
Environmental Safety Group (ESG)

Key words: health, environment, sustainability, liveability, holistic planning, two-way EIA's

• Gibraltar Development Plan 2009 public consultation

The ESG constitution is as follows:

- *Promoting health of individuals and communities*
 - *Promoting the protection of our natural environment*
 - *Raising the profile of environmental issues within the community*
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1. • General Commentary:

In line with the ESG's clear objectives as described above, the group has, since its inception in 2000, campaigned for an updated development plan to bring the management of Gibraltar's urban environment in line with the global drive for sustainability and a more democratic and open planning process.

While cautiously welcoming the publication of the updated plan in 2007, and subsequent amendments in this latest round of public consultation, the ESG would like to present its concerns directly to the Government of Gibraltar for consideration as a broad response to planning issues in Gibraltar in general rather than on a point by point basis.

The DPC and Gibraltar Government could say that the ESG should have submitted its concerns about the Development Plan during the 2 month period back in 2007- However, at the time, the group was extremely frustrated at how the publication of the development plan came about with a model exhibition displaying the large (and at times, unpopular) projects already either: ***given the go-ahead, underway, or even completed.***

In other words the plan was in many respects simply a confirmation of government decisions and made a farce at the time of any real "consultation process".

However, the New Plan/Strategic Environmental Assessment (Env Report), and subsequent recent amendments, are clearly adding significant, new content which is attempting to steer Gibraltar towards a more sustainable future. The ESG broadly welcomes these amendments.

Success will ultimately depend on how effectively these new policies are implemented. Additional points are presented in this document for consideration during this period of final adjustment to the New Development Plan. It is hoped this will ensure improved quality of life for the citizen and the environment, as well as for future development in Gibraltar.

2. • A Holistic Approach:

Too many impacts experienced from, at times, confoundingly bad planning practices, has led our group and others to call for a more holistic approach to planning, but this appears to have fallen on deaf ears. The demographic complications from squeezing several thousand people into a small area such as the south district will undoubtedly be felt, as even current usage of Rosia Road, the main artery into town, is regularly gridlocked. Adding not one but **FOUR** high density developments to this area will inevitably cause chaos.

The decision to build on the demolished Rosia Tanks, for example, raised many questions at the time of how the DPC is run- who holds the real power, and how democratic in practice, the Commission and Gibraltar are. The heritage value of the site, discovered once the land was released to the Gibraltar Government, was not adequately researched, instead it seemed that short-term political considerations came into play and Gibraltar lost yet another important heritage site.

Government claims to be investing in the tourist product have sounded shallow when Rosia Bay/100 ton gun/Parsons Lodge can be mothballed and the Europa Point area is still a demolition site with no facilities for residents or the thousands of visitors to the area each year.

A lot more work needs to be done and a holistic approach is critical.

2.1 • Knee Jerk Planning:

Cumberland and Bay view developments are also good examples of knee jerk planning when design complications resulted in developer being allocated a site immediately next to a 24hour, very busy ship repair yard. The ESG filed an official objection to this development at the time on the grounds of the area being heavily polluted. For the record we were highlighting the environmental and potential health problems that new residents could expect due to the highly polluted air quality in the vicinity of the ship yard, as well as noise pollution from both power stations and the yard itself.

Clearly many different pressures dictated govt policy here but it did not make for best practice or best outcome and certainly failed on the objective of good planning.

3 • Change in DPC Procedure:

-a. Recent developments in the south district and high density areas found in Harbour Views and Reclamation areas highlight the need for an open and more genuinely participatory DPC with independent input. The liveability factor must form part of any permits issued and is essential with attention given to open spaces and green areas important to instil pride in ones environment and not create a ghetto-like mentality.

-b. Decisions should be reached without being influenced by any one particular ministry. Clearly Governments are elected in and must write policy but these policies should be debated and upheld in an open and democratic manner considering all aspects in their entirety, with transparency, and free from pressure from any quarter. It also raises the need for impartiality on the part of the Chairperson and for Commission members as representatives of the community.

-c. The ESG has publicly called for more transparency and public participation in the planning process in Gibraltar, especially for large scale projects with wide reaching impacts. Whilst we welcome that efforts have been made to place important information online and in the public domain for some of the larger projects, this is not always the case. Furthermore improved public consultation would result from **open DPC meetings** for major projects of a transformatory nature. This would also, (and importantly), clarify the thinking behind some of the decisions made on controversial projects which, when approved behind closed doors, raises so many questions and causes so much frustration among the community.

-d. All Government projects and developments should be fully screened as are private projects and include public participation. Many projects that involve land reclamation and road building have been set in motion with no public consultation whatsoever. The Ministry of the Environment should also automatically shadow (if not lead on) highly impacting projects to ensure best practice is a priority and all impacts are fully considered.

