



6.5.2019

NOTICE TO MEMBERS

Subject: Petition No 0600/2017 by Felice Saronni (Italian), on behalf of the Associazione Arese 5 stelle, accompanied by 18 signatures, against the modification of a commercial-leisure urban expansion plan of an ex-industrial area

Petition No 0919/2018 by Mr Massimiliano Mantovani (Italian), bearing 22 signatures, on a motion to dismiss the construction project of a new shopping centre in Bollate, in the province of Milan (Italy)

Petition No 0960/2018 by Maurizio Zinesi (Italian), on behalf of Movimento 5 Stelle, bearing 2 signatures, against the project for the extension of a shopping mall in Cinisello Balsamo (Milan)

1. Summary of petition 0600/2017

The petitioner denounces the renovation of an urban plan which involves the transformation of an industrial area (formerly the FIAT-Alfa Romeo plant in the municipality of Arese) for commercial purposes. Although already used as a mall (the largest in Europe), the current extension would be duplicated by the modification (from the current 77 000 square metres to a future 157 000 square metres) to include an indoor ski slope based on the Dubai model, having a disastrous impact on air pollution caused by traffic in one of the most polluted areas of the Lombardy Region. The petitioner believes that the plan, which has already been approved (by Commissioner Prefecture after the resignation of the Mayor promoting it), once implemented, will come into conflict with the PM10 emission thresholds provided for by Community legislation and without any preliminary documents (such as an updated EIA report) which are still being kept from citizens, in flagrant violation of the information procedure for the public and institution representatives. The petitioner, therefore, asks for the cancellation of the decision to approve the urban planning in question.

Summary of petition 0919/2018

The petitioner requests that the construction project of a new shopping centre in Bollate, in the province of Milan, be dismissed. According to the petitioner, the construction of this shopping centre would lead to an increase in road traffic in the area. The petitioner bemoans the risk of high levels of pollution causing serious damage to the health of Lombardy's inhabitants, which is a region where air quality is among the worst in Europe. The petitioner refers to the infringement procedures against Italy for violating Directive 2008/50/CE on ambient air quality. The petitioner emphasises that the area concerned is greenfield land - free of buildings and used for agricultural purposes - which would be irreparably damaged by a new shopping centre.

Summary of petition 0960/2018

The petitioners denounce the disastrous impact of the planned extension of a shopping mall (centro commerciale Auchan) in Cinisello Balsamo, further to the adoption of a zoning plan modification without preliminary environmental impact assessment. They warn against the fallout from the building of "Nuova porta Nord" on the air quality and the traffic congestion in the Province of Milan. They point out that such a big project (including planetarium, multiplexes, walkway galleries, etc.) will surely contribute to the worsening of the poor air quality standards in the Province of Milan, where the level of air pollutants remains well above the limit values set by EU air quality legislation. In this respect, Lombardy is one of the worst-ranked regions in Western Europe. In their view, if the works are not stopped, they will definitely compromise the living conditions in the area in terms of traffic congestion, landscape transformation and environmental and public health protection

2. Admissibility

Petition 0600/2017 declared admissible on 18 October 2017.

Petition 0919/2018 declared admissible on 18 December 2018.

Petition 0960/2018 declared admissible on 4 February 2019.

Information requested from Commission under Rule 216(6).

3. Commission reply, received on 6 May 2019

Petitions 0600/2017, 0919/2018 and 960/2018

As regards the air pollution problem experienced in the areas concerned, the Commission has already brought the case to the Court of Justice of the European Union for the exceedance of coarse particulate matter (PM₁₀) limit values (Court case C-644/2018) and, earlier in 2018, has decided to do the same for the concentrations of nitrogen dioxide (NO₂).

The information submitted by the petitioners on 4 March 2019 under Petition 0600/2017 indicates that the sampling point in the Municipality of Arese, which was showing exceedance of the PM₁₀ limit values for ambient air quality in the previous years, is no longer operational.

Conclusion

As Directive 2008/50/EC Annex V1 stipulates that “*sampling points with exceedances of the limit value for PM₁₀ within the last three years shall be maintained, unless a relocation is necessary owing to special circumstances, in particular spatial development*”, the Commission will seek further information from the Italian authorities.

1 Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, OJ L 152, 11.6.2008, p. 1–44.