Nru. 956

ORDNI TA' EMERĠENZA GĦALL-KONSERVAZZJONI

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

L-AWTORITÀ ta' l-Ippjanar iddeċidiet illi l-proprjetà li ġejja, jiġifieri:–

Il-Ballut tal-Wardija,
limiti ta'
San Pawl il-Baħar

(ara l-pjanta f'paġna 9229) tista' tkun ta' valur 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 artikolu 47 ta' l-Att dwar l-Ippjanar ta' l-Iżvilupp.

(i) Il-proprjetà murija fil-pjanta mehmuża għandha titqies bħala Arja ta' Importanza Ekoloġika (AEI) u Sit ta' Importanza Xjentifika (SSI) ta' Livell 1, imdawra b'*Buffer Zone* ta' Livell 3, skond il-*Policy RCO 12* tal-Pjan ta' Struttura.

(ii) Skond il-klawsola 15.34 ta' l-*Explanatory Memorandum* 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.

(ċ) preżunzjoni ġenerali kontra l-iżvilupp fl-inħawi fejn emissjonijiet ta' ħsara x'aktarx li joħolqu problemi.

(d) it-tneħħija ta' elementi intrusivi.

(e) iż-żieda ta' *buffer zones* għall-protezzjoni addizzjonali taż-żoni ekoloġiċi.

No. 956

EMERGENCY CONSERVATION ORDER

Section 47 of the Development Planning Act, 1992

THE Planning Authority believes that the following property, namely:–

Il-Ballut tal-Wardija,
limits of
San Pawl il-Baħar

(see site plan on page 9229) could be of 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 attached plan is to be considered as a Level 1 area of Ecological Importance (AEI) and Level 1 Site of Scientific Importance (SSI), 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.

(c) a general presumption against development where noxious emissions are likely to create problems.

(d) the removal of intrusive elements.

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

(iii) Skond il-klawsola 15.35 ta' l-*Explanatory Memorandum* tal-Pjan ta' Struttura, dan li ġej għandu japplika għaż-Żona ta' Livell 1:

(a) interventi umani għandhom ikunu mill-anqas possibbli.

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

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

(d) is-sit jiġi mmexxi b'mod adegwat mill-aġenzija tal-Gvern kompetenti għas-Sodisfazzjon ta' l-Awtorità ta' l-Ippjanar.

(e) l-ebda speċi aljena u/jew invażiva m'għandha tiġi mħawwel fis-sit u l-ebda speċi nvażiva m'għandha tiġi mħawwel fil-*buffer zone*.

(iv) Skond il-klawsola 15.39 ta' l-*Explanatory Memorandum* 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 (Arja ta' Importanza Ekoloġika) u SSI (Sit ta' Importanza Xjentifika) ta' maġenb iż-Żona ta' Livell 3 u dan jiġi ppruvat permezz ta' studju dettaljat ta' l-impatt ambjentali u jkun konsistenti mal-*policies* relatati.

(v) Kull intervent fil-proprjetà li jkun permissibbli skond hawn fuq għandu jkun approvat minn qabel mill-Awtorità ta' l-Ippjanar.

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

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

Id-29 ta' Diċembru, 1998

(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, and no invasive species is to be planted in 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.

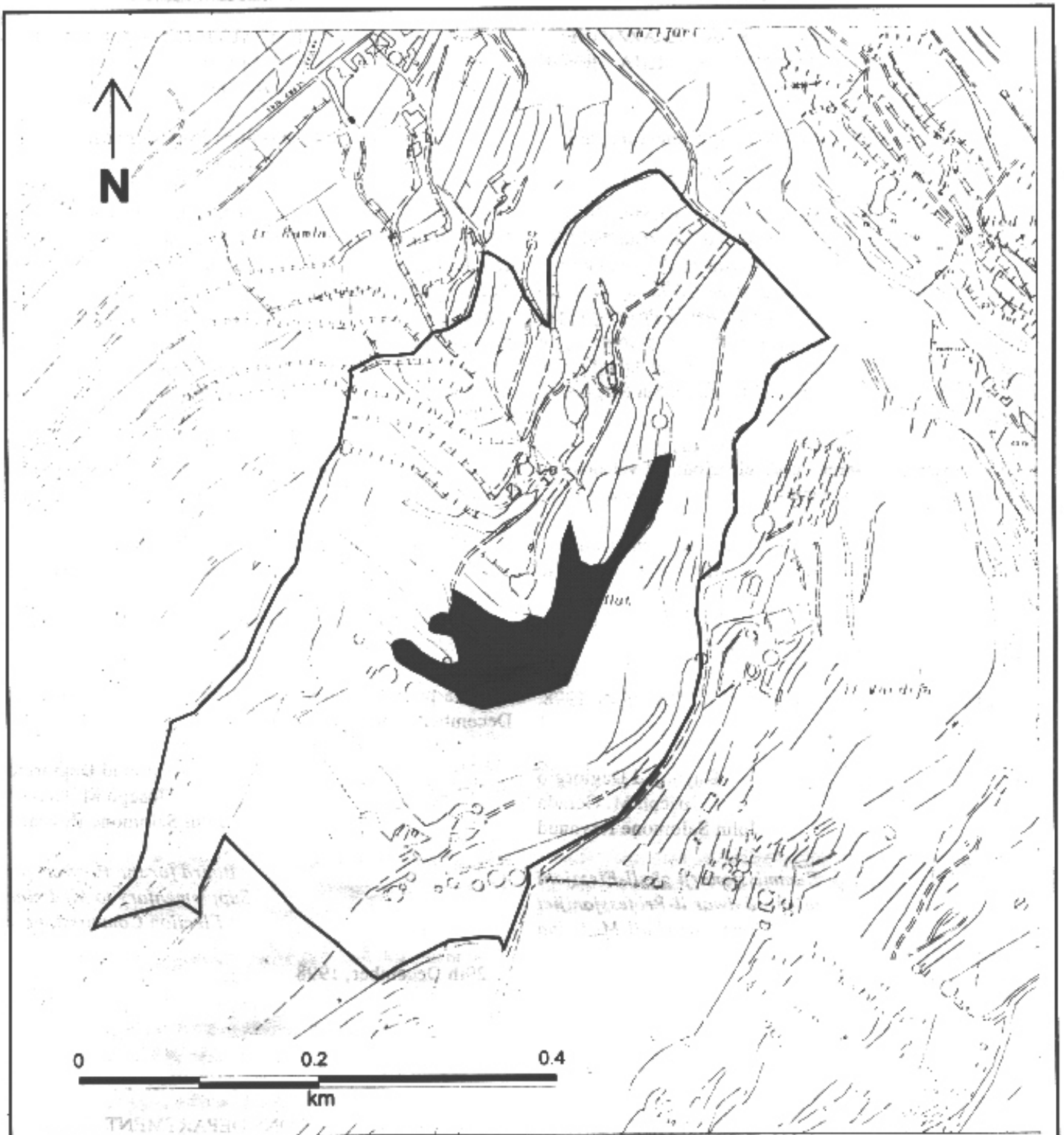
(c) small scale physical development can be considered providing the adjacent Level 1 AEI/SSI is protected, and this is demonstrated by means of detailed environmental impact studies, and is consistent with other policies.

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

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

If the property is demolished, damaged 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.

29th December, 1998



PLANNING AUTHORITY

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

St. Francis Ravelin
Floriana
PO Box 200, Valletta
Tel:240976 Fax:224846

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