-e. The signing of the Environmental Charter was a clear statement of intent by the Govt of Gibraltar that it would incorporate environmental benchmarks in all areas of governance. With construction as the largest “land based industry” in Gibraltar, its critical that environmental standards are upgraded to meet the aims of the Charter and provide a healthier and more sustainable environment for the Gibraltar community.

-f. **Maintenance** of refurbished and new developments has to be built into the new plan, with **public areas** given greater attention. Green areas and seafront sites need to be considered as **valuable habitats** and **recreation areas** and not neglected or treated as dumping grounds (such areas have been targeted for the last 4 years under the Clean up the World Campaign). Remaining seafront is to be preserved and used as leisure areas for the Gibraltar community.

4 • Need for two-way Environmental Impact Assessments:

4.1 It's critical for "*Environmental Impact Assessments*" (EIA's) to be carried out on a **two-way basis**. Gibraltar's unique physical layout and population density requires *ultra sensitive planning* and for full impacts to be assessed: The ESG therefore strongly recommends that a tailored 2 way EIA assessment specifically created for Gibraltar is set up in order to assess negative impacts:

- From a **new project** on the **environment** as well as
- The **existing** environment on the **new project**

This is fundamental in a place like Gibraltar where land space is so limited and yet this remains obtusely ignored. Many laws and directives that are in place to protect the health of people and the environment cannot be effective because of the proximity of people to **sources** of pollution. **Hence why Gibraltar needs special rules.**

4.2 Much of the work of the ESG carried out over the last few years has included tackling complaints by residents in new developments being built in proximity to polluting sources, or offending sources themselves growing in capacity and affecting wider areas. The complaints come from residents in `all types of apartments, luxury or affordable, with callers genuinely worried about the air they are breathing.

Examples of these are as follows:-

- **Extension jetty activity**- on surrounding and growing residential areas and schools- calls are regularly received from residents close to or facing the jetty and North mole area;
- **Offshore Bunkering** - grown exponentially resulting in fumes affecting new developments and schools in the south district; (need for vapour recovery technology);
- **New developments**- (affordable) going up squeezed in next to runway and close to waste oil plant, existing power station and desalination plant- while the latter is destined to be closed down a site has been allocated in North Mole Road for a possible new desalination plant;
- **New housing next to shipyard** – this decision taken recently in full knowledge of the prevailing degraded environment;

5. • Uncontrolled/unmanaged Traffic-

Gibraltar's traffic problems are worse than in many other parts of Europe. This is due to our fuel economy which attracts several thousand cars to enter and leave Gibraltar on a daily basis simply to fuel up. Toxic fumes, road congestion and chronic traffic problems, are a direct consequence of this practice which exacerbates the impact of local traffic.

Local traffic numbers are also on the rise creating a hostile environment for the walker/cyclist or public transport user.

Meanwhile the genuine visitor/tourist will see a Gibraltar engulfed in traffic chaos where the Upper Rock experience is marred by the relentless presence of coaches and private vehicles. In other comparable parts of the world traffic controls are in place to limit car and coach numbers, both for the visitor experience and for the protection of the area and wildlife that live there.

-It's very important that Town Planning, Environmental, Tourism and Transport Agencies work together to produce an integrated transport plan to match the level of users both in the Upper Rock as well as on the streets of Gibraltar.

Good baseline data is needed to manage this very important resource of ours.

Urgent action is needed here too.

- Please see www.esg-gib.net for an NGO paper on transport, issues and solutions. (Compiled by the ESG, FoE and GONHS for ITWMC campaign)

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5.1 • The Environmental Report

The Strategic Environmental Assessment also supports all the these concerns and recommends that Govt should set out policies to tackle *the reduction of air pollution* and improvement in water quality, describing this as **imperative** given the potential risks of a number of activities relating to shipbuilding, waste processes and disposal, power generation and high level of traffic.¹

¹ Environmental Report (Strategic Environmental Assessment), page 34

6● Trans Frontier Issues:

-The ESG has long campaigned for increased cross border co-operation in various areas. These include:

- at Port level and monitoring of maritime activity,
- expanded airport use;
- land reclamation projects and
- for tighter regulation of industrial activity, in particular the impacts from the Oil Refinery and associated petrochemical industry (based in Spain which has degraded and polluted the region since the 1960's)

-From an ecological perspective: the rapid industrialisation and urbanisation around the Bay; expansion of bunkering activity; port extensions; and large land reclamation projects; are of great concern. These activities are turning the region into an environmental hotspot and threatening the survival of endemic flora/fauna as well as migratory bird and marine life. The polluting and removal of habitat is also accelerating the demise of many species.

