.

³¹ *Gozo & Comino Local Plan* Map 10.3.3, thus subject to Policy GZ-RLCN-5 which states that

The areas indicated ... are indicated as candidate sites for rehabilitation of damaged landscapes. Rehabilitation can also be integrated with the provisions of local plan policies GZ-RECR-1, 2 and 3.

³² *Government Gazette*, November 9, 2001, pp. 9110-9121.

³³ *Structure Plan* RCO 11 gives guidelines for the designation of Sites of Scientific Importance and Policy RCO 12 defines the protection ratings. Thus,

1. LEVEL 1 zones include habitat types present only in small areas and/or sites with unique species or features
2. LEVEL 2 zones will include important habitat types present in relatively large areas and/or sites with rare Species or features

that “a general presumption against development” will prevail in Areas of Ecological Importance and Sites of Scientific Importance,³⁴ which areas are actually encouraged to be included in international listings of protected areas³⁵. The ecological and geological importance of the area has been largely underlined by the *Gozo & Comino Local Plan*, with minor variations, both in grading and delineations.³⁶ Given the geomorphology of Mgarr ix-

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3. LEVEL 3 zones will include areas where control is necessary to preserve habitats/species/features in adjacent sites
 4. LEVEL 4 zones will include habitats and/or features of general interest

For Level 1 protection, the following applies (*Structure Plan for the Maltese Islands, Explanatory Memorandum*, para. 15.35, p.101)

1. Human intervention kept to the barest minimum
2. No physical development
3. All efforts made to protect the identified features of scientific interest
4. Management by the competent Government agency in an appropriate manner

For Level 2 protection, the following applies (*Structure Plan for the Maltese Islands, Explanatory Memorandum*, para. 15.38, p.102)

1. Human intervention strictly controlled
2. Physical development limited to the maintenance of already existing structures, and construction of minor amenities designed to enhance the educational and recreational use of the area (eg. narrow footpaths, nature trails, small scale visitor centres). Any such developments to be carried out with the least possible damage to the environment
3. Traditional activities (eg. agriculture) can continue, unless in conflict with other policies, but no new land diverted to these uses except for the suitable re-establishment of abandoned fields for agriculture

For Level 3 protection, the following applies (Planning Services Division, *Structure Plan for the Maltese Islands, Explanatory Memorandum*, December 1990, para. 15.39, p.102)

1. No residential, industrial, commercial, or tourism development
2. No infrastructure of public utility works
3. Small scale physical development can be considered providing the adjacent AEIs and SSIs are protected, and this is demonstrated by a suitable environmental impact assessment, and is consistent with other policies

³⁴ *Structure Plan for the Maltese Islands, Explanatory Memorandum*, para.15.34, p.101 which states

In designated Areas of Ecological Importance (AEI) and Sites of Scientific Importance (SSI) the following general protection will apply:

1. A general presumption against development, including roads and public utility services, and particularly on crests of ridges and the edges of coastal and inland cliffs
2. A general presumption against activities likely to be a fire risk to a significant wooden area
3. A general presumption against development where noxious emissions are likely to create problems in nearby AEI and SSI
4. The removal of intrusive elements
5. The inclusion of buffer zones to further their protection

³⁵ *Structure Plan for the Maltese Islands, Explanatory Memorandum*, para.15.37, p.102 which states

The W[orld] C[onservation] U[nion] management classification system is internationally accepted, and should be used for AEIs and SSIs...

³⁶ These include that the Mgarr ix-Xini watercourse has been designated a rating of Level 2 or higher of Ecological Importance, while the GHar ix-Xih area is designated a Level 3 rating. The Ta' Blankas olive grove has been assigned a rating of Level 2 or higher.

Xini valley and its concomitant high level of biodiversity, it is designated as a Category A valley by the *Local Plan*,³⁷ while the valley is considered as garigue.³⁸ Moreover, Mgarr ix-Xini valley is considered as a watercourse,³⁹ while the mouth of the valley is considered as an area prone to flooding.

In the *Government Gazette* a number of features have been scheduled as Grade 1, 2, 3 or Class B (Table 1 and Drawings 16_04_03_1 and 16_04_03_2).⁴⁰ The archaeological

Gozo & Comino Local Plan Map 13.1-A and Map 14.13-E. This makes the entire area subject to Policy GZ-RLCN-1 which states that

The areas indicated ... shall be deemed to qualify for scheduling status according to the provisions of Structure Plan policies RCO's 1-5 and RCO's 10-12 ... the designation covers areas of scientific importance and areas of ecological importance...

Apart from the normal restrictions on development in rural areas, there shall be a strong presumption against the creation of new built structures (including cultivation and animal husbandry related structures) in AHLVs...

Structure Plan Policies RCO 1 to 5 aim at protecting scheduled areas from undue and incompatible developments, while Policy RCO 10 gives guidelines for designations of Areas of Ecological Importance and includes

Representative examples of typical Maltese habitats such as garigue, maquis, valley sides, watercourses...

³⁷ *Gozo & Comino Local Plan* Map 13.2 and thus subject to Policy GZ-RLCN-2 which states that

The valleys indicated ... shall be designated to qualify in terms of Structure Plan Policy RCO 29...

Category A Valleys shall be fully subject to the provisions of Structure Plan policy RCO 29.

Structure Plan Policy RCO 29 aims at preserving such valleys intact and "no new physical development" allowed.

³⁸ *Gozo & Comino Local Plan* Map 13.3, thus subject to Policies GZ-RLCN-3 and 4 which state that

There shall be a general presumption against any form of development...on garrigue...

and, that

There shall be a general presumption against the passage of services through garrigue...

³⁹ *Gozo & Comino Local Plan* Maps 8.3.1 and 13.1-A, thus subject to Policy GZ-RLCN-2, vide footnote 35.

⁴⁰ Structure Plan Policy UCO 7 defines

Grade 1: Buildings of outstanding architectural or historical interest that shall be preserved in their entirety. Demolition or alterations, which impair the setting or change the external or internal appearance, including anything contained within the cartilage of the building, will not be allowed. Any Interventions allowed must be directed to their scientific restoration and rehabilitation. Internal structural alterations will only be allowed in exceptional circumstances where this is paramount for reasons of keeping the building in active use.

