



AUDIT  
OFFICE



REPUBLIC  
OF CYPRUS

## Change of the town planning system that governs an area around private plots in Kouklia

### Executive Summary



**AUDIT OFFICE OF THE REPUBLIC OF CYPRUS**  
**SPECIAL REPORT no. MOI/01/2019**

# **Change of the town planning system that governs an area around private plots in Kouklia**

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**AUDITED ENTITIES:**

**MINISTRY OF INTERIOR**

**MINISTRY OF AGRICULTURE, RURAL DEVELOPMENT AND ENVIRONMENT**

## **Executive Summary**

Within the context of solving the problems that arose in relation to the management of the Akamas peninsula, the Council of Ministers, in its Decision, dated 2.5.2007, approved the procedure for the exchange of specific private properties within the peninsula with plots of state-owned and state-owned forest land, which would be selected in co-operation with the government departments involved (Department of Lands and Surveys (DLS), Town Planning and Housing Department (TPHD) and Forests Department (FD)). In order to implement the above Decision, specific plots of state-owned and state-owned forest land were selected in the Oretes area in the Community of Kouklia, which would be included in a Holiday Homes Planning Zone. In order to justify his actions in securing road access for these plots of land, the then Director of the TPHD decided to also include in the same town planning zone the private plots bordering on the aforementioned state-owned plots of land.

The planned exchange of the private properties within the Akamas peninsula was not pursued further and, although the relevant Decision of the Council of Ministers was revoked, the amendment in the planning zones which was executed exclusively to serve this purpose, was not revoked.

It became clear that the only person who gained a very significant benefit from the amendment of the planning zones, was the owner of the plots of land that border with the state-owned forest land, who submitted an application for the division of these plots into 339 plots of land, which is now in the process of being examined for the relevant Environmental Impact Assessment Study.

Our Office repeatedly expressed the opinion that, as long as the necessity that led to the initial Decision of the Council of Ministers to include the private plots of land in the Holiday Homes Planning Zone no longer existed, the Ministry of Interior should immediately proceed with its revocation. However, despite repeated reminders, there was no response from the Ministry of Interior until today, during the inspection of the relevant files of the TPHD, where we noted that the aforesaid Department has agreed with the recommendation of our Office.

In addition, the following were also pointed out:

- There was not adequate documentation/evidence to support the grounds on which the relevant government authorities selected the state-owned and private plots of land for the purpose of the exchanges, according to the aforementioned Decision of the Council of Ministers, which was taken, without prior consultation with the owners who hold property within the Akamas peninsula, so as to establish whether they would be interested to pursue the exchange, and without examining other alternative options for providing access to the state-owned forest land.
- There is reasonable doubt created by the evidence given as to the reasons why two state-owned forest plots of land, that border with the plots of land owned by a businessman who seems to have benefited from the change in the planning zone, were not included in the «Natura 2000» protected areas network, in contrast to other nearby plots of land, which were included.
- Our Office investigated information provided by a third party, and discovered that the principal shareholder of the company that benefited from the inclusion of its plots of land in a Holiday Homes Planning Zone, has a close relationship through marriage to the then Director of the DLS, who was involved in the decision-making process to choose the state-owned lands that were going to be used in the exchange.

Our Office's conclusions and recommendations were notified to the Minister of Interior and the Minister of Agriculture, Rural Development and Environment by letter, dated 18.10.2019, for comments and opinions, as well as to ask them to take the necessary reparatory actions.

The Minister of Agriculture, Rural Development and Environment, in a letter dated 1.11.2019, agreed with the information stated in our Office's aforementioned letter as far as the «Natura 2000» protected areas network was concerned and expressed the opinion that any discussion on the subject matter should be limited to the inclusion of the private plots of land that border with the state-owned forest land, and also admitted that with regard to the institutional framework on which the said procedure was based, the national and especially the forestry legislation, has been completely ignored.

The Minister of Interior did not respond to any of our Office's five letters relevant to the subject matter, despite the six reminders that were sent, nor to the aforementioned letter dated 18.10.2019, with which the draft of this Report was forwarded to him for any possible comments.

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