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NOTIFIKAZZJONIJIET TAL-GVERN

Nru. 464

ORDNI TA' EMERĠENZA GĦAL KONSERVAZZJONI

Artikolu 47 ta' l-Att ta' l-1992 dwar l-Ippjanar ta' l-Iżvilupp

L-Awtorità ta' l-Ippjanar iddeċidiet li l-proprjetà li ġejja, jiġifieri:

Il-Ballut tal-Wardija (l/ta' San Pawl il-Baħar)

(ara l-pjanta fuq paġna 3981) tista' tkun ta' valur ekoloġiku u xjentifiku hekk li għandha tkun inkluża fil-lista ta' Proprjetà Skedata, skond it-termini ta' l-artikolu 46 ta' l-Att ta' l-1992 dwar l-Ippjanar ta' l-Iżvilupp.

L-Awtorità hija wkoll tal-fehma li l-proprjetà msemmija tinsab fil-periklu li tiġi demolita, danneġġata jew distrutta.

L-Awtorità qiegħda b'hekk toħroġ Ordni ta' Emerġenza għal Konservazzjoni għar-rigward tal-proprjetà msemmija hawn fuq, skond l-artikolu 47 ta' l-Att dwar l-Ippjanar ta' l-Iżvilupp.

(i) Il-proprjetà murija fil-pjanta msemmija hawn fuq għandha titqies bħala Żona ta' Importanza Ekoloġika (AEI) u Sit ta' Importanza Xjentifika (SSI) ta' Livell 1, imdawwra b'żona ta' lqugħ ta' Livell 3, skond il-*Policy* RCO 12 tal-Pjan ta' Struttura.

(ii) Skond il-klawsola 15.34 tal-Memorandum Spjegattiv tal-Pjan ta' Struttura, għandu jkun hemm din il-protezzjoni ġenerali li ġejja applikata f'din il-proprjetà kollha kemm hi:

(a) preżunzjoni ġenerali kontra l-iżvilupp, inkluż toroq u servizzi ta' utilità pubblika.

(b) preżunzjoni ġenerali kontra attivitajiet li jistgħu joħolqu perikli ta' ħruq.

GOVERNMENT NOTICES

No. 464

EMERGENCY CONSERVATION ORDER

Section 47 of the Development Planning Act, 1992

THE Planning Authority believes that the following properties, namely:

Il-Ballut tal-Wardija (l/o San Pawl il-Baħar)

(see site plan on page 3981) could be of ecological and scientific value such that it should be listed as Scheduled Property in terms of section 46 of the Development Planning Act 1992.

The Authority also believes that the property is in danger of being demolished, damaged or destroyed.

The Authority is hereby issuing an Emergency Conservation Order in respect of the above property in accordance with section 47 of the Development Planning Act.

(i) The property shown on the above mentioned plan is to be considered as a Level 1 Area of Ecological Importance and a Level 1 Site of Scientific Importance, surrounded by a Level 3 Buffer Zone, as per Structure Plan policy RCO 12.

(ii) In accordance with clause 15.34 of the Explanatory Memorandum of the Structure Plan there will be the following general protection applying in the whole property:

(a) a general presumption against development, including roads and public utility services.

(b) a general presumption against activities likely to be a fire risk.

(ċ) preżunzjoni ġenerali kontra l-iżvilupp fl-inħawi fejn emissjonijiet ta' ħsara x'aktarx li joħolqu problemi fis-sit ta' importanza xjentifika. Emissjonijiet ta' ħsara jinkludu dwal bil-lejl, li jaffettwaw ħażin iċ-ċiklu tal-ħajja tal-pjanti li jgħixu fl-inħawi.

(d) it-tneħħija ta' elementi intrusivi.

(e) iż-żieda ta' żoni ta' lqugħ għall-protezzjoni taż-żoni ekoloġiċi.

(iii) Skond il-klawsola 15.35 tal-Memorandum Spjegattiv tal-Pjan ta' Struttura, dan li ġej għandu japplika għaż-żona ta' livell 1:

(a) intervent uman għandu jkun mill-anqas possibbli.