Grade 2: Buildings of some architectural or historical interest or which contribute to the visual Image of an Urban Conservation Area. Permission to demolish such buildings will not normally be given. Alterations to the Interior will be allowed if proposed to be carried out sensitively and causing the least detriment to the character and architectural homogeneity of the building.

Grade 3: Buildings which have no historical Importance and are of relatively minor architectural Interest. Demolition may be permitted provided the replacement building is in harmony with its surroundings.

Structure Plan Policy ARC 2 defines Class B sites as

Very important to be preserved at all costs. All measures to be taken to preclude any damage from immediate development.

importance of the area is also acknowledged by the *Local Plan* which designates parts of Mgarr ix-Xini area as of Archaeological Importance.⁴¹

The olive grove at the northwestern part of the area known as Ta' Blankas and part of the Mgarr ix-Xini watercourse are designated as Scheduled Trees.⁴² The Ta' Blankas olive grove and the trees at Il-Misrah are designated afforested areas in the *Gozo & Comino Local Plan*.⁴³

Table 1: Scheduled Features

<i>Feature No.</i>	<i>Grade</i>
1	1
2	2
3	1
4	2
5	1
6	1
7	1
8	1
9	1
10	1
11	1
12	3
13	Buffer Zone
14	1
15	3
Victorian property markers	1

⁴¹ *Gozo & Comino Local Plan* Map 14.13-E, thus subject to Policies GZ-ARCO-1 and GZ-ARCO-2 which state that

The scheduled archaeological sites and the identified candidate archaeological sites in Gozo ...shall continue to be protected according to Structure Plan policies ARC 2 to ARC 4. Safeguarded areas are being indicated for identified archaeological sites... Until such time that the relevant area or site is scheduled, requests for development permission shall be considered in the light of the proposed scheduling.

and, that

MEPA will give favourable considerations to development which facilitates the interpretation of an archaeological monument, provided that all ... conditions are observed...

Structure Plan Policy ARC 2 states that the Malta Environment and Planning Authority will give a rating to scheduled archaeological sites.

Structure Plan Policy ARC 3 states that no development will be permitted in areas of archaeological importance

...if there is an overriding case for preservation. Where there is no overriding case for preservation, development of such sites will no normally be permitted until adequate opportunities have been provided for the recording and, where desirable, the excavation of such sites.

⁴² *Gozo & Comino Local Plan* Map 11.2 and thus subject to Policy GZ-AGRI-1 which states that

MEPA will safeguard Areas of Agricultural Importance ...

⁴³ *Gozo & Comino Local Plan* Map 11.2. Policy GZ-RLCN-6 states that

The areas shown ... shall be considered as location areas for the siting of afforestation projects according to the provisions of Structure Plan policy RCO 31 and subject to the findings of a study assessing the effect of such afforestation on the environment of the area. Submissions for development permission shall include details on the implementation of the project as well as its management...

Structure Plan Policy RCO 31 states that

Afforestation project sites in non urban areas will make use only of indigenous and archaeophytic ... species...

6.0 Mgarr Ix-Xini Regional Park: The underlying philosophy

The philosophy underlying the concept on which the Mgarr Ix-Xini Regional Park is grounded in quite an innovative approach to protected area management in the Maltese Islands, that is an inclusive, people-oriented approach.⁴⁴ The initiative of Sannat and Xewkija Local Councils to develop this regional park places the islands on the forefront of environmental management and marks a significant threshold in sustainable socio-economic planning in Gozo; both Local Councils conceived this regional park as a Gozitan initiative for Gozo.

The global approach towards protected area management has been radically changed from a narrow, exclusive approach towards a broader, more inclusive attitude, with the definition and objectives of protected areas becoming more flexible. Where previously protected areas were designated such for their conservation value, they are now shifting “towards protected area *networks* as part of a landscape or bioregional approach to planning.”⁴⁵ Conserving landscapes requires a regional approach because conserving little pieces of land leads to fragmentation that is the key to failure. It is to this effect that ecological networks are being globally set up in order to maximise their protection success rating. The design of a protected area should not be⁴⁶

islands of biodiversity in an otherwise degraded landscape. Under a bioregional approach to conservation, protected areas are planned and managed as part of a mosaic of land uses that together seeks to satisfy environmental and social needs.

Since the Natura 2000 programme of the European Union has to be completed by 2004, the Malta Environment and Planning Authority had recently established the National Ecological Network of Special Areas of Conservation.⁴⁷ However, Mgarr ix-Xini is conspicuously

⁴⁴ A protected area is defined as (IUCN, CNPPA, WCMC, *Guidelines for Protected Area Management Categories*, 1994)

An area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means.

⁴⁵ Dudley, N. and S. Stolton, *Protected Areas for the New Millenium*, January 1998, p.1, www.iucn.org

⁴⁶ *Ibid*, p.5.

⁴⁷ In Gozo, eight sites were assigned a Special Area of Conservation status. These are In-Nuffara, Il-Gebli tal-Halfa, Il-Gebli ta' Cawla and L-GHadira ta' Sarraflu of national importance; of international importance are Ix-Xlendi-Wied tal-Kantra Area, Dwejra/Qawra area, GHajn Barrani Area and Ir-Ramla Area. www.mepa.org.mt

missing in the official Network, even though the area has long been highlighted for its unique natural features and had been scheduled for protection.⁴⁸

It is significant to note that six IUCN categories of Protected Areas are now in use – nature reserves or wilderness areas, national parks, natural monuments, habitat management areas, protected landscapes and managed resource protected areas.⁴⁹ The first three categories are the classical conservation areas protected for their biodiversity value, while the last two categories extend their sense of protection to cultural, aesthetical and recreational values amongst other aims. Including other facets to protected areas than strict conservation⁵⁰

... may be seen as less threatening because protection does not necessarily mean a complete block on human activity. They are likely to lead to new management options in a wide range of situations, and open up the possibility of innovative partnerships between conservationists and other interest groups, such as ... the tourism industry and small-scale agriculture.

