

**PRESS Release.**

**Release: 29 December 2021**

***Din L-Art Helwa* and *Din L-Art Helwa Ghawdex* demand an investigation into the professional conduct of the Gozitan Perit and of the Planning Authority's failed processes responsible for the demolition of a pristine gem of Gozo's heritage.**

*Din L-Art Helwa (DLH)* and *Din L-Art Helwa Ghawdex (DLHGh)* are calling for an investigation by the Commissioner for Environment and Planning in the Office of the Ombudsman, and for the Kamra tal-Periti to examine the professional conduct of a Gozitan Perit for his role in the near-total recent destruction of one of Gozo's best-preserved examples of vernacular architecture.



*'A museum of a bygone era'. Now mostly gone*

*DLH* and *DLHGh* are also calling for the Minister for the Environment, Sustainable Development and Climate Change to ask the Chairman and CEO of the Planning Authority (PA) to undertake an internal investigation of its processes and the role of its planning officers and managers in allowing such a catastrophic event to happen to Gozo's precious heritage.

Described, variously, as a *'pristine time-capsule of Gozo's farmstead history'* and *'a museum of a bygone era'* the building in Xewkija, Gozo known locally as *'Tal-Hniena'* was hurriedly demolished on 9 December 2021, just one day before the public became aware of the building's value. Never-seen-before pictures of the building's pristine interior made the front page of a leading newspaper and a dramatic, sombre video of the remarkable building's interiors was subsequently viewed thousands of times on social media.

Notwithstanding the national outrage generated by the press the developer, Mark Falzon, rushed the demolition works. The Planning Authority did nothing to stop the demolition.

Neither did the Planning Authority properly evaluate the quality of the vernacular building before it authorized its destruction. This is its statutory role, a role that is increasingly undermined by planning officer actions, and Commission and Tribunal decisions.



*Perit Angelo Portelli has described this as 'limited demolition'*

Mark Falzon is an electrical engineer who, as he has done before, declared in the application form that *'he is not the owner of the entire site but is authorised to do so under agreement with the owner'*. It has been reported that, on this project, he appears to be a front for Joseph Portelli, the developer of bland, speculative, apartment blocks.

Investigations by *DLH* and *DLHGħ* have revealed errors of fact or omission in the submissions to the Planning Authority and on which the PA relied upon to issue a permit. These errors include the description of the project as *'consisting of limited demolition'* when in fact over half of the building was demolished.

Photographs submitted to the PA, obscured or totally excluded some of the most important elements of the building which had substantial historic, social and architectural value.

These include a 'birth room', beautifully constructed stone stairways, rare stone sinks ('Mejjilli'), animal pens, a Gozo-cheese ('Gbejniet') drying room and increasingly rare, extra-long stone roofing slabs ('Xorok tal-Qasba'). None of these were mentioned in his submission or clearly evident in his photographic submission. In addition, it appears that no drawing was submitted to the PA that showed the entire, existing building intact. Nor was a clean demolition plan submitted.



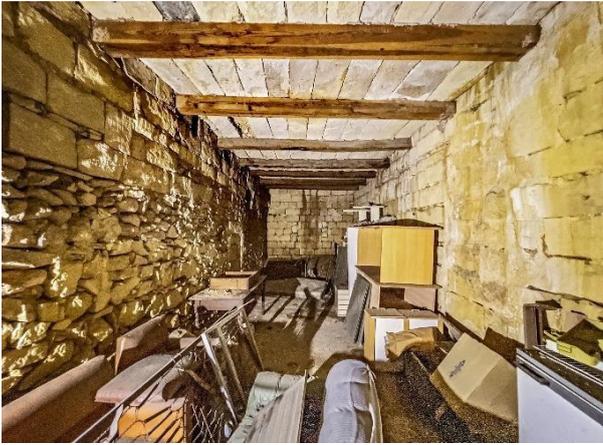
*Traditional 'birth room' not reported by architect.*



*Rare traditional stone basins not reported by architect.*



*DEMOLISHED: 'Tal-Qasba' roofing slabs throughout.*



*DEMOLISHED: Traditional cattle pen*



*DEMOLISHED: Remarkably intact features in 'museum quality' vernacular spaces. Animal pens (?)*

*The Planning Authority was not made aware of several important features of the building now demolished*

Incorrect information was also provided, evident in the public application form, that no rubble walls would be demolished, or trees felled. In fact, the development requires the demolition of rubble walls and the removal of trees. One appears to possibly be a protected species. It is also stated that no new or altered vehicular access would be required when submitted drawings show that, in fact, 12 new access points are indicated, including one to a proposed underground carpark on Bennejja Street.

There are also indications that the PA Case Officer and PA management were remiss in their conduct on this case and that they did not undertake their obligations of due diligence with appropriate professionalism and duty of care. There is no evidence that any official of the PA ever visited the site to make a proper assessment. The PA appears to have depended entirely on the Perit's submission to make its assessment. This, notwithstanding that the Superintendence of Cultural Heritage (SCH) had written to the PA of its concerns multiple times and had flagged the building as being *'of evident vernacular and historical value and is to be retained in its entirety, with minimal interventions'*.

Documentation also indicates that the PA endorsed drawings and Method Statements that did not contain basic information such as *a client name* or the proposed *site address*.



*'No development may be carried out under the powers of the following development permission'*.

DLH and DLHGh demand to know how the demolition of the building was allowed to proceed without any evidence being provided of any *Operational Health and Safety (OHS)* precautions as required by law.

The obligatory *'Copy of Original Notice Decision'* (green) forms provided by the Planning Authority were not posted on site.

In the ultimate irony, those that were exhibited state:

*'No development may be carried out under the powers of the following development permission'*.



*Operational Health and Safety ?*

*DLH and DLHGħ* has written to the President of the Kamra tal-Periti, Perit Andre Pizzuto and the Kamra members to launch an investigation with urgency into the Perit's role and professional conduct in this case. *DLH* and *DLHGħ* have also requested that the Kamra extend its investigation to include those of any other architects who habitually exhibit similar professional misconduct.

Under the laws of Malta that regulate the profession of Periti (*Chamber of Architect's Regulations. Subsidiary legislation 390.01 of the Laws of Malta*) the Kamra tal-Periti has the duty '*on its own initiative or on the complaint of any person*' to enquire into the professional practices of architects '*which are considered inconsistent with the dignity of their profession, and into abuses or failures imputed to them in the exercise of their profession or in connection with professional affairs*'.

In the conduct of such an enquiry the Kamra is empowered to call and to take evidence from witnesses under oath. Amongst its powers the Chamber is able to recommend the suspension of any perit from the exercise of the profession for a period not exceeding twelve months.

The *Coalition for Gozo* (a grouping of Gozo's main heritage NGOs *Din l-Art Hejwa Għawdex, Għawdix* and *Wirt Għawdex*) had written to the PA Executive Council Chairman Martin Saliba and Planning Board Chairperson Perit Vince Cassar on 8 December 2021 inviting them to meet before Christmas to discuss pressing Gozitan issues.

It is still awaiting acceptance of their invitation.

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