

Comments received during the 30-day public consultation (from 12 March 2023 until 11 April 2023) on the Environmental Impact Assessment (EIA) Report and Appropriate Assessment (AA) Report for:

PA/07254/22 (EA/00002/22) - Proposed iconic Tourism Complex with a different layout from that approved in permission PA/2478/16. The proposed amendments comprise clusters of serviced apartments [789 in total] with dedicated amenities, 2 Class 3B Hotels [124 Room Hotel & 132 Room Hotel], Class 4A Offices, a Multi-purpose Hall, Class 4B and 4C Retail Shops, Class 4D Food and Beverage facilities and 3 Levels of Parking Spaces. The proposed overall massing ranges from a low lying Hotel of 4 levels beneath street level to 2 iconic towers of 27 and 34 levels respectively. Site at, Villa Rosa, Cresta Quay, Dolphin House, Moynihan House, Triq Santu Wistin, ix-Xatt ta' San Gorg and, Triq id-Drangunara, San Giljan.

Government entities

No	From	Comments
1	Civil Protection Department (CPD) – Email dated 13 March 2023	The proposal shall have the Fire safety strategy report covering all premises' s proposal and the access and facilities for the fire service. The applicant's entrusted fire safety engineer shall ensure and declare that premises, the fire and safety measures and provisions are adhering the standards approved by the CPD.
2	Environmental Health Directorate (EHD) – Email dated 10 April 2023	<p>The EHD is particularly concerned with the nature of this project. This is due to the fact that the Scheme falls within an Official Bathing sites B03 & B04 and the bathing water quality may be affected especially during the construction phase. Hence no works are to be carried out during the official bathing season i.e. 3rd week of May till the 4th week of October where such works can have adverse impacts on the bathing water quality.</p> <p><u>EHD Comments and recommendations:</u></p> <p><u>Construction Phase</u></p> <p>Should this proposal be accepted, the applicant is to adopt best practice methods together with good site practices and ensure compliance with Environmental Management Construction Site Regulations during the construction phase. Moreover, applicant is to implement all proposed mitigation measures so as to cause least nuisance and mitigate adverse air (from dust dispersal and emissions from vehicles and machinery), noise and vibration impacts on sensitive receptors in the Area of Influence and on the general public. Hence the importance of drawing up and implementation of a Construction Management Plan to ensure adherence to proper site management practices so as to address sea water, groundwater and surface water pollution, to mitigate other adverse construction impacts, including construction traffic impacts and to ensure safety measures. Monitoring of construction works is also highly recommended so as to ensure implementation of all necessary mitigation measures and adherence to work practices throughout all the phases of the project. The use of water sprays to maintain</p>

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		<p>dampness of the mineral can cause surface runoff on bathing area and thus this has to be mitigated. The creation of water aerosols from such activity should also be minimized as this may be of risk to employees and public in area and hence it is recommended that said water is treated with an appropriate biocide prior use. The trench that will be dig to act as silt trap, is to be leak proof and emptied at regularly intervals to prevent it from overflowing in the area of influence.</p> <p>The necessary mitigation measures are to be taken to prevent contamination of the water course passing through part of the scheme that may lead to the sea water. Moreover, installation of hoarding or any other similar mitigation measures in the area of construction of the Cresta Quay are to be placed to prevent that construction or any other anthropogenic material ends in the sea.</p> <p>Safe and proper handling of raw materials on site should also be ensured to reduce the risk of spillage that might lead to contamination of area of influence especially the official bathing area. Good practice and adequate preventive measures are to be taken for any accidental spillage of construction material and/or excavation waste, hazardous fluids, fuel and lubricants which are also to be well managed and adequately stored.</p> <p><u>Waste Management</u></p> <p>Waste management strategy should be adopted and implemented during the construction phases so that all generated waste streams will be contained, separated, and disposed of safely through the appropriate facilities and according to the necessary permits/licences. With regards to removal and disposal of any hazardous/ and non-hazardous waste, adherence to regulatory codes and procedures and due diligence is important in view of health and safety and any adverse impacts on nearby sensitive receptors.</p> <p>The proposed area for the segregated demolition waste storage as identified in Construction Management Plan, 03b, is to be moved as far as possible from the vicinity of the shore, to prevent that any waste ends in the official bathing area. Said waste is to be kept covered and removed at regularly intervals and the necessary mitigation measure are to be taken.</p> <p>Generated waste, cleaning chemicals, etc. from any temporary sanitary facilities for on-site workers should be properly disposed of.</p> <p>The necessary monitoring and mitigation measures are to be carried out so as to prevent any damages of the sewage pumping stations situated in the Area of Influence owned by third parties. It is important to note that if any damages in the pumping station occur, the owner of said pumping station and the Environmental Health Directorate are to be notified immediately to prevent the risk of a contamination of the official bathing waters. This is without prejudice to any possible further action.</p> <p><u>Air, Noise & Vibration Pollution</u></p>

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		<p>All necessary mitigation measures are to be implemented during the construction phase to reduce the level of air pollution. All mitigation measures to control dust must be carried out with to prevent that any runoff ends into the bathing area. Measures mentioned to ensure that surface run-off, water used for dust control, water used for wheel washing and general cleaning are to be adopted and maintained during construction and operational phase. It is also pertinent that during the operation of the scheme all proposed mitigation measures are strictly implemented to mitigate all environmental risks especially through underground, surface, and airborne pollution.</p> <p>All the necessary mitigation measures during the construction and operation phase of the project are to be implementing to prevent and/or reduce the level of noise and vibration pollution in the surrounding area.</p> <p><u>Traffic Pollution</u></p> <p>It is recommended that construction traffic follows established specific routes and adequate site management together with other measures such as storing or transporting of creed sand and other loose building materials in containers with suitable covers.</p> <p>Washing of wheels and other dust control measures are to be taken to mitigate adverse dust impacts and nuisances from heavy vehicles during transportation. All other mitigation measures which may be necessary to minimise nuisances and adverse health impacts from construction traffic are to be implemented.</p> <p><u>Fuel Storage</u></p> <p>Any fuel storage must be placed in a sealed and leak-proof container to minimise the risk of contamination through leakages into the underlying surface. The area where the chemicals and fuels will be stored should be sealed with geotextile material and covered with an impermeable layer of concrete.</p> <p><u>Operation Phase</u></p> <p><u>Pools</u></p> <p>Pools are to be registered with the Environmental Health Directorate as per Swimming Pools Regulations, 2005 (L.N. 129 of 2005) as amended by (LN 135 of 2008) and the operator is to abide with requirements mentioned in these regulations.</p>