This approach is entirely grounded in the spirit of the European Landscape Convention which incorporates the social and economic aspects into the environmental fabric of landscape protection and management, the overall aim being to promote Mgarr ix-Xini landscape.⁵¹ In line with national planning policy, compatible with international practice, the proposed Mgarr ix-Xini Regional Park will serve as a catalyst to further landscape appreciation. The planning application for upgrading the boundary delineating same shall be endorsed by the Malta Environment and Planning Authority in terms of *Gozo & Comino Local Plan Policy GZ-RECR-3*.⁵² This planning application is required in order that the proposed area of the regional park is managed and monitored by the respective Local Councils of Sannat and Xewkija through 'Mgarr ix-Xini Regional Park Environmental Guides'. These guides will be vested with responsibilities to inform and educate visitors to the area while monitoring and enforcing current legislation. This ensures that Mgarr ix-Xini Regional Park is protected, safeguarded, sustained and enhanced.

⁴⁸ The Mgarr ix-Xini/Wied Sabbara valley complex had been scheduled in 2001 (*Government Gazette*, November 9, 2001, pp. 9110-9121).

⁴⁹ A Protected Landscape is defined as a protected area managed mainly for landscape conservation and recreation.
A Managed Resource Protected Area is defined as a protected area managed mainly for the sustainable use of natural ecosystems. www.iucn.org

⁵⁰ Dudley, N. and S. Stolton, p.3.

⁵¹ Vide footnote 13.

⁵² Vide footnote 27.



Photo 1: A collage of cultural and natural, urban and rural landscape



Photo 2: Olive grove (at background) scheduled for its arboreal value



Photo 3: Harvest time – agricultural activity in the area is characterized by dryland farming



Photo 4: Collapsed walls along Triq Ta' Gruwa panoramic road conspicuously mar overall aesthetics



Photo 5: Impressive, well weathered, Victorian property marker



Photo 6: A study of a scheduled rubble wall



Photo 7: Boundary walls (to the left) along Triq Ta' Gruwa panoramic road need to be replaced by aesthetically acceptable rubble walls



Photo 8: An aesthetically pleasing conglomerate of traditional, small scale agriculture, rich valley ecosystem and religious culture



Photo 9: Pumping station and aqueduct scheduled for their historical value while the valley is scheduled for its rich biodiversity



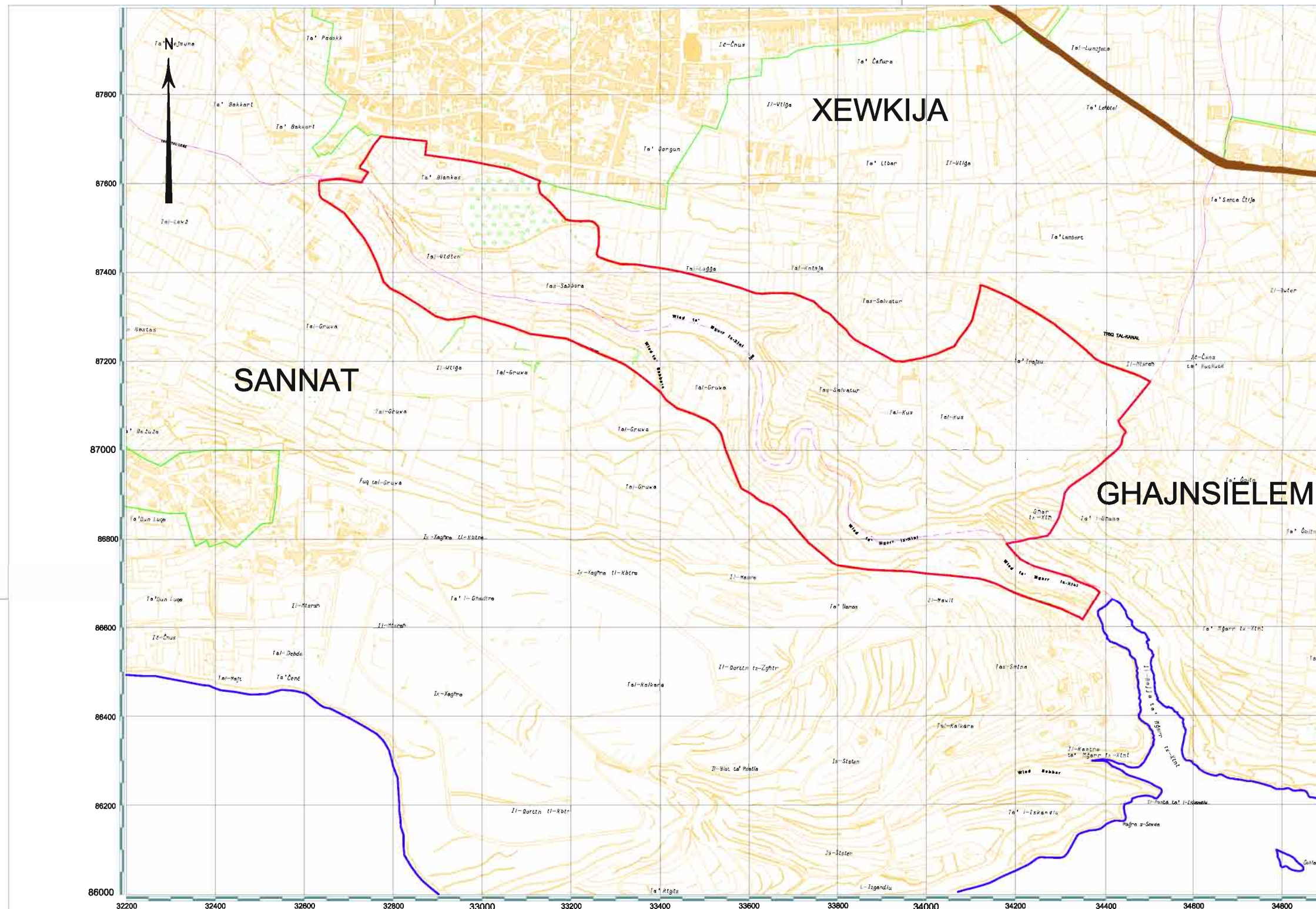
Photo 10: Ghar ix-Xih scheduled for its ecological value, has its own cultural echoes



