

**APPLICATION FOR A PLANNING PERMIT FOR THE ERECTION OF A  
RESIDENTIAL RESORT, IN THE COMMUNITY OF PANO PLATRES, WITHIN  
KOURIS RESERVOIR PROTECTION ZONE**



**AUDIT OFFICE OF THE REPUBLIC  
SPECIAL REPORT no. ΠΕ/01/2022**





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OF CYPRUS

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# **APPLICATION FOR A PLANNING PERMIT FOR THE ERECTION OF A RESIDENTIAL RESORT, IN THE COMMUNITY OF PANO PLATRES, WITHIN KOURIS RESERVOIR PROTECTION ZONE**

## **Executive Summary**

### **AUDITED ENTITIES**

**Water Development Department**

**Department of Environment**

**Department of Town Planning and Housing**

**Limassol District Administration**

## Executive Summary

Following the request of the Parliamentary Committee on the Environment, during its meeting on 6.10.2021, our Office carried out an audit in order to examine the process of both the environmental assessment by the Environmental Authority and the application for a planning permit, by the Planning Authority (PA), for the erection of a large scale residential resort and supporting services, in the Community of Pano Platres, in Limassol District. The proposed plots of land, as well as the wider area, have environmentally sensitive characteristics, as part of the proposed plots fall into Urban Planning Protection Zones and a registered watercourse passes by the eastern end of one of the plots. Also, a large part of the proposed plots is close to the Krios river and the steep slope of the river falls within the Kouris reservoir Close Protection Zone (CPZ). Also, bird species are identified in the area, which, as the Environmental Authority estimates, use the slopes, within the proposed plots, for nesting.

The most important audit findings are summarized below:

- ◆ The larger part of the proposed development, for which the developer started uncontrolled and illegal earth-moving activities and construction works, before securing all valid permits, is located within the Kouris reservoir CPZ.
- ◆ It is obvious that the minimal risk of pollution of the said reservoir is of major concern, since it is, according to the Water Development Department (WDD), the main source of drinking water supply in Cyprus. Possible pollution of the reservoir, caused by the uncontrolled and illegal works of the developer, on the one hand, violates the provisions of Water Protection and Management legislation and, on the other hand, may have incalculable consequences, causing very serious water supply problems in Cyprus, where water scarcity remains a key feature.

- ◆ Description of the project was not clear among the competent Authorities. Also, we observed relevant contradictions between the revised project development plans and the project description according to the Environmental Impact Assessment Study.
- ◆ The Planning Permit Application file was incomplete and, at the same time, PA did not to submit documents not filed to our Office, when the said file was requested for audit. This happened later, when we became aware that there were additional documents that had not been submitted for inspection.
- ◆ Although the Department of Environment (DE), on 15.10.2020, had observed the illegal interventions and, on 21.10.2020, communicated in writing to the PA that the developer had started construction activity and cut 97 trees, the PA issued an Enforcement Notice on 10.8.2021, ie ten months later and after a second letter dated 9.8.2021 was received from the DE, which informed PA about further interventions (land clearings, excavations and leveling) and illegally erected building.
- ◆ The developer took for granted that the PA would issue a planning permit and proceeded to the arbitrary and illegal cutting of a large number of trees, before securing a valid permit, an action which concerns a disregard for both the forestry legislation and the natural environment in general.
- ◆ Although the DE, as the Environmental Authority, in its letter, dated 9.8.2021, to the PA, referred to a large number of illegal interventions (land clearings, excavations, leveling, under construction building), decided that it could proceed with the environmental impact assessment of the project. We expressed the opinion that the Environmental Authority did not take into account the whole illegal activity, nor its actual size, when it decided to further

continue with the assessment process and forward the subject to the Environmental Impact Assessment Committee.

- ◆ The construction company did not present, before the Parliamentary Committee on the Environment, in its meeting on 6.10.2021, the whole picture of the illegal earth-moving activities and construction works within the proposed plots. Despite the illegal construction works, the construction company, through its memorandum, dated 5.10.2021, which was submitted to the said Committee, falsely stated that the construction works were carried out within the framework of a land partition permit issued by the Department of Town Planning and Housing (DTPH).
- ◆ The project has not yet been subject to appropriate assessment of its potential cumulative effects on the environment and its potential pollution on Kouris reservoir.
- ◆ Competent Authorities have not taken any measures against any possible liabilities on the subject of the supervising engineer and the contractor.

We have drawn the attention of the competent Authorities (Directors of WDD, DE and DTPH) to the fact that the legalization of arbitrary interventions in environmentally sensitive areas and especially within the specific CPZ, encourages the uncontrolled implementation of illegal developments, which will further increase the cumulative pollution pressures of the vital Kouris reservoir.

We suggested to the PA to consider the imposition of an administrative fine, in accordance with the provisions of article 48(A) of Law no. 90/1972.

We also recommended to Limassol District Administration Officer to file a complaint against the project supervising engineer to Cyprus Scientific and Technical Chamber and against the project contractor to the Council for the Registration and Control of Building and Civil Engineering Contractors.