(b) ma jsir ebda żvilupp fiżiku fis-sit.

(ċ) isiru l-isforzi kollha biex ikunu protetti l-ispeċi indiġeni li jgħixu fis-sit.

(d) is-sit jiġi mmexxi bil-mod opportun mill-aġenzija tal-Gvern kompetenti.

(e) l-ebda speċi aljena u/jew invażiva m'għandha titħawwel fis-sit, u l-ebda speċi invażiva m'għandha titħawwel fiż-żona ta' lqugħ.

(iv) Skond il-klawżola 15.35 tal-Memorandum Spjegattiv tal-Pjan ta' Struttura, dan li ġej għandu japplika għaż-żona ta' Livell 3:

(a) l-ebda żvilupp residenzjali, industrijali, kummerċjali u turistiku.

(b) l-ebda xogħlijiet pubbliċi jew infrastrutturali.

(ċ) żvilupp fiżiku fuq skala żgħira jista' jiġi kkunsidrat basta jitħarsu l-AEI (Żona ta' Importanza Ekoloġika) u SSI (Siti ta' Importanza Xjentifika) fl-inħawi u dan jiġi ppruvat permezz ta' studju dettaljat ta' l-impatt ambjentali u jkun konsistenti mal-*policies* relatati.

(v) Kull intervent fil-proprjetà li jista' jkun permessibbli skond hawn fuq għandu jkun approvat minn qabel mill-Awtorità ta' l-Ippjanar u mid-Dipartiment għall-Ħarsien ta' l-Ambjent.

Din l-Ordni tibqa' fis-seħħ għal żmien 6 xhur mid-data tal-pubblikazzjoni ta' din l-Ordni.

Jekk il-proprjetà tiġi demolita jew mibdula bi ksur ta' din l-Ordni, l-Awtorità teżerċita s-setgħat tagħha ta' twettiq, kif imfissra fl-artikoli 46, 52, 53 u 55 ta' l-Att. L-Att jaħseb għal pieni ħorox għall-ksur ta' kontroll fuq Proprjetà Skedata.

It-12 ta' Ġunju, 1998

(c) a general presumption against development where noxious emissions are likely to create problems in nearby SSI. Noxious emissions include nocturnal light, which would adversely affect the life cycle of the plant species in question.

(d) the removal of intrusive elements.

(e) the inclusion of buffer zones to further protect the ecological zones.

(iii) In accordance with clause 15.35 of the Explanatory Memorandum of the Structure Plan the following are to apply in the level 1 zone:

(a) human intervention is to be kept to the barest minimum.

(b) no physical development is to be allowed within the site.

(c) all efforts are to be made to protect the native species which occur naturally within the site.

(d) management by the competent Government agency in an appropriate manner to the satisfaction of the Planning Authority.

(e) no alien and/or invasive species are to be planted on the site (including the buffer zone).

(iv) In accordance with clause 15.39 of the Explanatory Memorandum of the Structure Plan, the following are to apply in the Level 3 zone:

(a) No residential, industrial, commercial or tourism development.

(b) No infrastructure or public utility works.