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		<p>Discharge of water from pools, must not reach the street or sea water. Any anthropogenic materials, natural occurring growing material such as algae and any other waste in pools must not be discharged into the sea. The necessary discharge permits are to be obtained from the relevant authorities.</p> <p>The applicant must take the necessary preventive measures, so no water from the washing of decks, pool back wash, water of pre-swim showers and other equipment ends in the sea water.</p> <p><u>Restrooms</u></p> <p>Every restroom present on the premises should be supplied with a wash hand basin and adequate source of ventilation and light. The wash hand basin should be supplied with potable hot and cold water connected to a wastewater pipe that discharges on a gully trap situated in an open area and connected with regular drains. All drains are to be constructed and connected as per requirements of chapter 10, Code of Police Laws.</p> <p>Sump is to be made leak proof and is to be registered with the Superintendent of Public Health.</p> <p><u>Operational Waste</u></p> <p>The applicant is to make sure that the deck and area close to the sea, is kept clean as to prevent any dispersal of material at sea or surrounding area. No waste, chemicals, oils and fuels from the actives carried out during the operation phase should not leach in in the sea and surrounding area to not have an adverse impact. The necessary mitigation and monitoring measures are to be adopted and maintained. Any waste generated during the operation phase is to be disposed according to the local laws and regulations.</p> <p><u>Legionella</u></p> <p>A risk assessment manual as per LN 5 of 2006 Control of Legionella, amended by LN 262 of 2006 must be carried out prior operational phase starts based on ECDC Legionella Guidelines. It is being recommended that the applicant should discuss the plan for distribution of water systems of the proposed project and pool with the EHD at the initial stage of the project.</p> <p><u>Second class water</u></p>

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		<p>Rainwater collected must not be used for human consumption. Rainwater and/or second-class water must be treated with a biocide prior it is used for flushing apparatus, floor washing and/or topping the pools.</p> <p>Rainwater from or in the vicinity of parking areas, must pass through an oil-water separator prior it reaches the reservoir and/or street. Overflow of rainwater reservoir is not to be drained in the drainage system.</p> <p>The necessary mitigation measures are to be taken to prevent water runoff from irrigation of landscape. It is highly recommended that a drip irrigation system is used for landscaping to prevent the spread of aerosol and surface runoff.</p> <p><u>Bathing Area (St Gorg's Bay B03 & B04)</u></p> <p>During the construction phase, the necessary mitigation measures are to be adopted to prevent runoff water or any other construction material from ending up into the sea. The use of silt traps and any other techniques to prevent the dispersal of material at sea is necessary.</p> <p>No construction machinery and/or equipment is to be placed on the shore of the official bathing sites.</p> <p>Monitoring is to be maintained at all stages of the construction phase especially during the construction phase A of the Crest Quay since it is directly adjacent to the sea.</p> <p>If any works that might have an impact on the official bathing site and/or on the bathing water quality need to be carried out during this period, the applicant must inform the Environmental Health Directorate (EHD) by November of the preceding year prior commencement of works. This is necessary so that the European Commission could be notified, and the necessary arrangements carried out are to avoid an infringement with the local and EU regulations related to official bathing season. The applicant is to establish and maintain communication with the Water Regulatory and Auditing Unit (WRAU) within the EHD at all stages of the construction phase. Any changes to the Bathing Water Profiles: Profile 8 "IL-BAJJA TA' SAN GORG & IL-QALIET" published by the Environmental Health Directorate within the Superintendence of Public Health, is to be revised and updated at the expense of the applicant following completion of the proposed project.</p> <p><u>Light</u></p> <p>The necessary mitigation measures are to be adopted to avoid undesirable light pollution that may have an effect on the neighbouring environment.</p>


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		<p><u>Conclusion</u></p> <p>All proposed mitigation measures regarding adverse impacts arising from this development during the construction and operation phase are to be implemented by the applicant to mitigate any significant adverse health effects and nuisances on sensitive receptors in the Area of Influence and to the general public. The possible health effects of any residual impacts that cannot be mitigated and the overall cumulative impacts should also be taken into consideration.</p> <p>Consultation with the Health Certification Consultation Unit within the EHD regarding the operation of any food and beverage commercial facilities, is to be carried out prior opening.</p> <p>Moreover, any other unpredicted impacts and nuisances which may arise from this development and that may have a significant adverse effect on public health are to be immediately addressed by the applicant and the necessary mitigation measures taken.</p> <p>Complaints lodged by the public regarding any adverse impacts/nuisances should be immediately addressed by the applicant. All complaints lodged and actions taken are to be recorded and such records are to be readily available to the Competent Authorities when requested.</p> <p>A pollution incident control plan should also be in place. Records of all pollution incidents, especially regarding potential pollution of the surrounding environment, are also to be kept and reported to the respective authorities accordingly.</p> <p>Regarding any future plans for Scheme decommissioning, a full decommissioning plan should be prepared for approval by the relevant competent authorities.</p>
3	Superintendence of Cultural Heritage (SCH) – Email dated 10 April 2023	<p>Review of results identified in the Environment Impact Assessment</p> <p>The Superintendence has assessed the data gathered and compiled in the technical reports entitled Environmental Impact Assessment Report, Summary of Impacts, NonTechnical Summary, Appendix 05 02b Geology and Hydrology 2022, Appendix 05 03a Cultural Heritage EST 2014, Appendix 05 03d Cultural Heritage ASC Report 2022, Appendix 05 03e Cultural Heritage ASC Catalogue 2022 and B04 Appendix 04 Baselines & Photomontages</p> <p>Proposal</p> <p>The current EIA (EA/00002/22) covers a proposal that will amend the previously approved application PA/02478/16. This amended application involves large-scale development within the site of Villa Rosa and Cresta Quay, an area wherein several cultural heritage assets are located. The site is also partly situated within an Area of Ecological Importance (Wied Harq Hammiem GN 370/08).</p>

