

Joe Grima obo Road Construction Ltd.
Tarmac Plant
Zebbug road
Victoria, Gozo
VCT 9091

Date: 27/02/2019
ERA Ref: EA 00069/18

Dear Sir,

Planning Ref.: PA/05665/18
Description Proposal: To extend hard stone quarry G12 for the extraction of rock to a depth of 5m above M.S.L.
Location: Quarry G12, Ta' Klement, Qala, Gozo

Environmental Impact Assessment Regulations, 2017 (S.L. 549.46)
Flora, Fauna and Natural Habitats Protection Regulations, (S.L. 549.44)

Reference is made to the Project Description Statement (PDS), which was received by the ERA on 29th October 2018.

ERA's recommendation and representation on the said development proposal are being lodged in its capacity as an external consultee and an interested party in accordance with the Development Planning Act and the Development Planning (Procedure for Applications and their Determination) Regulations, 2016 (Legal Notice 162 of 2016).

ERA Conclusion

ERA's screening has identified the following main issues of concern:

- i. The extension of an existing quarry into a sensitive coastal area, which should be prohibited as per Local Plan policy; and
- ii. The environmental impacts resulting from the illegal development which has taken place along the years.

Furthermore, ERA's comments (PA/05665/18/Doc.32a) are being reiterated. Approval of this proposal would also set a precedent for similar proposals in the area, which cumulatively would result in further adverse impacts on the overall natural state of the area and the natural landscape. In view of the above, ERA continues to consider the proposal as being objectionable from an environmental point of view.

Without prejudice to the above, should the proposal be considered favourably by the Planning Authority despite ERA's recommendation, the applicant is to be informed that;

- The proposal would qualify for an update to the existing Environmental Permit (EP 038/09/C) and thus would need to contact ERA's Environmental Permitting Unit (nature.permitting@era.org.mt) to discuss the requirements; and
- Additional environmental-related conditions would be necessary.

Screening in terms of the Environmental Impact Assessment Regulations, (S.L. 549.46)

The proposed development falls within the scope of Schedule IA, Section 9.0.2.1 (*Quarries, open-cast mines or underground mines, or projects for the extraction of minerals, ores or peat, as well as extensions thereto or ancillary surface or subsurface installations, not covered by Category I*) of the EIA Regulations, 2017 (S.L. 549.46).

Without prejudice to ERA's final position on this application, the PDS has been reviewed and it has been determined that the proposed development would qualify for an EIA as per EIA Regulations 2017 (S.L. 549.46).

However, although the proposal qualifies for further EIA studies, this requirement is secondary to ERA's overriding objection to the development, which conflicts with the surrounding rural and coastal environment. This cannot be adequately addressed through EIA studies, but rather needs to be addressed directly through the mainstream development consent mechanism. Thus, an ad hoc EIA for this proposal per se would still leave this strategic-level environmental concern unresolved.

Screening in terms of the Flora, Fauna and Natural Habitats Protection Regulations, (S.L. 549.44)

In view of the location of the proposal adjacent a Natura 2000 site, the proposal has been screened in terms of Regulation 19 of S.L. 549.44, since the site lies adjacent to the "Zona fil-Baħar fil-Grigal ta' Malta", a Marine Special Area of International Importance (MT105) (G.N. 851/10), and adjacent to the "Il-Baħar Madwar Għawdex" Special Protected Area (SPA) (MT112) (G.N. 1379/16). However, the proposal as submitted is not expected to have any significant impacts on the integrity of the habitats, species, and the Natura 2000 sites as a whole. Thus, no further assessment as per Regulation 19 of S.L. 549.44 is considered necessary.

Yours faithfully,

Daniel Xuereb
Environment Protection Officer
f/Director Environment & Resources