

Environment Resources Authority (ERA)
Report on Environmental Planning Statement (EPS) – October 2017

PA02767/16: REDEVELOPMENT OF EXISTING DERELICT HOTEL, INCLUDING ENVIRONMENTALLY FRIENDLY MEASURES AND PROVISION OF PUBLIC ANCILLARY FACILITIES.

SITE AT, DELIMARA HOTEL, TRIQ DELIMARA, MARSAXLOKK, MALTA

1. INTRODUCTION

1.1 General background

The proposal for the above-captioned development required the submission of an Environmental Planning Statement (EPS) in accordance with the Environmental Impact Assessment Regulations, 2007 (S.L. 549.46), specifically Schedule IA, Category II, Section 3.3.2.2 (ii) (*Construction of and extension to hotel, holiday village, hostel or tourist facility being outside the development zone with: (ii) a gross floor area of more 2000 sqm*).

The former Environmental Protection Directorate (EPD) had noted that the proposal would expand the existing structures both vertically and laterally, resulting in additional soil sealing and take-up of undeveloped rural land. In addition, the proposal would induce over-development of the site and intensification of physical development in a highly sensitive environment, including significant adverse impacts on the scenic qualities and amenity of the rural/coastal location. Furthermore the proposal would result in take-up of coastal area that goes beyond the delineated site boundary, and adverse impacts on the natural resources of the area. Despite the fact that the EPD had highlighted that the proposal is of significant environmental concern and therefore unacceptable in principle from an environmental point of view, the applicant requested to proceed with an Environmental Impact Assessment. The Environmental Planning Statement (EPS) for the above-captioned development was thus undertaken at the applicant's initiative, and without prejudice to the in-principle objection from an environmental point of view. The EPS was coordinated by Ms. Krista Farrugia and Ms. Rachel Xuereb on behalf of Adi Associates Ltd.

1.2 Description of the site and proposed development

PA 02767/16 is an application for the redevelopment of the former Delimara Hotel located at Triq Delimara, Marsaxlokk within il-Kalanka it-Tawwalija into an 'ecological boutique hotel' comprising 13 luxury suites, 3 superior deluxe suites and 1 presidential suite. The proposed amenities associated with the hotel will include a lounge, bar and restaurant, gym, spa and outdoor pool. The project also includes the development of beach facilities (for public use), proposed to be excavated at the base of the cliff side on the coast at Il-Kalanka it-Tawwalija, including public toilets and showers, a first aid room, storage room and waste separation facilities. These beach facilities, with a width of approximately 10.5 m and depth of 12 m, will be connected to the hotel by means of an underground tunnel of approximately 50 m long and 1.8 m wide. As a result of this there will be a breach in the cliff face by an opening of approximately 1.8 m wide and 2 m high. According to the face-value impression gathered from the proposal as submitted, a thin layer of the cliff face will remain to mask the beach facilities. Nonetheless, ERA has concerns that the retention of such thin layer of the cliff face is unlikely to be realistic, particularly when considering the geotechnical limitations and erosional characteristics of the rock face in question, which (as also indicated in the EPS) is weak and shows

flaking in the exposed layers. Therefore the breaching of the cliff face is expected to impact a larger surface of the cliff face than is being indicated in the proposal and in the EPS.

The proposed development is sited at the edge of the cliffs on the Delimara Peninsula, overlooking the scenic bay known as Il-Kalanka t-Tawwalija. The site and its surroundings are located within a scheduled Level 2 Area of Ecological Importance (AEI) and a scheduled Area of High Landscape Value (AHLV), both issued through Govt Notice 400 of 1996 for the purpose of protecting the area from development pressures. Additional protective constraints are provided by the Marsaxlokk Bay Local Plan, specifically through Policy ME01 which identifies environmentally-sensitive areas to be safeguarded and Policy MD01 which designates Delimara and its natural coasts as a National Park.

In terms of historical development, the current dilapidated building was built in the 1950s as a small hotel (Delimara Bay Hotel), and, another wing and an additional floor were built later. Eventually, the hotel was converted into a bar and restaurant, which remained open until 1985; this was then abandoned and has since been in a state of disuse and is currently in disrepair. The site covers an area of approximately 3,646 m² that includes a building, landscaped areas and concrete terraces. The current building footprint covers an area of approximately 343 m², while the landscaped area and concrete terraces have an area of approximately 707 m². The proposal being assessed would have the building footprint increased from 343 m² to 561 m², with the concrete terracing to the west of the building being replaced with landscaping. However, the intensification of the site is not limited solely to the increase in building footprint, as the vertical extent of the development will be increased by a top floor and a basement level. Furthermore, additional excavations are proposed to accommodate a cesspit, underground water reservoirs, and an outdoor swimming pool, as well as ancillary development such as a tunnel and beach facilities.