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		<p>Whilst the interventions on cultural heritage assets such as Villa Rosa (to be restored), Dolphin House and Moynihan House are set to remain as approved, the new proposed footprint extends well into the buffer zone of Ghar Harq Hammiem, proposing excavation and other interventions closer to the upper chamber of the scheduled cave system. Furthermore, the amended proposal includes several highrise buildings, which will increase massing significantly, impacting the perception of the area and the surrounding landscape.</p> <p>Report on Cultural Heritage</p> <p>The Superintendence notes that the ASC Report on Cultural Heritage 2022 within Appendix 5 EIA Consultants' Reports largely assesses the impact of the amended proposal on features already identified in earlier reports dating to 2014 submitted as part of the previous EIA. The 2022 report also includes a number of features not included in the previous studies.</p> <p>The full list of cultural heritage features identified within the three reports compiled to date are as follows:</p> <table border="1"> <thead> <tr> <th>Site Code</th> <th>Location</th> <th>Category</th> <th>Site Description (Address)</th> <th>Proposed or Actual Protection</th> </tr> </thead> <tbody> <tr> <td>Ref no. 1 (Samut-Tagliaferro 2014)</td> <td>Triq in-Nemes, San Gġjan</td> <td>Architecture</td> <td>Villa Rosa</td> <td>Grade 1 (GN755/95)</td> </tr> <tr> <td>Ref no. 2 (Samut-Tagliaferro 2014)</td> <td>Triq in-Nemes, San Gġjan</td> <td>Architecture</td> <td>Villa Rosa Gardens</td> <td>Proposed Grade 1</td> </tr> <tr> <td>Ref no. 3 (Samut-Tagliaferro 2014)</td> <td>Wied Harq Hammiem, San Gġjan</td> <td>Ecological</td> <td>Wied Harq Hammiem</td> <td>Proposed Level 4</td> </tr> <tr> <td>Ref no. 4 (Samut-Tagliaferro 2014)</td> <td>Wied Harq Hammiem, San Gġjan</td> <td>Ecological</td> <td>Wied Harq Hammiem Cave</td> <td>Proposed Level 1</td> </tr> <tr> <td>Ref no. 5 (Samut-Tagliaferro 2014)</td> <td>Wied Harq Hammiem, San Gġjan</td> <td>Archaeology</td> <td>Cart-Ruts</td> <td>Proposed Class B</td> </tr> <tr> <td>Ref no. 6 (Samut-Tagliaferro 2014)</td> <td>Wied Harq Hammiem, San Gġjan</td> <td>Archaeology</td> <td>Cart-Ruts</td> <td>Proposed Class B</td> </tr> <tr> <td>Ref no. 7 (Samut-Tagliaferro 2014)</td> <td>Wied Harq Hammiem, San Gġjan</td> <td>Vernacular</td> <td>Rubble Wall</td> <td>Proposed Grade 2</td> </tr> <tr> <td>Ref no. 8 (Samut-Tagliaferro 2014)</td> <td>Wied Harq Hammiem, San Gġjan</td> <td>Vernacular</td> <td>Field Rooms</td> <td>None</td> </tr> <tr> <td>Ref no. 9 (Samut-Tagliaferro 2014)</td> <td>Wied Harq Hammiem, San Gġjan</td> <td>Vernacular</td> <td>Masonry block/pathway</td> <td>Proposed Grade 3</td> </tr> <tr> <td>Ref no. 12 (Samut-Tagliaferro 2014)</td> <td>Bay Street Complex, San Gġjan</td> <td>Engineering</td> <td>Letterbox</td> <td>Grade 2 GN829/07</td> </tr> <tr> <td>Ref no. 13 (Samut-Tagliaferro 2014)</td> <td>Triq Santu Wistin, San Gġjan</td> <td>Architecture</td> <td>Convent of the Augustinian Friars and St Rita Chapel</td> <td>Grade 2 GN879/09</td> </tr> <tr> <td>BSG14/001</td> <td>Bajja ta' San Gorg, San Gġjan</td> <td>Vernacular</td> <td>Room</td> <td>Proposed Grade 2</td> </tr> <tr> <td>BSG14/002</td> <td>Bajja ta' San Gorg, San Gġjan</td> <td>Vernacular</td> <td>Room</td> <td>Proposed Grade 2</td> </tr> <tr> <td>BSG14/003</td> <td>Bajja ta' San Gorg, San Gġjan</td> <td>Military</td> <td>Knights' Period Entrenchment Wall</td> <td>Grade 2, GN 628/08</td> </tr> <tr> <td>BSG14/004</td> <td>Bajja ta' San Gorg, San Gġjan</td> <td>Rock-Cut</td> <td>Surface Quarrying</td> <td>Proposed Grade 3</td> </tr> <tr> <td>BSG14/005 (Ref no. 10 and 11; 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		<p>Villa Rosa and Gardens The study rightly identifies that Villa Rosa and its gardens are of significant cultural heritage value worthy of the highest level of protection. The Superintendence agrees with the report's conclusion that the villa and gardens may be affected by the excavation for the parking areas beneath the project and to the SW of the Villa. The Superintendence also agrees with the proposed mitigation measures presented in the report that Villa Rosa and its Gardens to be conserved, restored and maintained, with complete respect to the present features in the gardens. The Superintendence further recommends that an adequate buffer is implemented between the villa and the proposed excavation.</p> <p>Moynihan and Dolphin House The Superintendence notes that both the EIA Report and the ASC Report on Cultural Heritage 2022 state that the demolition of these structures was approved by PA 2478/16. While the Superintendence takes cognisance of the approved permit, these structures are undeniably of cultural heritage significance. The structures, as well as their proposed treatment, are therefore to be included in the current EIA.</p> <p>Ghar Harq Hamiem In the current proposal, the nearest excavation to Ghar Harq Hammien is proposed to be carried out at a distance of 15m from the upper chamber. As stated in the report on Geology and Hydrology Ghar Harq Hammien is sensitive to vibration. The Superintendence therefore agrees with the recommendation that a chainsaw cut will be made at the closest excavation line to introduce an air gap between the site to be excavated and the cave and also endorses the recommendation in the cultural heritage report that the cave is continuously monitored to avoid impacting its structural integrity.</p> <p>Knights' Period Entrenchment The Superintendence takes cognisance of the risk presented to this feature by the presence of heavy machinery, and excavation during the construction of the Cresta Quay Hotel and endorses the proposed creation of buffer zones in the design stage. The Superintendence also endorses the recommendation to monitor the structural integrity of these features before, during and after works which are to make use of machinery making the least vibrations possible.</p> <p>The Guardroom on the northern part of Moynihan House As noted in the report on cultural heritage, this will be the only part of Moynihan House that will be retained and as such it should be protected during the demolition phase of Moynihan House, through monitoring and the manoeuvring of machinery away from this structure as much as possible. The Superintendence endorses this recommendation.</p> <p>Visual Impact</p>

No	From	Comments
		<p>The Superintendence notes that the EIA concludes that in view of the nature and scale of the development, the visual impact is bound to be high. The Superintendence agrees with this aspect of the conclusion, noting in particular the impact on Villa Rosa. As outlined in the Report on Cultural Heritage the present skyline, with Villa Rosa located on a hill and dominating the bay will be severely impacted.</p> <p>This impact is most significant from viewpoints 9, 11,13 and 14 where views of Villa Rosa would be substantially altered and in fact obscured completely in viewpoints 13 and 14. While the discussion rightly considers the impact to high, the Superintendence notes with concern that no mitigation measures were included in the EIA. Rather, the report concluded that since the impact is largely related to the area’s designation as a business hub and will be cumulative with other developments, no specific mitigation is contemplated with regard to this development.</p> <p>The Superintendence further notes the statement within the section entitled Iconic Tourist Complex Summary of Impacts that states that the blocking of and intrusion into views are not considerations which need to be given regard to by decision makers when development applications are determined. The Superintendence questions this assertion, noting in fact that specific planning polices exist with the intention of safeguarding the context of scheduled properties.</p> <p>The Superintendence also draws attention to the proposed mitigation measures included within the ASC Report on Cultural Heritage 2022 which contemplated a redesign of the project, that may include the reduction of floors and footprint, to minimise the visual impact on the general cultural heritage and Villa Rosa and its gardens in particular. The Superintendence agrees with this and recommends that the EIA is updated to include appropriate mitigations measures.</p> <p>The Superintendence further notes, as is made clear throughout the EIA, that the current proposal is not a completely new project, rather a redesign of the previously approved application PA/02478/16. The Superintendence therefore recommends that the EIA is amended to include a comparison of the visual impact of the previously approved and currently proposed developments.</p> <p>Conclusion and Recommendations</p> <p>The Superintendence notes that the study includes a relatively detailed section on cultural heritage which incorporates most of the features identified by the Superintendence in its Terms of Reference as well as other features identified during the course of the study. Nevertheless, this section is to be updated to include a detailed section on Moynihan and Dolphin House, notwithstanding their previously approved demolition.</p> <p>The Superintendence notes and agrees with the assessment of the possible impact and proposed mitigation measures relating to Ghar Harq Hamiem, the Knights’ Period Entrenchment, Guardroom and other cultural heritage assets</p>