Photo 11: Boundary walls (to the left) along Triq Ta' Gruwa panoramic road need to be replaced by aesthetically acceptable rubble walls

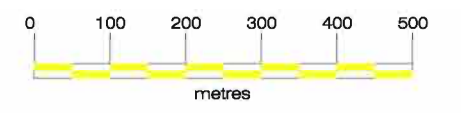


Photo 12: The fjord-like beauty of Mgarr ix-Xini inlet



- Notes :
- Local Council boundary
 - Proposed Regional Park boundary
 - Limits to development
 - Proposed Regional Park
 - Triq l-Imgarr

Map is indicative only; not to be used for measurement or direct interpretation.
 Based on 1988 Planning Directorate survey sheets nos 3286, 3287, 3486 and 3487. Scale 1:2500, August 1988 aerial survey.



99, Triq Censu Bugeja, Hamrun HMR 10, MALTA (Europe)
 Tel.: (356) 21241747, Mob.: 9942 2727
 Fax: (356) 21251302

BIANCO & Associates
 ARCHITECTURAL & STRUCTURAL DESIGN STUDIO
 ENVIRONMENTAL MANAGEMENT CONSULTANCY
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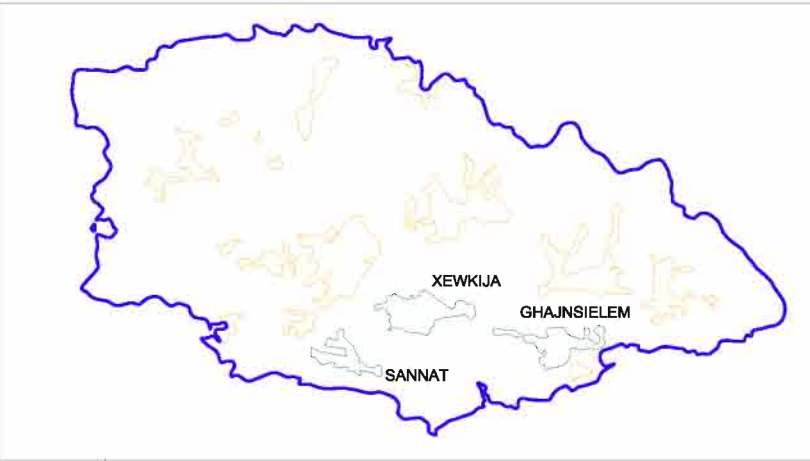
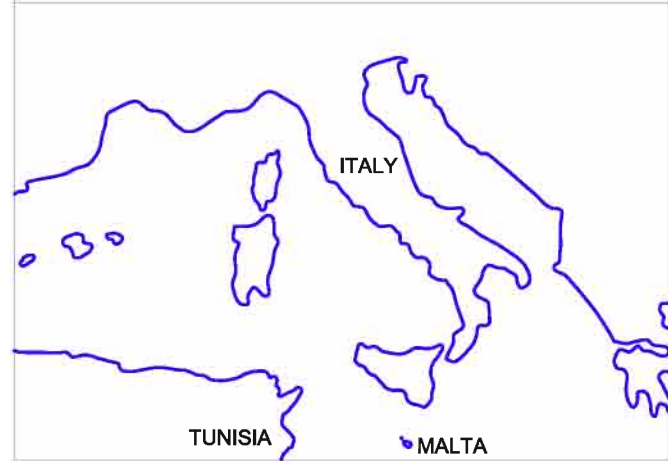
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 L/O SANNAT AND XEWKIJA
 GOZO

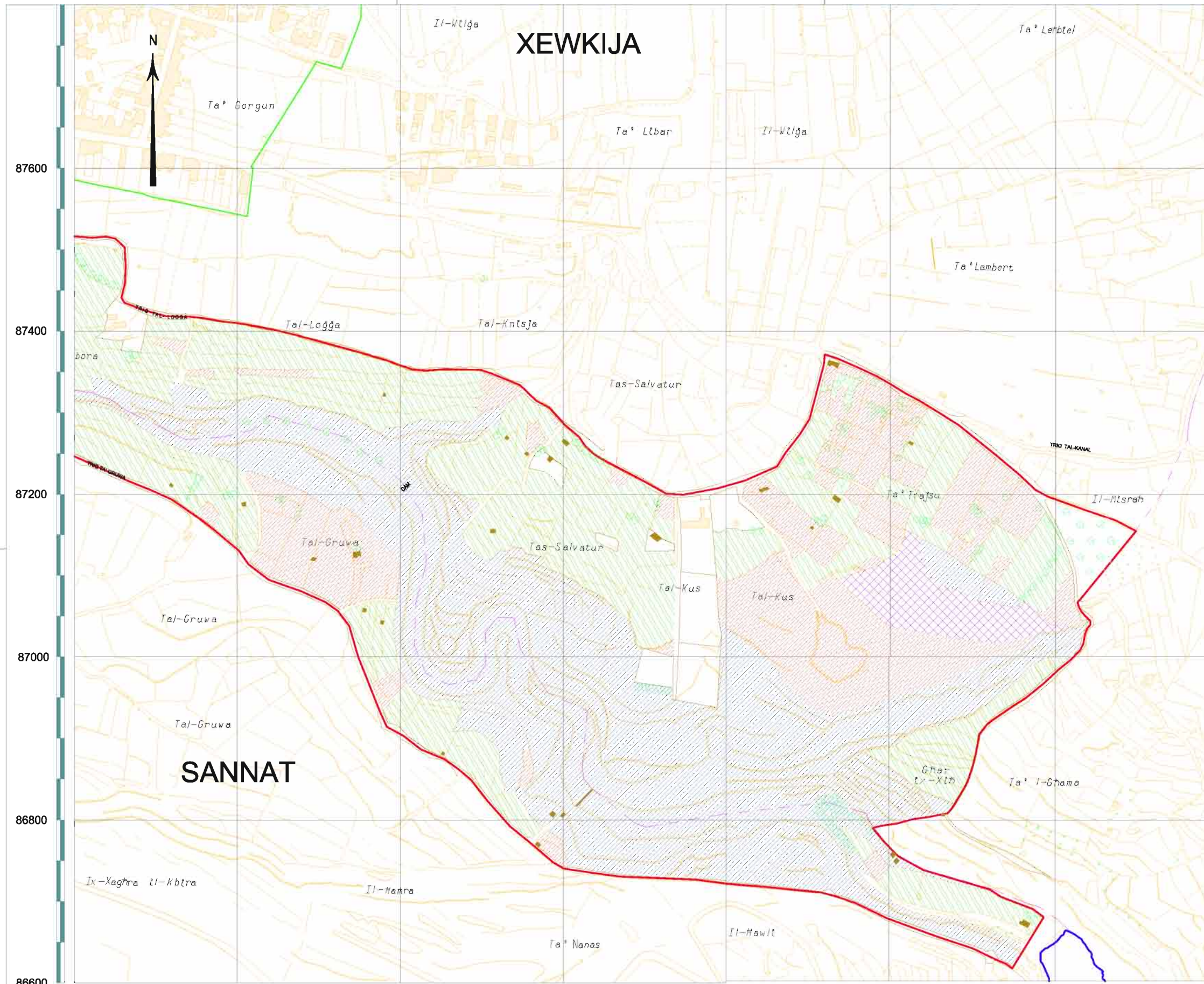
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SCALE:
 1:10,000

