



Mr. Ivan Fava
Planning Authority
St. Francis Ravelin
Floriana, FRN 1230

15th October 2020

Dear Mr. Fava,

**Development Brief for the site of the ex-Jerma Palace Hotel, Marsascala (June 2020)
Consultation in terms of Regulation 4(6) of S.L. 549.61 (Strategic Environmental
Assessment Regulations)**

Reference is made to the Planning Authority's (PA) SEA screening consultation on the Development Brief for the site of the ex-Jerma Palace Hotel, Marsascala (June 2020), which the Environment and Resources Authority (ERA) received by email on 17th September 2020.

ERA has reviewed the information provided with this SEA screening consultation and considers that, strategically, the proposed Development Brief is unlikely to have a significant environmental impact as long as the environmental safeguards in the document are retained in the final approved Development Brief for the site. Depending on the nature, scale and context, proposed projects emerging from the Development Brief may also require further environmental assessment, including an Environmental Impact Assessment (EIA) screening procedure in terms of S.L. 549.46 (EIA Regulations 2017). Site-specific environmental issues will be assessed further at development application stage when more detailed information about the proposed projects is available.

ERA welcomes the statement that all future development and ancillary interventions at this site will be contained within the existing boundary of the ex-hotel in Zone A, as indicated in Policy Map 4 (see Figure 1), including junction improvements, service roads, access, car parking, etc., without resulting in the take-up of further undeveloped land and encroachment onto the natural rocky coast. Moreover, it is noted that the foreshore, indicated as Zone B (see Figure 1), which is designated in the South Malta Local Plan as an Area of Ecological Importance (AEI) and Site of Scientific Importance (SSI), is safeguarded and that uninterrupted public access to this zone is guaranteed. ERA reiterates that no development, ancillary interventions and facilities, including infrastructure, should encroach onto Zone B. It is important that suitable measures are put in place at development application stage so as to ensure there are no spill over effects from development, construction and infrastructural works onto Zone B.

The Development Brief highlights that buildings not exceeding 32m above the mean sea level may be considered, where such a development would rise to a height of 9m above St. Thomas Tower. ERA recommends that the layout and design of development at project-stage should

take into account the openness of the whole area, including the overall landscape and views between St. Thomas Tower and the sea, in order to minimize potential impacts on short and long-distance views.

Figure 1



ERA also welcomes positively the provisions for additional public open green spaces and proposed measures related to Green Infrastructure, including the implementation of suitable soft landscaping.

These considerations are important to ensure that potential environmental impacts resulting from future development at this site are reduced and mitigated as much as possible.

Other more detailed environmental considerations are highlighted in ERA's previous response on the draft Brief (Phase 2), dated 29th July 2020, which is included in Appendix 1.

Yours sincerely,

Perit Michelle Piccinino
Chief Executive Officer
Environment and Resources Authority

Appendix 1

ERA Feedback on the Development Brief of the ex-Jerma Palace Hotel Site, Marsascala (Phase 2)

July 2020

1. Introduction

The Environment and Resources Authority (ERA) welcomes the opportunity to comment on phase 2 of the proposed Development Brief for the site of the ex-Jerma Palace Hotel in Marsascala.

The comments provided below are being provided further to the comments provided by ERA during Phase 1, which are being reiterated.

These comments are provided without prejudice to ERA's review and comments on any eventual development projects that may emerge from the Development Brief, when more detailed environmental assessment will be required. Depending on their nature, scale and context, proposed projects may also require different types of environmental assessments or other related screenings, including Environmental Impact Assessments (EIA) or other screenings, as may be relevant.

2. Main environmental issues

The ex-Jerma Hotel site Development Brief designates the area in four distinct zones – A, B, C and D, as shown in Policy Map 4. ERA positively notes that the overall development density has been downscaled to a maximum of 65,000 sqm GDF and the zoning will include a mix of land uses, including tourism accommodation, residential and commercial. ERA notes and agrees with the statement that all future development will be contained within the existing boundary of Zone A - Developable Site Area (as per Policy Map 4). For clarification, ERA reiterates that the definition of development includes the entire width and extent of roads, junction improvements, service roads, access, pavements, car parking areas/spaces, footpaths, landscaping, vehicle manoeuvring areas and any other infrastructural requirements. Undue uptake of undeveloped land beyond the extents of Zone A should be avoided in order to minimize adverse environmental impacts on the foreshore and guarantee uninterrupted public access.

ERA agrees with the current provision in the proposed Development Brief, which states that no development beyond the extents of the ex-hotel in Zone A is allowed, in order to ensure that the environmental significance of the foreshore area indicated as Zone B, which is protected as an Area of Ecological Importance (AEI) and Site of Scientific Importance (SSI), is safeguarded. In this regard, it must also be ensured that public access to the foreshore in front of the ex-hotel site from both sides, is retained, (i.e. from the rest of the foreshore at the northern and southern parts).