No	From	Comments
		<p>Notwithstanding, Superintendence once again notes that despite this forming part of the Terms of Reference, the EIA has not proposed appropriate mitigation measures to lessen impact on the visual value of the environs. As acknowledged in the Visual Impact Assessment, the proposed development will have an extremely high visual impact, redefining views of the general cultural landscape and Villa Rosa in particular. The Superintendence considers the lack of mitigation measures a major omission and recommends that the EIA is revised to fully investigate measures that reduce the impact on significant cultural heritage assets. A comparison of the visual impact of the previously approved and currently proposed developments is also required for the adequate assessment of the current proposal.</p>
4	<p>The Energy and Water Agency (EWA) – Email dated 11 April 2023</p>	<p>The following are comments for The Energy and Water Agency divided by considerations which relate to specifically and solely to energy and water management.</p> <p>Water:</p> <ul style="list-style-type: none"> • Clarification: <p>This review is limited to issues related to:</p> <ul style="list-style-type: none"> .Protection of Groundwater Resources, in line with the requirements of the EU Water Framework Directive, transposed into Maltese Legislation by S.L.549.100 Water Policy Framework Regulations, .Water Conservation Measures, and .Energy Efficiency and Renewable Energy related to the competence of the Energy and Water Agency. <p>With reference to Report 02b Geology and Hydrology 2022, it is noted that the site is located at the coastal fringes of the Malta Mean Sea Level Aquifer system and therefore potential impacts arising from the proposed development on groundwater qualitative and quantitative status are expected to be marginal. However, as outlined in the report, the site is in the immediate vicinity of the partly submerged cave of Harq Hamiem which can be considered as a groundwater dependent ecosystem in its own right. This is further evidenced from the water quality data presented in page 49 of the report which indicates that the water present in the cave is influenced by coastal groundwater flow in the Malta Mean Sea Level Aquifer system.</p> <p>In line with Article 1 of the EU Water Framework Directive, which states that "The purpose of this Directive is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater which: (a) prevents further deterioration and protects and enhances the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands directly depending on the aquatic ecosystems;" the protection of this groundwater dependent ecosystem should therefore be given consideration in the Environmental Impact Assessment.</p> <p>In this regard it is noted that the report does not go into sufficient detail on the assessment of the structural integrity of the Harq Hamiem Cave and the impact which this cave system may sustain due to vibrations arising from excavation activities undertaken in close proximity to</p>

No	From	Comments
		<p>it. The statement on page 37 of the report which states that "However, the cave is sensitive to vibrations. Although the cave lies 15m away from the nearest site that is going to be excavated, it is recommended that a chainsaw cut will be made at the closest excavation line to introduce an air gap between the site to be excavated and the cave.", is not deemed to provide a sufficient assurance that excavations will not eventually prove to be detrimental to the structural integrity of the cave.</p> <p>It is therefore recommended that a separate and specific report on the impact of the excavations on the structural integrity of the Harq Hamiem cave be required, which report would also outline the mitigation measures to be taken to ensure that any excavations undertaken as part of the proposed project do not undermine the structural integrity of the cave. This report is to be endorsed by a warranted professional, who would be required to take professional responsibility during the works to ensure that the eventual undertaking of the works follows the recommended mitigation measures, and continually assess the effectiveness of the mitigation measures.</p> <p>This recommendation in being made in view of the highly fractured nature of the submerged cave walls, as evidenced from available footage, such as from the following link: https://maltadives.com/sites/harghamiemcave/en</p>  <p>Figure: Fractured nature of the submerged cave wall (Source: www.maltadives.com)</p>

No	From	Comments
		<p>Reference is also made to Report 01a Ecology Terrestrial, which report fails to refer to the ecology of the Harq Hamiem Cave system. It is noted that the report "Localities with Conservation Value in the Maltese Islands" - Schembri P.J. et al 1987 refers to Ghar Harq Hamiem and notes "containing a large freshwater pool, the largest subterranean freshwater habitat in the Maltese islands; the rare ant <i>Paratrechina longicornis</i> is known from the entrance to this cave while the staphylinid beetle <i>Sepedophilus marshami</i> is only known from the cave proper." The Harq Hamiem cave is also reported to be "home to a rare albino shrimp, unlikely to be seen elsewhere in local waters", source Malta Tourism Authority (https://www.visitmalta.com/en/attraction/Harg-il-Hammiem-Cave/). The existence this albino shrimp is reported also in other sources such https://maltadives.com/sites/harqhamiemcave/en.</p> <p>It is recommended that Report 01a Ecology Terrestrial is revised to take into consideration the above references to terrestrial and aquatic ecology within the Harq Hamiem Cave, confirming or otherwise the existence of the above quoted species. The existence of the albino shrimp is of specific importance since this would qualify the cave system for additional protection under the EU Water Framework Directive.</p> <p>The outcomes of the revision to the Report 01a Ecology Terrestrial would then better inform the identification of mitigation measures under Report 02b Geology and Hydrology 2022, in particular in relation to the risk of contamination of the freshwater in Harq Hamiem cave during the development and subsequent operational phase of the project.</p> <p>From a water management perspective, reference is made to Report 04d Water Utility Supply Services and Report 04f Water Conservation Report, where it is noted that both reports fail to refer to the opportunities for integrating Non Conventional Water Resources beyond rainwater harvesting (as noted below). It is recommended that opportunities for the integration of on-site sea-water desalination plants and/or greywater (wastewater) treatment plants which could address the water demand generated by the development in a more sustainable manner compared to mains water supply and/or the sourcing of water from private water suppliers are considered.</p> <p>On the other hand, whilst commending the references to the adoption of rainwater harvesting structures within the design, it is noted that the actual sizing of such infrastructures is legally regulated by the Buildings and Construction Authority. Reference - https://bca.org.mt/files/technical-document-F-part-1.pdf It is recommended that the sizing of such structures abides with the directions provided under Technical Guidance Document F.</p> <p>Energy: With regards Section 6 of the EIA Appendix 2(04b) Energy Saving and Environment Friendly Measures Document Section 6 related to LPG for Commercial Cooking, we suggest that the project owners also consider the option of using electric cooking appliances rather than LPG, this being a fossil fuel.</p>