DATE:
 June '04

DRAWING NO.:
 16_04_01





- Notes :
- Local Council boundary
 - Proposed Regional Park boundary
 - Limits to development
 - Abandoned/Derelict land
 - Arable land
 - Constructions
 - Livestock units
 - Reclaimed land
 - Valley ecosystem
 - Trees/Afforested areas

99, Triq Censu Bugeja, Hamrun HMR 10,
MALTA (Europe)
Tel.: (356) 21241747, Mob.: 9942 2727
Fax: (356) 21251302

BIANCO & Associates
ARCHITECTURAL & STRUCTURAL DESIGN STUDIO
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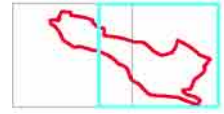
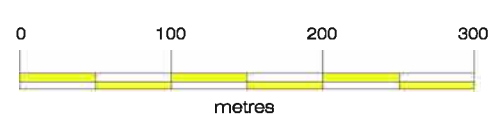
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GOZO

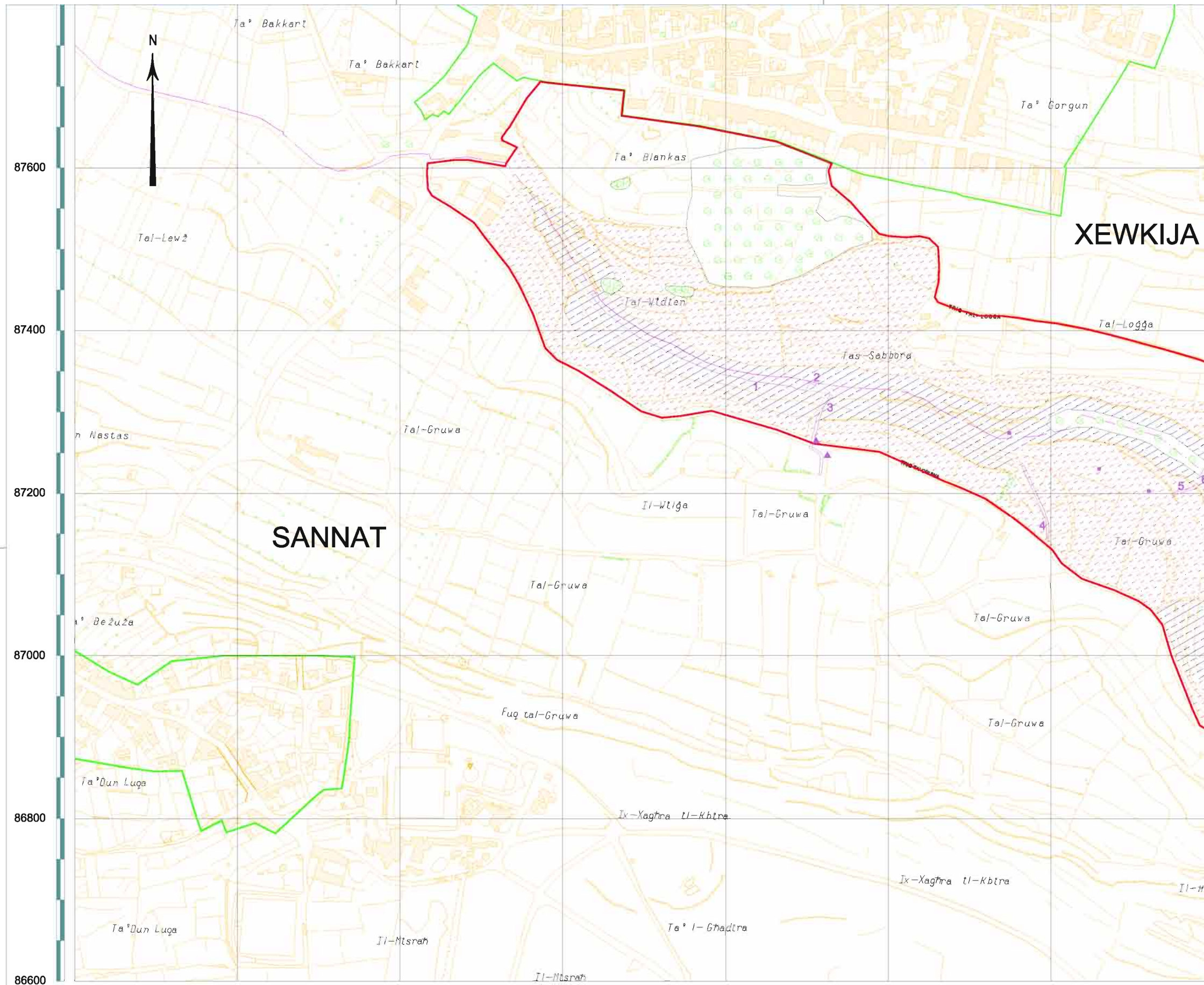
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LAND USE