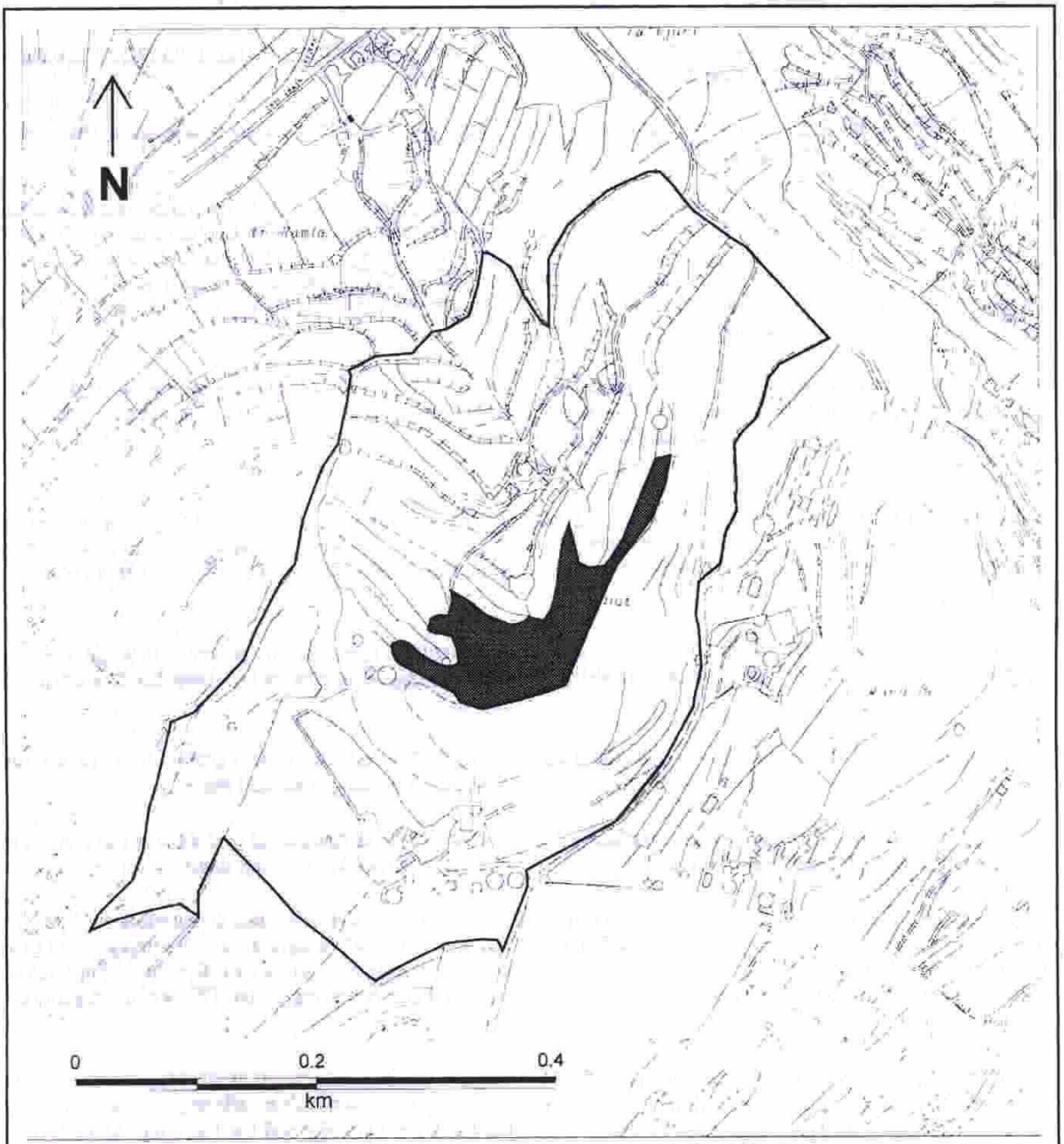
(c) Small scale physical development can be considered providing the adjacent AEIs and SSIs are protected, and this is demonstrated, and is consistent with other policies.

(v) Any interventions on the property which might be permissible according to the above must be approved in advance by the Planning Authority and the Environment Protection Department.

The Order shall have effect for a period of 6 months from the date of publication of this order.

If the property is demolished or altered in contravention of this Order the Authority will exercise its powers of enforcement, as set out in sections 46, 52, 53 and 55 of the Act. The Act provides for severe penalties for contravention on Scheduled Property.

12th June, 1998



PLANNING AUTHORITY

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Bounding Co-Ords of Map:- Min E44259, N77143 Max E451041, N780731

St. Francis Ravelin
Floriana

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Title :-

Emergency Conservation Order:

San Pawl Il-Bahar

Ref No. :- GF 166/98

Il-Ballut tal-Wardija
Wardija
l/o San Pawl il-Bahar

Level 1 AEI & SSI

Level 3 AEI (Buffer Zone)

Form No. :- MU003