Local Councils

No	From	Comments
1	Swieqi Local Council – Email dated 28 March 2023	<p>The Swieqi Local Council wishes to submit the following:</p> <p><u>1. The Council feels strongly that an EIA which deals with the project in question in isolation, without reference to the development context of the area in which it is located, is meaningless.</u></p> <p>This is not a sole project in the middle of an undeveloped field, but is part of an area in which various significant similar projects have been built or have been granted Planning permission, and the cumulative effect of these projects will have a critical consequence on any consideration of the effects on the natural and physical environment and on the quality of life of residents and users of the surroundings.</p> <p>Of particular importance is the circa 18,200 square metres site right next to the site in question, the former ITS site, on which PA 3807/17 has granted a permit for the construction of a 386 room hotel, 179 residences, office space, a shopping mall, and various restaurants and various other activities. A considerable number of other commercial developments exist, or have been permitted by the Planning Authority, in the immediate vicinity of the site, as will be discussed in 4. below. It is incredible that the EIA has ignored these developments, and their collective effect on the various factors considered by the same EIA, in particular the vehicular traffic generated during construction and operation of these developments.</p> <p>The Council advises that the EIA should be sent back to the drawing board in order to consider the cumulative effect on what must be one of the most densely occupied commercial patches of land in Europe.</p> <p><u>2. The Council feels that the EIA is very weak in not formulating clear and strong, and obvious, conclusions from the 532 page document plus Appendices, which would offer guidance and recommendations to the Planners regarding the pros, and mainly cons, of the proposed development.</u></p> <p>These conclusions emerge from statements made in the EIA itself, but which are lost in the voluminous text, and include:</p> <p>1.1.1.2 “The towers frame Palazzo Villa Rosa and its garden”, yet this is only true of the view from the entrance to St George’s Bay to the NE, as has been demonstrated in later photomontages in the same EIA and in 4.3.3.2 which notes the blocking of vistas from specific viewpoints as an adverse impact;</p> <p>1.2.1.2 The proposed Villa Rosa development dominates St George’s Bay;</p>

No	From	Comments
		<p>1.2.2.2 The minimum number of inbound / outbound concrete mixer trips is expected to be 23,200 (over a construction period of 100 months as deduced in 1.2.3.1) – that is an average of 232 per month;</p> <p>1.2.3.10 The maximum number of trips needed to remove the anticipated 215,000 cubic metre volume of excavated material is expected to be between 32,000 and 43,000, over an excavation and demolition period of 14 months as predicted in 1.2.3.1 – that is an average of between 2300 and 3070 trips per month;</p> <p>1.2.4A (Appendix 02 file 03b) Construction vehicles are to travel to / from the site through ix-Xatt ta’ San Gorg and Triq id-Dragnara (seriously affecting existing commercial activities);</p> <p>Figure 133 {Paceville Policy Map PV1} shows that the mouth (bottom end) of Wied Harq Hammiem (an SAC of national importance as stated in 3.1.2.7) does not all lie within the Villa Rosa development zone, yet the proposed development occupies its entire width, representing ODZ development;</p> <p>3.1.2.17 Policy HHCV03 states that no urban development is to be allowed on the undeveloped part of the Cresta Quay site, which the developer intends to occupy;</p> <p>4.1.1.11 and 4.1.1.13 Adverse impacts (level of significance from “moderate” to “high” will be experienced (dust, noise, HV traffic) during the works (over 5 years) (the residential and commercial areas of Swieqi, St Julians and Pembroke which would be affected have not been projected);</p> <p>4.1.1.14 The level of adverse impacts (anti-social behaviour of people patronising entertainment facilities, heavy vehicle traffic, congestion on roads, competition for on-street parking, noise, pollution and safety issues) during eventual operation of the project will have a level of significance from “moderate” to “high” (the residential and commercial areas of Swieqi, St Julians and Pembroke which would be affected have not been projected);</p> <p>4.1.1.19 and 4.1.7.3 Pressures for the conversion of existing low-rise developments into apartment blocks for employee rental purposes will increase; Summary of Impacts page 5 further states that the attraction of expatriate workers during the operation of the project will motivate property owners to demand increases in allowable height limitations; the adverse effects of this scenario on the quality of life of residents in Swieqi, St Julians and Pembroke has not been analysed;</p> <p>4.3.6.2 onwards – adverse effects on users of Triq ix-Xatt ta’San Gorg and particularly of the Blue Flag public beach itself caused by shadowing (December, March, June, September in particular) and by wind turbulence. It is clear that further information is required</p>

No	From	Comments
		<p>with regard to points raised in 4.1.1.11, 4.1.1.13, 4.1.1.14, 4.1.1.19, 4.1.7.3 and 4.3.6.2 onwards, which needs to be established and reported if the EIA is to serve as a credible guidance document to Planners.</p> <p>3. <u>Unclear, sometimes gratuitous, statements made in parts of the EIA need to be justified or verified if they are to be accepted as Planning tools.</u></p> <p>Examples include:</p> <p>1.1.1.1 “Reduction of auto dependency by co-locating multiple destinations” is an incomprehensible statement; and the statement in 4.2.2 that “the report estimates that 55% of the generated trips would be by private cars and 45% split between coaches, mini-buses, taxis, carpooling and public transport” requires verification.</p> <p>1.1.2.5 The Malta Tourism Strategy 2021 – 2030 states that one of the aims of the tourism sector should be to “retrench by considering downsizing tourist numbers and focusing on better quality”; the EIA fails to consider how the proposal fits into the stated Government aim, particularly with regard to the dense tourist accommodation context of the location.</p> <p>2.1.2 This paragraph states that the EIA coordinator has reason to assume that the NHLP and the SPED were formulated after studying alternatives for the type of land uses permitted, and alternative locations where they can be located; that is acceptable, but should the EIA not question the scale and density of tourist development which were envisaged in these documents?</p> <p>2.2.2 The developer and the Water Services Corporation have agreed that both grey and black water (from 512 hotel beds, 789 serviced apartments, 16,000 square metres of offices, retail and food / beverage outlets and meeting rooms) would be discharged into the sewerage network – the feasibility of this statement has not been questioned or verified;</p> <p>4.3.3.2 “While blocking of vistas from specific viewpoints can be considered an adverse impact, it is to be noted that there is no legal obligation for these to be protected”. This statement should be qualified by the EIA; it negates the very essence of Planning, which is there to protect and enhance the good qualities of urban design, and not to service developers. There is no place for such statements in an EIA.</p> <p>Summary of Impacts: Landscape and Visual Amenity of the two sites (page 7): The statement that there will be beneficial effects for the owner of the sites is manifest, but the statement that the effects will be adverse for residents “who may be concerned” about the impact on the quality of the landscape, views from their properties, and the value of their properties which will be affected by intrusion into their views needs to be expanded upon; the EIA should not be written to describe benefits to the developer, but rather the effects on the ordinary public.</p>