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16_04_02_2

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- Notes :
- Local Council Boundary
 - Proposed regional park boundary
 - Limits to development
 - Rock-cut features
 - Victorian property markers
 - Level 1 AEI (Ecology)
Level 1 SSI (Ecology)
Level 1 SSI (Geomorphology)
 - Level 3 AEI (Ecology)
 - Scheduled trees
 - Scheduled Properties:
 - 1 - Dry-stone walls
 - 2 - Pump room
 - 3 - Monsoon canal
 - 4 - Dry-stone wall
 - 5 - Water chuts
 - 6 - Concave dam

The data is obtained from the official website of the Malta Environment and Planning Authority
 Vide Government Gazette No. 937, pp.9110-9121

99, Triq Censu Bugeja, Hamrun HMR 10,
 MALTA (Europe)
 Tel.: (356) 21241747, Mob.: 9942 2727
 Fax: (356) 21251302



BIANCO & Associates
 ARCHITECTURAL & STRUCTURAL DESIGN STUDIO
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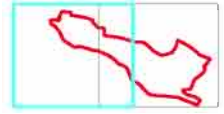
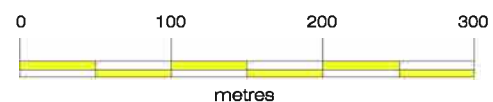
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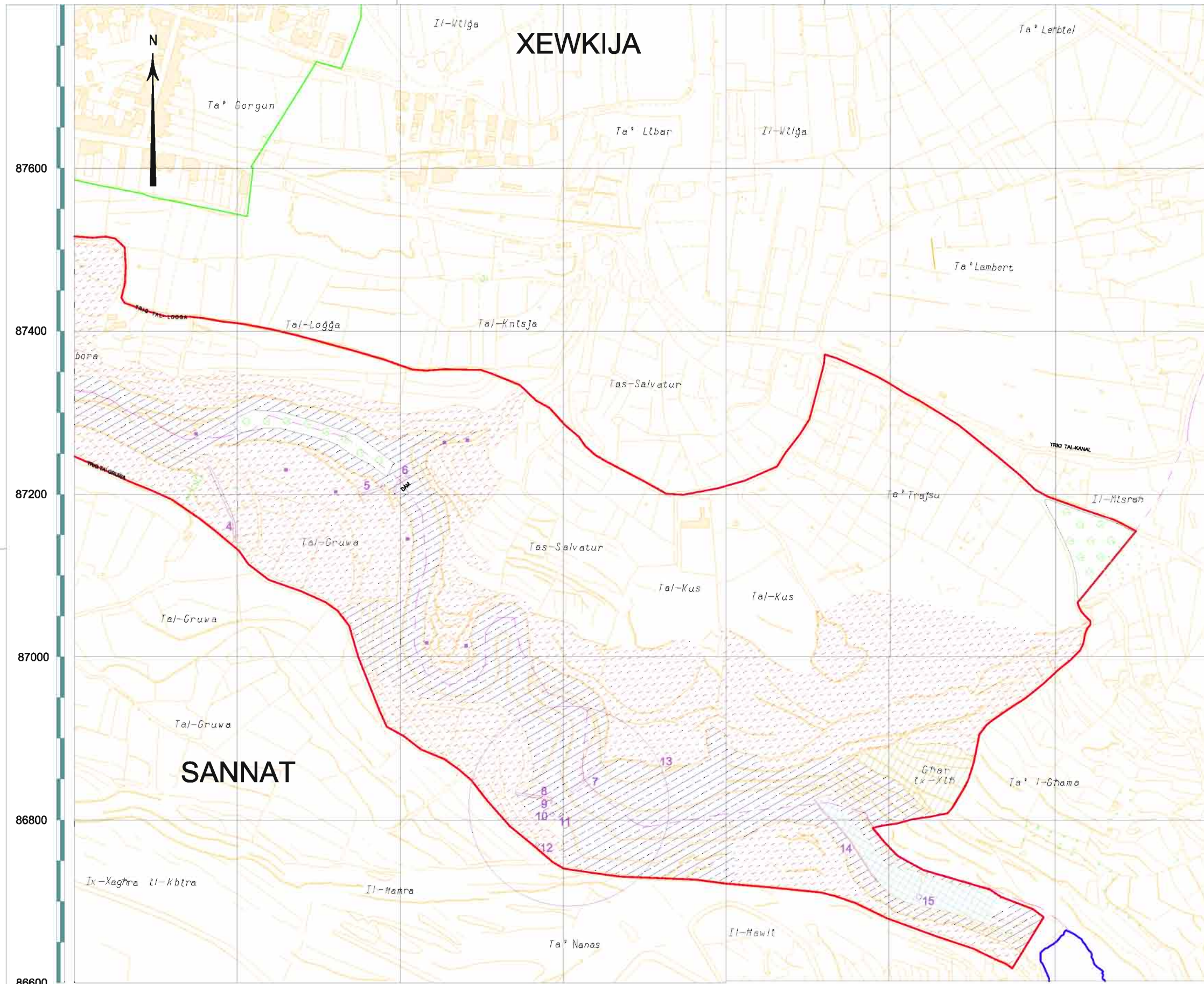
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SCALE: 1:5,000 DATE: June '04