-From a public health perspective the Spanish part of the Bay has also been identified in a study carried out by a Barcelona University as harbouring the highest mortality rates in all of the Iberian Peninsula.²

-NGO's from both sides of the border, including the ESG, have campaigned over the years to reduce dangerous pollution levels in the area and in defence of the living environment. Petitions and protests have been supported at *cross border level* highlighting the importance the Bay citizen gives such issues.

-This fragile situation also demands that ecosystems within the Bay environment should be **managed at a cross border level**. Politics should be put aside and local authorities from each side should make available and public EIA's and other planning information on every major development project during the application period. This ought to be done at a proactive basis, within a European context. It is not rational to develop biodiversity programmes and designate biospheres under European Law, if large scale development or activity is then seen to be carried out in a totally unilateral and at times, even hostile manner, with no official co-operation in place.

-Several frameworks exist which could be used to manage ecosystems at a scientific and conservation level. *Coastal Zone Management* is one such scheme which aims to do this by bringing together various jurisdictions, scientists and stakeholders to manage and protect important ecosystems and could be a way forward for the Bay environment.

The sustainable development of the Bay region would benefit both Gibraltar and Spain ensuring the continuity of alternative economies such as fisheries and tourism, as well as the Liveability, Health and Quality of life for all who live here.

² OEM 2004 mortality study. PDF

7 • BAT (Best Available Technology)

All industrial and impactive activity should be carried out using Best Available Technology and this should be enforced through the planning permits issued. The SEA also recommends that the plan should include policies to reduce air pollution and improve water quality, suggesting this was imperative given the potential risks of a number of activities relating to shipbuilding, waste processes and disposal, power generation and high level of traffic.³

These are issues which concern the ESG and are the focus of many of the group's campaigns.

8 • Policing and Enforcement:

Under: “Implementation, Monitoring and Review”⁴ there are provisions for each policy to be monitored by different agencies. However in the Strategic Environmental Assessment a key concern is raised in both the Draft plan and the Environmental Report: – that of “insufficient data against which to make forecasts in relation to housing needs, pollution and the quantity of parking required”.

Good planning practices demand this data to be current and of good quality if the new planning policies are to be effective and implemented correctly.

(See also Housing Need, Page 10 – Environmental Report)

9 • Positive “developments”:

On a positive note the fact that a growing number of Environmental Reports and EIA's are now being placed online is both acknowledged and welcome. The ESG would also welcome the availability of all documents (not only EIA's) to be online during the consultation stage of any planning application to allow greater public participation. If this were achieved, together with public meetings and official presentations on all major projects, then Gibraltar would be stepping up a gear and ensuring a more democratic planning process was in place.

³ Environmental Report (Strategic Environmental Assessment), page 34

⁴ Gibraltar Development Plan, Consultation Draft- 21-Implementation, Monitoring and Review - Page 127

10 • Green Technology

Increasing standards for future developments both in design, energy efficiency and on exploring the practicality of creating the right circumstances for users to set up micro renewable energy systems and plug into the grid, are all extremely welcome news contained in the 2007 plan.

However the ESG would also welcome the early publication of an energy policy for Gibraltar to spell out Gibraltar Government's intention of meeting the challenges of climate change and of complying with renewable energy quotas that are only going to increase as the years go by. Apart from compliance with the law there are also a growing number of businesses in Gibraltar vying to sell green technology and people wanting to use it. The ESG believes the solution to Gibraltar's green energy requirements should come from a number of sources and that all efforts to facilitate micro technologies should be made.

The urgency of global warming and the unstable supplies, costs and impacts from use of oil should make energy issues a priority for Gibraltar.

11 • Water and Energy facilities from Spain:

The ESG was pleased to read about exploring dual systems for: water, energy and waste disposal with Spain with local systems on standby in case political pressure compromises reliability of service.⁵

However unlikely this may be, it's important this is included as the most sustainable option. Given that many energy industries in Europe are commercially run it may be possible one day for Gibraltar to purchase green energy and other services from mainland Europe.

12 • Upper Rock Management Plan

The GONHS produced a high quality report for the management of the Upper Rock Nature Reserve which has not been fully implemented. The ESG calls for its full implementation without further delay.

⁵ Environmental Report (Strategic Environmental Assessment),Page 20- 3.54

13.0 • Future developments

The ESG is concerned also to see that the plan mentions future development when we have not quite recovered from the current massive spate of development Gibraltar has seen in the past 10 years. Whether the land has been turned over recently to local government or not, it's clear that we cannot maintain this level of activity without a break. Attention must be given to steer Gibraltar actively towards a sustainable way of life,- by recycling and using renewable energy,- by radically improving our waste management facilities and completing ongoing infrastructural programmes underway or planned for.