No	From	Comments
		<p>4. <u>The effect on vehicular traffic which will be caused by the development, with ancillary effects on the well-being of residents and users of surrounding areas, has not been sufficiently analysed and addressed in the EIA.</u></p> <p>It is not known whether a Traffic Impact Assessment will be carried out on this project, however at this stage the following points, which have been only superficially considered in the EIA, should be addressed:</p> <p>This development cannot be considered in isolation, but within the context of existing, approved or planned commercial developments in the general area which will have grave consequences on the quality of life within the location; this point has been made above, however assumes immense importance when it comes to vehicular traffic.</p> <p>Transport Malta, as consultees during the Planning process which approved these developments, have systematically refrained from giving an opinion or recommendation, the standard submission to the Planning Directorate being "...Transport Malta ... is not in a position to provide a clearance at this stage, since it requires a clear indication of the cumulative transport impacts of all similar proposed developments in the area" (PA 10598/17 et al). In our opinion TM and / or the PA have repeatedly abdicated their duty of protecting this locality from unhealthy traffic impacts, and the resultant street chaos is a direct result of this attitude.</p> <p>Tourist related developments which have been approved, or are in the process of being approved, in the immediate vicinity of the site in question include:</p> <p>PA 2923/95: Hotel (Corinthia San Gorg), Xatt ta' San Gorg PA 2923/95: Hotel (Marina Corinthia), Xatt ta' San Gorg PA 5147/00: Hotel (Bay Street), Bay Street / Triq Santu Wistin PA 5070/02: Hotel (Intercontinental), Triq Santu Wistin PA 6492/16: Hotel, Sqaq Lourdes PA 1291/17: Hotel (Hotel Bernard), Triq San Gorg / Triq San Wistin PA 3807/17: Hotel etc. (dB Development), Xatt ta' San Gorg PA 3692/18: Guesthouse in Sqaq Lourdes PA 664/20: Hotel, Triq Santu Wistin PA 1435/20: Hotel (part Eden Cinemas), Triq Santu Wistin PA 6097/20: Hotel etc (PX Tower), Triq Santu Wistin / Triq Elia Zammit PA 4414/21: Guesthouse, Sqaq Lourdes</p>

No	From	Comments
		<p>PA 7099/21: Hotel, Triq Santu Wistin PA 2278/22: Hotel, Sqaq Lourdes PA 10598/22: Hotel (Hyatt Regency) in Sqaq Lourdes / Triq Santu Wistin.</p> <p>The cumulative effect of traffic generated by the above developments (hotel guests, dining / bar patrons, delivery vehicles, coaches), added to that generated by the planned Villa Rosa development, has never been established by Transport Malta or any other entity, and certainly not by the EIA in question. This represents a grave failure in the assessment of any further developments in this area, which probably contains the densest concentration of hotels and commercial outlets on an inadequate road network in the world.</p> <p>The following questions have similarly not been considered by the EIA: Vehicular entrance and exit points to the development are concentrated at the junction between Triq Santu Wistin and ix-Xatt ta' San Gorg. While there may not be a problem with this, the fact remains that all the traffic to and from the development will either</p> <ul style="list-style-type: none"> (a) Affect the traffic lights junction on Triq Sant'Andrija, at the top of Triq Elija Zammit, after or before having negotiated the S bend at the top of Triq Santu Wistin, or (b) Affect the traffic lights junction on Triq Sant' Andrija at the top of Triq ilProfs Walter Ganado, or (c) Affect the traffic lights junction on Triq San Gorg at the top of Triq Ross (Portomaso exit). <p>In all these cases, traffic will add to the traffic jams and frequent gridlock at these junctions, and it is expected that a proper Traffic Study will prove that these junctions simply cannot take any additional load which might be produced by the project.</p> <p>And in the worst case scenario, traffic will avoid these junctions and filtrate through the residential areas of Swieqi, like Sqaq Lourdes and Triq Villa Rosa, to reach the arterial road. This has not been considered in the EIA.</p> <p>The same considerations apply to transport of construction materials, which 1.2.4a states will travel along ix-Xatt ta' San Gorg and Triq Dragonara. Only to end up at the junction described above, in an important tourist area of St Julians. This has not been commented upon by the EIA.</p> <p>In all eventualities, the noise, vibrations and dust generated by traffic both during the construction and the operation phases of the project will negatively affect residents and commercial establishments in Swieqi, St Julians and Pembroke; it is not honest to state in 5.1.1.22 that heavy vehicles will "by pass residential zones". The fact is that residents in these areas will be living in hell during the 5 year construction period, and also during the operation of the project due to factors listed in 4.1.1.14, and the EIA fails to establish in real terms the gravity of this phenomenon or to propose how these residents are to be compensated for this damage.</p>

No	From	Comments
		<p>Similarly, residents will be deprived of the peaceful use of the beach at St George’s Bay, certainly for the 5 construction years and also during the use of the project because of factors discussed above. Again, the EIA fails to propose how these residents are to be compensated for this.</p> <p>5. <u>Finally, the Environmental aspects of the proposed “public piazza” need to be analysed by the EIA.</u></p> <p>The EIA fails to give details of the tree species which exist in the area to be occupied by the piazza, particularly in section 3.5.3 (“Terrestrial Ecology”). Figure 201 shows a few green dots in this area which represent “mixed plantation”, however aerial photographs as well as photographs included in the EIA document itself show a significant number of mature trees, of species and ages which are not given, which do not quite tally with Figure 201.</p> <p>Comparison between say photograph 410 and photograph 411, or between photograph 417 and 418, show clearly that what at the moment appears to be an area with significant tree cover will be obliterated and replaced by a number of hard surfaced levels with a few token plants.</p> <p>Similar comments apply to the area at the mouth of Wied Harq Hammiem which is proposed to be developed. The Council feels that any existing mature trees should be recorded and their uprooting to make place for what appears to be a proposed uninteresting urban space, or by a proposed building illegally placed in an ODZ valley, discouraged or resisted.</p>
2	St. Julians Local Council – Email dated 10 April 2023	<p>The Local Council comments on these reports are as follows:</p> <p>1. Background Information</p> <p>The 'Villa Rosa' Project is a mixed-use development covering a site area of approximately 50,000m² with a total floor area of 237,316m² which is located at St. Georges Bay, St. Julians and incorporates Villa Rosa and its gardens, Dolphin House, Moynihan House and Cresta Quay. When compared to the previous proposal on site through PA/02478/16, the total floor area increase from 140,994m² to 237,316m², or an increase of 68% from the original total floor area.</p> <p>The site is part of Wied Mejxu and Wied Harq Hammiem, which is designated as a Special Area of Conservation of National Importance, Area of Ecological Importance and Site of Scientific Importance. This apart from the fact that the marine environment of St. Georges Bay is designated as an SAC of International Importance and a Site of Community Importance.</p>

No	From	Comments
		<p>An EIA had already been carried out for the previous proposal on site, that is PA/02478/16, with various concerns identified especially with regards to massing and scale, the disturbance of the natural valley towards Wied Harq Hammiem, uprooting of various trees on site, the increase of traffic and vibrations during the construction stage and the demolition of Maynihan House.</p> <p>The proposed mixed-use development involves extensive and additional excavations which are likely to effect negatively the ecology of the valley apart from the fact that such excavations may effect adversely the stability and integrity of the existing cave system. This apart from the fact that this proposal includes several high-rise buildings, one being 34 storeys high and another 27 storeys high. Consequently, the proposal is going to result in a significant increase in massing, apart from significant underground interventions which are going to have an adverse impact on the protected valley. Moreover, the significant increase in massing and height are going to impact negatively the visual amenity of the area apart from the increase in traffic generation both during the construction phase and also during operation.</p> <p>2. Piecemeal Approach</p> <p>In view of similar large projects surrounding the proposal in question, it is advisable that the EIA prepared for the current proposal will be revised so that instead of taking into account the proposed project in isolation, the EIA should take into account similar significant large projects surrounding it. This mainly in view of the proposed project to be undertaken on the site of the former Institute of Tourism Studies apart from various other commercial activities (amongst them the development of about fifteen hotels in the area). especially when taking into consideration traffic generation both during the construction phase of the project and especially during the operational stage.</p> <p>3. Traffic Generation</p> <p>As stated in the EIA and as per submitted drawings contained in PA//07254/22, the proposal will consist of 24,251m² of Office Space which is earmarked to hold 1,652 employee, two hotels of 256 bedrooms and 789 apartments. Consequently, apart from residents and guests, the proposal is going to deploy 2,259 employees. This apart from the significant amount of non-residents visiting the F&B, wellness facilities and the various commercial outlets.</p> <p>Parking facilities on site to cater for the number of employees / residents / non-residents will consist of an underground parking containing only 1,357 parking spaces. In view that the number of persons visiting the amenities contained in the proposal by far exceeds the proposed parking spaces on site, such situation arising is going to increase parking problems in the locality of St. Julians and in the surrounding localities.</p>