DRAWING NO.:
16_04_03_1

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- Notes :
- Local Council Boundary
 - Proposed regional park boundary
 - Limits to development
 - Rock-cut features
 - Level 1 AEI (Ecology)
Level 1 SSI (Ecology)
Level 1 SSI (Geomorphology)
 - Level 2 AEI
 - Level 3 AEI (Ecology)
Level 3 AEI (Geomorphology)
Level 1 SSI (Geomorphology)
 - Scheduled trees
 - Scheduled Properties:
- 6 - Concave dam
 - 7 - Aquaduct
 - 8 - Pipeline
 - 9 - Ventilation shaft
 - 10 - Pumping station
 - 11 - Spiral staircase
 - 12 - Ancillary room
 - 13 - Buffer zone
 - 14 - Stone wall
 - 15 - Reservoir

The data is obtained from the official website of the Malta Environment and Planning Authority
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 MALTA (Europe)
 Tel.: (356) 21241747, Mob.: 9942 2727
 Fax: (356) 21251302

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 ARCHITECTURAL & STRUCTURAL DESIGN STUDIO
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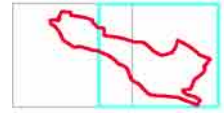
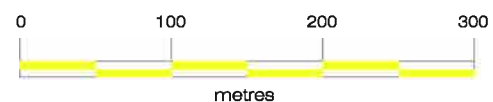
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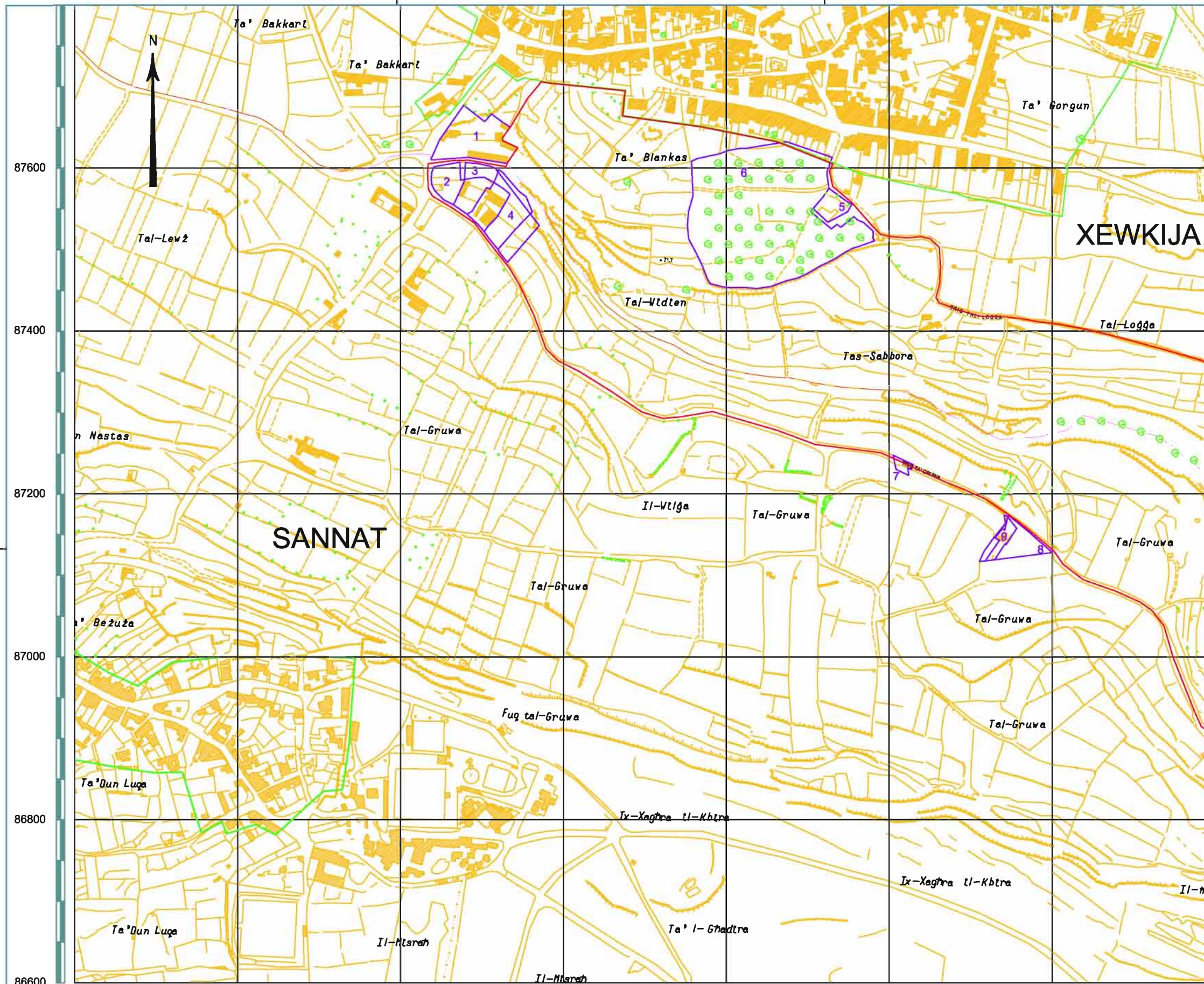
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SCALE: 1:5,000 DATE: June '04

DRAWING NO.:
16_04_03_2

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- Notes :
- Local Council Boundary
 - Proposed regional park boundary
 - Limits to development

Files at the Malta Environment and Planning Authority*

Ref. No.	File No.	Description of Works
1	PA 2457/98	Alterations
	PA 1936/99	Demolition of stores and construction of store using its roof as an open air park
	PA 6964/03	Extension of brick plant
2	PA 1486/04	Construction of a substation
	PA 3870/00	Additions and reconstruction to existing farm
4	PA 4480/86	Not found on data base
	ENF 0388/00	Cowshed not according to the approved plans
5	PA 5785/03	Reinstatement of dry stone wall and reconstruction of collapsed part of existing agricultural store
6	PA 0897/00	Installation of radio antennae
7	ENF 0321/02	Ramp constructed without permit
8	PA 0073/91	Extension for existing farm
9	ENF 0250/02	Extension to existing farm without permit
	PA 6890/02	Sanction additions to pig and poultry farm

*The data obtained from the official website of the Malta Environment and Planning Authority (PA: Planning applications; GD/DN: Development/Notification order; ENF: Enforcement notices)