The Development Brief is proposing that 'building not exceeding 32m above mean sea level may be considered, where such a development would rise to a height of 9m above St Thomas Tower.' ERA reiterates its recommendation that the design of buildings in this area should also take into account the openness of the whole area, in order to minimize potential visual impacts on short and long-distance views, including the openness of the natural coast. The main concerns associated with this proposal include the following:

- Impact on the coastal landscape, due to the dominant massing and height of the building which consequently will also end up dwarfing the important cultural landmark of St Thomas Tower;
- The over-intensification of development at this location may increase vehicular traffic flows in the immediate and surrounding areas, thereby increasing risks of environmental impacts associated with further road congestion and air pollution; and
- Consequential pressures for land uptake to eventually accommodate even further ancillary requirements for the operation of the development, such as additional car parking. In this regard, it needs to be ensured that the development is self-contained and does not entail additional demands on other land.

In this regard, ERA recommends that the proposed building height takes in consideration the local character and the overall landscape and views, including views between St Thomas Tower and the sea.

The site of Policy Map 4 also includes St. Thomas Tower and its immediate public open space, which are scheduled for cultural importance (as per Policy Map MS 4 and policy SMMS 13). The revised policy highlights that this public open space around the Tower is to continue extending from the glacis towards the foreshore as well as to the west of the site directly in front of the main entrance of the tower. ERA welcomes the provisions for additional public open green spaces due to their importance for conserving the predominantly open character of the area. It is also recommended that sufficient land within these open spaces be allocated for the implementation of suitable soft landscaping to improve local biodiversity.

ERA also positively notes the consideration to include Green Infrastructure and that measures are to be taken to encourage the use of indigenous soft landscaping. Such greening should not interfere with any of the indigenous species already present, including the maritime garrigue on the foreshore. No invasive alien species (IAS) should be planted, in line with the relevant legislation under the Environment Protection Act (Cap. 549), while existing IAS should be eradicated from the site. The species used should be suitable to the prevailing maritime conditions, whilst also using local stock, where possible.

3. Other detailed considerations

- Roads/pavements should incorporate facilities whereby all services and ancillary infrastructure (including water, electricity, sewerage, runoff management and telecommunications) are located underground without

overhead wiring, poles, above-ground pipework, off-street trenching, etc. The development brief should also take the opportunity to improve the current situation, through the replacement of any currently existing poles and overhead wiring with services laid in underground ducts.

- It should be ensured that the drainage systems, (including sewerage, and storm water pipes) and other related infrastructure, in the area of influence, is adequate to serve the additional demand of any proposed development, to prevent risks of sewer overflows, particularly during/after heavy rainfall.
- Urban runoff (e.g. from roads, car parks, hard-landscaped areas, etc.) should not be discharged directly/unmitigated onto any surrounding lands, including the coast and the sea. The use of sustainable urban drainage systems is recommended in order to collect and treat local surface water, attenuate water runoff and mitigate risks of localised flooding.
- The development shall not result in any intended or unintended discharge of surface water (other than clean overflow from runoff-collection reservoirs), wash waters, operational overflows, spillages, seepages or leakages from the development site into the ground or onto any surrounding lands or into the sea.
- ERA notes that infrastructure upgrades are required, including new high voltage cables and a number of substations, and upgrading of the wastewater Pumping Station. These, together with any other required infrastructure, should be factored into the advance planning of the scheme and integrated into the development, such that direct or indirect pressures for take-up of additional land for the installation or retrofitting of such facilities is avoided at source.
- The development should not be a source of light pollution, especially at night. To this effect, the following specifications shall be adhered to:
 - (i) lighting should be strictly limited to within the developed part of the site, and its height and orientation should be designed in a manner that does not cause illumination beyond the developed site;
 - (ii) there should be no lighting beyond the development zone boundary;
 - (iii) the exterior lighting fittings and their supports shall be installed on the inner side of any peripheral landscaping (i.e. not on the side abutting the natural coast), so as to be screened from the sea by means of landscaping itself;
 - (iv) exterior lighting installed on site should be horizontally aligned, downward-pointing, fully-shielded and full cut-off. Uplighters and/or high-level floodlighting should not be allowed;
 - (v) exterior lighting should be of low-intensity 'warm light' colour with a temperature not exceeding 3000K; and
 - (vi) where appropriate, intruder-triggered or motion-sensor lighting should be installed so as to avoid continuous nocturnal lighting.
- ERA recommends the preparation of a Waste Management Plan (WMP) for the project, in view of the large amounts of waste to be generated during demolition. Uncontaminated, inert material resulting from excavation, demolition and/or construction should ideally be re-used or recycled for the construction industry. Otherwise it should be transported in accordance with

the relevant waste management regulations and deposited at sites duly authorised by ERA to accept such waste, as deemed most appropriate in the light of the eventual project-level assessment.