No	From	Comments
		<p>Moreover, the intensification of tourism related activities, office space, commercial outlets and residential units are going to significantly increase traffic generation in St. Julians area thus increasing noise pollution and air pollution. Consequently, it must be ensured that the number of parking spaces to be provided on site will cater for the number of employees/residents/non-residents generated through the proposed development.</p> <p>This is another reason that the EIA prepared for this proposal shall be revised so that instead of considering the proposed project in isolation, the EIA should consider similar significant large projects surrounding it, mainly the development of various other hotels in the surrounding area. This in view that such situation arising is going to effect negatively the well-being of residents living in St. Julians, Swieqi, Pembroke, Sliema, etc. May I point out that statements in the EIA that the reduction of auto-dependency is going to be obtained by co-locating multiple destinations without having a holistic plan for an effective transportation network in Paceville and the surrounding localities are frivolous.</p> <p>Consequently, a holistic plan for an effective transportation network inclusive of the re- design of exiting traffic junctions and the provision of new traffic junctions, pedestrian throughfares, routes for alternative transport to the private car, bicycle lanes, dedicated lanes for public transport, etc. should be planed before this permit application and others similar to it are even considered.</p> <p>4. Deterioration of Road Infrastructure</p> <p>Another factor which is going to affect negatively the well-being of the residents living in the localities in the vicinity of the proposed project is the traffic generation during the construction phase, which will result in excessive vibrations, noise pollution and air pollution through exhaust generated from heavy vehicles and dust, which is earmarked to take at least five years to be completed.</p> <p>Moreover, residents of localities in the vicinity of the proposed development are also going to be affected negatively in view of lack of parking facilities, heavy traffic jams, traffic diversions, etc.</p> <p>Consequently, a more detailed traffic management scheme to be adopted during the construction phase of the project must be submitted at this early stage of the proposal for due consideration by all effected parties to ensure minimal inconvenience. This apart from mitigation measures to minimize air pollution due to dust and exhaust from heavy vehicles entering and existing the site of work.</p> <p>As stated in the EIA itself, it is being expected that during the construction phase of the project there are going to be about 60 concrete mixer trips per week and 770 trips of heavy vehicles per week to cart away excavated material. This apart from the heavy vibrations generated during excavation works.</p>

No	From	Comments
		<p>In view of the above, the roads leading to and from the site are going to undergo significant wear and tear due to frequent use by heavy vehicles which, together with underground infrastructure, would need to be reconstructed and renewed after the completion of the project. In addition, regular maintenance works must be undertaken until completion of the works so as not to render these roads unrideable and dangerous during the whole duration of the construction phase.</p> <p>It is worth mentioning that although the EIA is stating that construction vehicles are going to travel to and from the site through St. Georges Bay Road and Dragonara Road, there are various other roads not only in St. Julians, but in other localities, which are going to be negatively effected by such heavy traffic during the construction stage. Therefore, all such roads need to be clearly identified in the EIA and mitigation measures proposed.</p> <p>5. Buried Infrastructure Networks</p> <p>The EIA lacks a detailed study of the expected buried infrastructure requirements and how such requirements will be met. Due to the proposed high-density development, together with other similar projects in the pipeline, a serious comprehensive study of potable water network, main sewer network and electricity network covering the whole area of Paceville must be undertaken so that the existing networks will not be overstretched in the near future. Such services must be passed through purposely build services ducts to reduce the probability of digging up the roads in case of any faults in the future.</p> <p>In addition, a surface water run-off culvert system must be introduced, and surface water run-off collected to be used as second class water.</p> <p>6. Identification of Tree Species</p> <p>The EIA also lacks a detailed survey of all tree species with corresponding location present on site, detail of species, age, etc. to determine which trees can be uprooted, which trees than can be safely re-planted, protected trees, etc.</p> <p>With the omission of such data from the EIA, one cannot assess properly the impact that such large scale development will have on the environment and natural habitat.</p> <p>7. Blocking of Vistas</p>

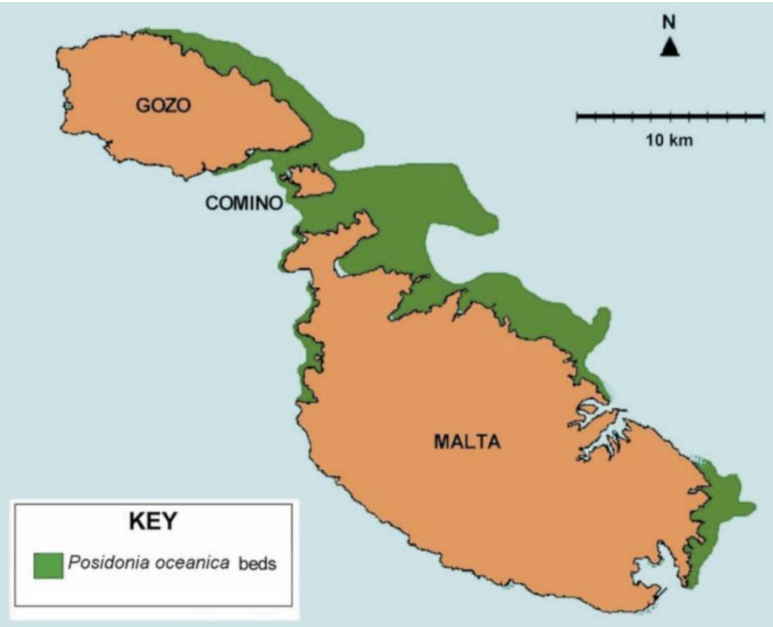
No	From	Comments
		<p>Although the EIA clearly states that vistas are going to be blocked from certain viewpoints, instead of condemning blocking of vistas, the EIA tries to justify such situation arising.</p> <p>It is worth mentioning that vistas are there for the enjoyment of all and not of the selected few and consequently steps must be undertaken to ensure that vistas are not obstructed by such large-scale development. This also in view that the density of the proposed development increased significantly from that approved in the previous planning application.</p> <p>8. Conclusion</p> <p>In view of the above, St. Julians Local Council reiterates its position that in view of similar large projects surrounding the proposal in question, it is advisable that the EIA prepared for the current proposal will be revised so that instead of taking into account the proposed project in isolation, the EIA should cover the whole area of.</p>