99, Triq Censu Bugeja, Hamrun HMR 10, MALTA (Europe)
 Tel.: (356) 21241747, Mob.: 9942 2727
 Fax: (356) 21251302



BIANCO & Associates
 ARCHITECTURAL & STRUCTURAL DESIGN STUDIO
 ENVIRONMENTAL MANAGEMENT CONSULTANCY
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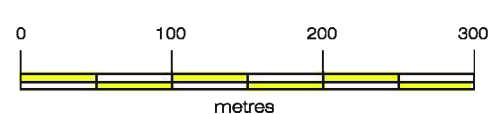
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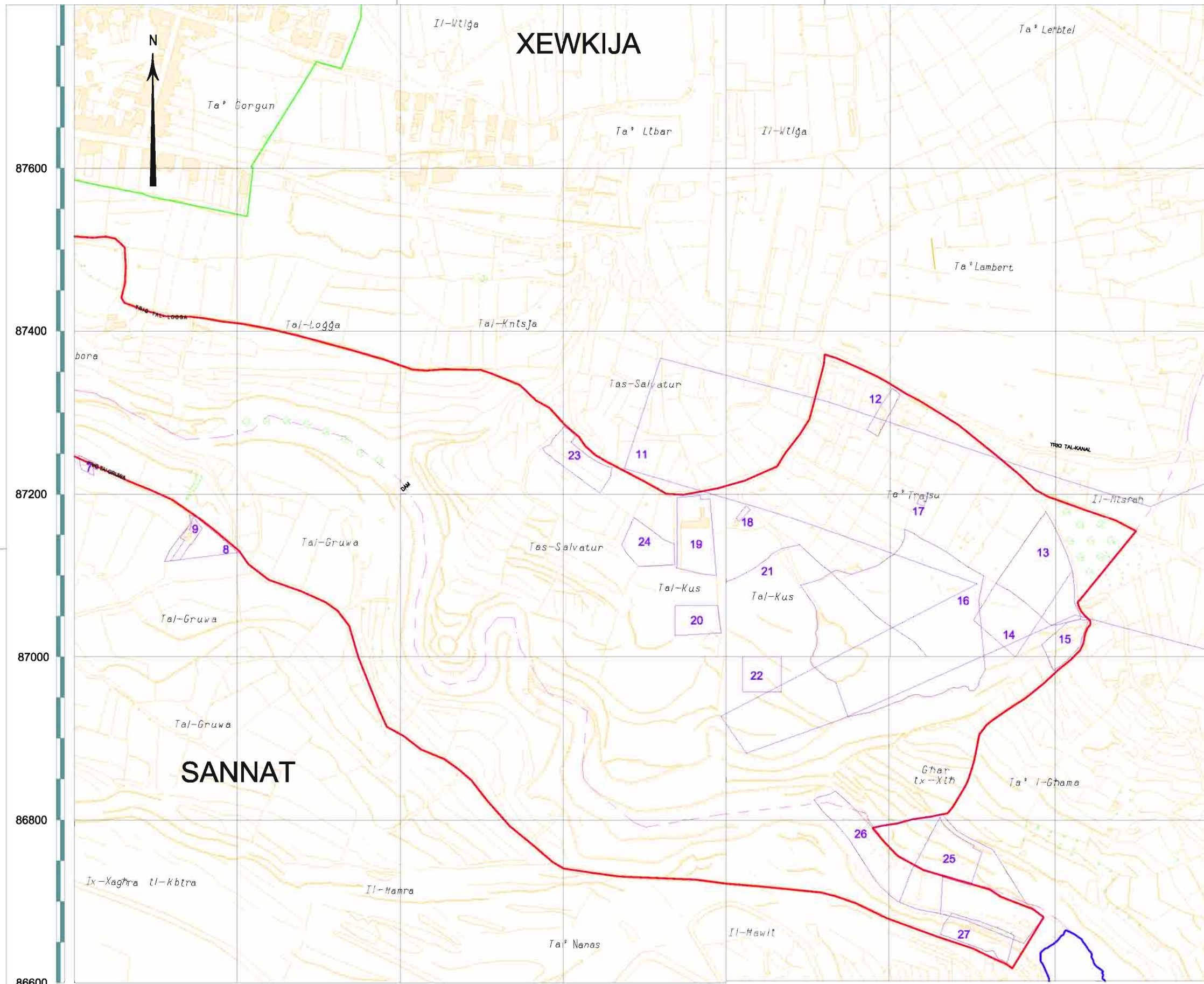
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- Notes :
- Local Council Boundary
 - Proposed regional park boundary
 - Limits to development

Files at the Malta Environment and Planning Authority*

Ref. No.	File No.	Description of Works
7	ENF 0321/02	Ramp constructed without permit
8	PA 0073/91	Extension to existing farm
	ENF 0250/02	Extension to existing farm without permit
9	PA 6690/02	Sanction additions to pig and poultry farm
10	PA 0384/86	Not found on data base
11	PA 0155/95	Construction of airstrip
12	PA 1433/87	Not found on data base
13	PA 1302/99	Proposed leisure and recreational park
14	ENF 0172/98	Dumping of material
15	ENF 1012/96	Dumping of material without permit
16	ENF 0524/00	Dumping site without permit
17	PA 0427/91	Store for agricultural implements
18	PA 3813/84	Not found on data base
19	PA 3414/01	To regularize existing sheep pen
20	ENF 0218/96	Development without permit
21	PA 3487/88	Not found on data base
	PA 0133/89	Not found on data base
22	ENF 0956/01	Additions not according to approved plans
23	PA 4590/01	Proposed cow-shed
24	GD/DN 0987/98	Construction of boundary wall, reservoir and pump room
	ENF 0655/01	Rooms/stores and gate without permit
25	PA 3806/92	To erect agricultural stores
26	Emu_01	Ecology
27	PA 5277/96	First Heritage Park and tourist hotel development

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99, Triq Censu Bugeja, Hamrun HMR 10, MALTA (Europe)
 Tel.: (356) 21241747, Mob.: 9942 2727
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