

Perit Alex Bigeni
74/2 Borg Oliver Street,
Victoria,
Gozo

Date: 05/10/2020
ERA Ref: EA 00032/20

Dear Sir,

Planning Ref.: PA 03917/19
Description Proposal: It is proposed to construct a basement level beneath the Class 3A agro-tourism complex approved in PA/02762/16 as well as construction of a reservoir.
Location: Site at, Għajn Tuta Agriturismo, Triq is-Sarg/ Sqaq off, Triq il-Horg, Kerċem

Environmental Impact Assessment Regulations, 2017 (S.L. 549.46)

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 (L.N. 162 of 2016).

Reference is made to the Project Description Statement (PDS), which was referred to ERA on 5th August 2020.

Screening in terms of the Environmental Impact Assessment Regulations, 2017 (S.L. 549.46)

The proposed development falls under the scope of Schedule I Category II Section 7.1.2.2 (*Construction or extension of hotels, holiday complexes, holiday villages, hostels, homes for the elderly, hospitals, or associated development, if located wholly or partly outside development zones and not covered by Category I*) of the EIA Regulations, 2017 (S.L. 549.46).

The nature of the proposal is such that it does not merit further assessment through EIA studies, since the relatively basic issues and environmental conflicts identified in the screening (namely rural land uptake, intensification and proliferation of physical development and site formalization) cannot be adequately addressed through detailed EIA studies but needs to be addressed directly through the mainstream development consent mechanism.

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

The L-Inħawi tax-Xlendi u tal-Wied tal-Kantra – Special Area of Conservation (SAC) and Natura 2000 site (MT0000020) is relevant to the proposal.

In view of the above designation, this proposal has been screened in terms of Regulation 19 of S.L. 549.44. From the information available, the impacts emanating from the proposal do not pose a significant direct threat to the integrity of the Natura 2000 site and its effective conservation (refer to **Annex I**). In this regard, the proposal does not qualify for further Appropriate Assessment (AA) requirements in terms of the Flora, Fauna and Natural Habitats Protection Regulations, 2006 (S.L. 549.44).

ERA Conclusion and Recommended Way forward

Whilst the intensification of this development raises environmental concern, the ERA does not object to the construction of the reservoir which is deemed as contributing positively to the environment (refer to **Annex I**). However, the construction of the ancillary areas underground, which from an environmental point of view do not contribute beneficially to the environment are considered as contributors to adverse impacts and are therefore considered objectionable.

Without prejudice to the above, should the proposal be considered favourably by the Planning Authority against ERA's objection, environmental-related conditions and environmental permitting requirements may be applicable, and ERA would thus need to be re-consulted accordingly. However, such details are currently considered superfluous, in view of the overall concerns on the proposal.

Yours sincerely,

Ryan Busuttil

Environment Protection Officer
f/Director Environment & Resources