NGOs

No	From	Comments
1	Moviment Graffiti – Email dated 12 March 2023	I am registering my interest and that of Moviment Graffiti in this EIA Report.
2	Malta Organic Agricultural Movement (MOAM) – Email dated 15 March 2023	On behalf of MOAM we would like to object to the project as this would belittle the green lungs of the zone.
3	BirdLife Malta – Email dated 10 April 2023	BirdLife Malta has analysed the EIA and AA reports presented for public consultation in relation to the PA 07254/22 which is proposing an iconic Tourism Complex with a different layout from that approved under PA 02478/16. This development has a major footprint and is to uptake a large portion of undeveloped land (at least 1/3 of the site is at the moment undeveloped or natural land according to the EIA report) whilst being located in the coastal area and falling close to/ even overlapping the Natura 2000 sites. The project is of such a scale and nature that it is expected to have such a massive impact on the surrounding natural environment and human receptors that it is likely that there can be no measures sufficient enough to fully mitigate the impact. Nevertheless, the EIA exercise is to define such impacts in detail and suggest best ways to avoid and mitigate them.

No	From	Comments
		<p>The EIA Report presented for public consultation gives the impression of being weak, the analysis of impacts is not comprehensive and the mitigation measures suggested are not strong or proportionate. When assessing the probability of impact, the consultants sometimes play the card of not having enough information on the extent of construction works at different stages of development which is not acceptable at this level of impact prediction and assessment. A number of mitigation measures refer to SPED or other policies thus reverting the responsibility from the developer onto other actors. Below are just a few examples of the aforementioned issues drawn from the summary of impacts table.</p> <p><i>Land and sea uses</i></p> <ul style="list-style-type: none"> • Detrimental impact on neighbouring land and sea because of nuisances. Such impact is assessed as moderate to high with proposed mitigation measures including “implementation of competent construction management practices involving measures which minimise dust emissions”. It is rarely the case when dust emissions are kept to a minimum during construction works given the wind, nature of construction material, limited mitigation practices available and their cost. Given the duration of works (5 years), such an impact is likely to be high. • The economic spill-over effect included in the EIA under this section is not relevant and does not do any justice for the impacts that will be sustained. • No strong mitigation measures for traffic impacts are proposed, rather only references to national policies. • Shadowing is not addressed sufficiently in the EIA and no actual mitigation is proposed, even though in its concluding part, the AA report does mention a highly negative impact from shadowing onto the Natura 2000 site. The issue of shadowing is of major concern given the protected status of the valley; habitats can suffer and get depleted with the change in natural lighting conditions during the day. The stated “low residual impact” is a doubtful statement. • Wind microclimate changes due to presence of high towers on site is considered to have low residual impact too, which cannot be the case, considering the scale of the development. <p><i>Landscape and visual assessment</i></p> <ul style="list-style-type: none"> • The impact from the changes to landscape and visual amenity is characterised as “Beneficial from the perspective of the owner of the two Sites and other receptors who consider developments of the type under consideration important for the development of Paceville as a business district. Adverse from the perspective of sensitive receptors”. Such a conclusion is extremely subjective and frames the wrong impression. Mitigation measures proposed comprise solely a “good architectural and quality landscape design”. In such a case, the architectural and landscape design for the development should have been assessed to draw valid conclusions whether those are enough to mitigate the impact.

No	From	Comments
		<ul style="list-style-type: none"> • Statement “The blocking of and intrusion into views are not considerations which need to be given regard to by decision makers when development applications are determined”, which is used repeatedly, demonstrates the negligence of impacts on landscape and visual amenity. Such statements should not be used to one’s advantage ignoring common sense, opinion of the local council and public. <p><i>Geology and geomorphology</i></p> <ul style="list-style-type: none"> • Impacts on geological and morphological features are evaluated as moderate and high accordingly. Yet not a single efficient mitigation measure is proposed. Given the extreme mass of the proposed buildings and their enormous footprint, it is unacceptable to approve the development which would undoubtedly lead to extensive trampling and soil compaction which in turn increases soil susceptibility to erosion from rainfall and water ran-off. Such impacts are not assessed competently. • The mitigation measures proposed in relation to “modifications to existing geomorphological features, namely Ghar Haraq Hammiem and rocky surface in Cresta Quay” are poor and cover only the construction period. Given the weight of the proposed structures, it is likely that the impact on the integrity of the cave can become evident in the long term, and would be of a permanent nature causing irreparable damage. <p><i>Hydrogeology and hydrology</i></p>

No	From	Comments
		<ul style="list-style-type: none"> The impacts on marine water bodies arising from turbidity and leakages (including pesticides and other contaminants) are evaluated as low. The Marine SAC next to the development hosts <i>Posidonia oceanica</i> meadows which are quite sensitive to negative environmental changes. Stronger mitigation measures are required to avoid adverse effects on the marine ecosystems.  <p>Figure 1. <i>Posidonia oceanica</i> distribution around the Maltese Islands. Source: https://pdfs.semanticscholar.org/eb7c/a4d2d110072f10025a9f6f4719c14f3e8da3.pdf</p> <ul style="list-style-type: none"> Assessment of impact on watercourse and consequent hydrogeological features is limited. <p><i>Ecology</i></p> <ul style="list-style-type: none"> All ecological impacts, including due to leakage and spillage, pollution from particulate matter, light pollution, vibrations and noise, proliferation of ruderal species, etc are assessed as of low (sometimes low to moderate) significance. Mitigation measures proposed are not sufficient and will barely help to avoid the impact. Impacts on ecological features arising from shadowing are not scrutinised.

No	From	Comments
		<ul style="list-style-type: none"> Impact on the integrity of the protected valley system is not assessed in depth. <p><i>Air quality</i></p> <ul style="list-style-type: none"> Assessment of impacts on ambient air quality is not sufficient (especially given cumulative effect of other construction activities in the area), while the mitigation measures proposed (such as the use of newly manufactured vehicles) are not realistic. <p>Clearly, the project will have a significant adverse impact on the environment (especially the protected valley and cave system), and yet it is not obvious from the EIA report, although the conclusion of the AA report does give some indications of possible habitat degradation as a result of the development operation, however still not highlighting it enough. Generally, the EIA report is not explicit and lacking focus on a number of environmental risks associated with the project, it belittles the environmental impacts and does not propose any sufficient, strong and realistic set of mitigation measures to at least minimise environmental damage to be caused by such a gigantic development encroaching onto Natura 2000 sites. Additionally, the EIA is lacking the evaluation of cumulative effects, taking into account the number of development applications approved and submitted in proximity to the targeted site. Despite a number of green initiatives included in the project, this development is not sustainable and the negative consequences for the surrounding natural environment are unacceptably high. Therefore, the conclusions of the EIA should be reconsidered following the revision of the reports accordingly.</p>

Members of the public

No	From	Comments
1	[Member of the public] - Email dated 12 March 2023	I am registering my interest and that of Moviment Graffiti in this EIA Report. (ERA note: same correspondence as row 1 of NGO's comments above)