Attention must also be urgently given to developing a truly integrated public transport system which will take cars off our roads and make walking and cycling a healthy option. This requires a cross party plan and a series of measures to encourage and modify current behaviour.

The enactment of our Environmental Charter calls for cohesion between Ministries and govt departments, participation by the business sector and the public at large. Change is necessary within each and every sector and needs an action plan with full govt backing and investment to see this through. With rising costs of fuel and food, Gibraltar is especially vulnerable, and paying attention to our "way of life" today and the foundations upon which we live, is vital to safeguard our future and those we bring into this world.(ie our Sustainability).

All of the above is difficult to achieve if the human resources and available budget is limited and stretched between various large scale projects. Furthermore Gibraltar needs to decide (collectively) at which point we think our footprint is large enough and plan towards that.

Endless reclamation and building is not an option that the ESG supports and neither is this recommended by the Strategic Environmental Assessment commissioned by Govt (*Various references within the New Plan and the Environmental Report apply*).

SECTION B Amendments for public consultation:

● 2009 Public consultation on Amendments Section B:

Generally speaking it is clear to the ESG that numerous sustainable measures have been added to the 2007 plan and this is good news.

It is also welcome and overdue to learn that a comprehensive review of the Building Regulations will be undertaken with subsequent periodic revision, with a view to ensuring continuous improvement in construction standards that will have a positive impact on energy efficiency of buildings. (Policy GDS 7)

PART 1 –

Chapter 2: General design and standards

8.2 Loss of open space-

Sch2G2 new policy after paragraph 2.13:

GDS4- : Creation of new open space, where appropriate, the commission shall require that new development incorporates open spaces, particularly “green areas”,

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ESG: How and at what stage will this important clause be enacted, assessed for inclusion? Raises enforcement issues.

8.4 Review of the Building regulations

GDS7 – 1AD11 Amend paragraph 2.19 to read as follows:

“..The Commission shall therefore encourage a **comprehensive review of the Building Regulations to be undertaken and subsequent periodic revision, with a view to ensuring continuous** improvement in construction standards that will have a positive impact on energy efficiency of buildings”.

ESG: Long overdue and is further hoped that encouragement can be regarded as actioning in this instance

Chapter 3: Environment

8.8 ENV2-Biodiversity

Sch3G6.6

Amend paragraph 3.9 to read as follows:

“..roosts within buildings, **designing coastal revetments in land reclamation projects so as to create appropriate conditions for marine species, or through** the provision of green roofs...”

ESG: Raises the question of enforcement – do any of current land reclamation projects in Gibraltar carry the obligation to create good conditions for marine life? Will there be any penalties for developers who agree to incorporate roosts and revetments but do not follow through?

Under: Chapter 11: Utilities and Waste

We choose to make observations here rather than write out policy or amendments in full.

Desalination:

With regards to a new desalination plant the ESG is concerned to learn that a new plant is likely to go up in what has fast become an intensely busy residential area – ie North Mole Road. What timescale will the Gibraltar Government use to determine whether the energy from waste plant will successfully produce potable **water as a by product?** Given that this is given as one of the pluses for incineration over recycling we are most concerned to learn this may not happen.

Waste Facility:

It is a surprise to learn that the new “state of the art” energy from waste” plant will come from the refurbishment of the old plant. How can this old and rusty plant meet the strict environmental standards we are told modern energy from waste plants can meet today? Is this a case of Gibraltar cutting costs where it matters again?

Waste Recycling Collection Facility:

In spite of the recommendations for a public central collection facility by various govt depts Gibraltar continues to fail to find a suitable site- instead we see yet more and more developments which mean more waste with stockpiling of such waste in full public view all over Gibraltar.

- Clearly not a priority for this Govt in spite of being included in various Ministerial public statements.

Europa:

A general statement is needed here because Europa Point area is a much visited tourist destination. Gibraltar as a tourist product is sold at various tourist fairs throughout the year and yet we cannot manage to find a few thousand pounds to smarten up one of our key destinations. This in spite of various promises and commitments made at election time. It is truly an embarrassment.

Waste water treatment plant, energy from waste plant and new power station –All subject to EIA and AA (Appropriate Assessment)

What is an Appropriate Assessment?

Psychiatric Hospital:

Gibraltar community is in desperate need of a modern psychiatric hospital and priority must also be given to identify a suitable site.

Finally, the ESG would like to state that all development plans, including Government projects should be subject to the highest public scrutiny for best practice and sustainability as well as two way impacts.

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