2. EIA CONSULTATIONS

2.1 EIA Scoping

During the scoping stage, the Project Description Statement (PDS) was circulated to the following consultees and made available for a 21-day public consultation period between 25th May 2016 and 15th June 2016:

- Marsaxlokk Local Council;
- Environmental Health Directorate;
- Malta Tourism Authority (MTA);
- Ministry for Sustainable Development, the Environment and Climate Change (MSDEC);
- Regulator for Energy and Water Services;
- Superintendence of Cultural Heritage;
- Transport Malta; and
- Environmental NGOs: Din l-Art Hejwa, Kummissjoni Ambjent, Birdlife Malta, Nature Trust Malta, Ramblers Association of Malta, Flimkien għal Ambjent Aħjar, Friends of the Earth Malta, Żminijietna, Fondazzjoni Wirt Artna, GAIA Foundation, Light Pollution Awareness Group, Moviment Graffiti, Malta Organic and Agriculture Movement, Malta Water Association, Youth for the Environment, Biological Conservation Research Foundation, Malta Bat Group, Tigne and Qui-Si-Sana Residents Association, Hallet Court/ San Roque Owners Association.

The PDS was also circulated for internal review within the ERA.

Within the stipulated consultation period, comments were received from Transport Malta (e-mail dated 26th May 2016), Ramblers' Association of Malta (e-mail dated 26th May 2016), the Regulator for Energy and Water Services (e-mail dated 30th May 2016), Environmental Health Directorate (e-mail

dated 3rd June 2016), Nature Trust Malta (e-mail dated 13th June 2016), Marsaxlokk Local Council (e-mail dated 14th June 2016), Front Harsien ODZ (e-mail dated 14 June 2016), Din l-Art Ħelwa (e-mail dated 15th June 2016), Friends of the Earth (e-mail dated 16th June 2016), BirdLife Malta (e-mail dated 21st June 2016), and members of the public (e-mail dated 6th, 14th, 18th, 22nd, 24th, 25th and 26th June 2016). These are summarised in Appendix I to this report.

The final Terms of Reference were issued on 20th July 2016.

2.2 EIA Review

The draft EPS was submitted to the ERA on the 26th January 2017 and was circulated for review to the same consultees during the scoping stage (see Para 2.1 above). The EPS was also circulated for internal review within the ERA.

Within the stipulated consultation period, comments were received from the Malta Resources Authority (e-mail dated 27th January 2017), Transport Malta (e-mail dated 27th January 2017), the Regulator for Energy and Water Services (e-mail dated 14th February 2017), Environmental Health Directorate (e-mail dated 22nd February 2017), Birdlife Malta (e-mail dated 27th February 2017), and Nature Trust Malta (e-mail dated 27th February 2017).

Comments made by the ERA and its consultees during the review stage were forwarded to the EIA Coordinator, the developer and the architect on the 7th March 2017. These comments were addressed by the EIA Coordinator and responses are included in Appendix II to this report.

2.3 EIA Certification

The EPS was certified on the 15th June 2017 and was published for a 21 day consultation period, with a deadline for submissions being the 13th July 2017. Within the stipulated consultation period, comments were received from GRTU Malta Chamber of SMEs (e-mail dated 27th June 2017), Malta Hotels & Restaurants Association (e-mail dated 12th July 2017), Birdlife Malta (e-mail dated 12th July 2017), and members of the public (e-mails dated 22th, 23th, 24th and 28th June 2017, 5th, 7th, 10th, 11th, 12th and 13th July 2017). Late submissions were received from Nature Trust Malta (e-mail dated 14th July 2017) and a member of the public (e-mail dated 14th July 2017). These comments were addressed by the EIA Coordinator and responses are included in Appendix III to this report.

3. ASSESSMENT OF ALTERNATIVES

The EPS includes three alternative designs, as proposed by the applicant, which were discarded at an early stage of the design process. The current proposal was deemed preferable by the developer, based on visual and aesthetic values only. No assessment was done by the consultants in order to assess the environmental impacts of the proposed alternative designs. ERA has raised concerns that the proposed design alternatives are clear non-starters that do not add any value to the assessment given the nature of their design, such that they are only token alternatives to the current proposal which in itself is of concern from an environmental point of view.

The EPS makes reference to the omission of the proposed underground tunnel and beach facilities to mitigate certain environmental impacts; however this was not reflected in the developer's proposal, despite the findings of the EPS which highlights that the omission would at least minimise certain significant negative impacts on the geo-environment. The only other alternative considered by the developer is the use of the site as a dwelling.

The EPS did consider the 'zero option' (do-nothing scenario), which envisages that the dilapidated structure would remain and slowly continue to deteriorate. The EPS also argues that the removal of the structure and the continued use of the site for rural activities would enhance the environmental outcomes.

4. EIA FINDINGS

The summary of the characteristics of the site, assessment of impacts, mitigation measures and residual impacts identified in the EPS are as follows:

4.1 Geo-environment and hydrogeology

The area of influence for the geology, geomorphology, hydrology, and hydrogeology extends beyond the site boundary as illustrated in Figures 5.1 and 5.2 of the EIA Coordinated Assessment. The proposal is located on a tilted block formation, of which the exposed rock formations consist in Upper and Middle Globigerina Limestone. The site itself is located on Upper Globigerina Limestone and 40m from a minor fault, exposing Quaternary deposits. The rock is a weak limestone but not fractured and forms low cliffs. However, block detachment can occur due to natural erosion by wave action and weathering, as has in fact occurred nearby along the coastline where the remains of former overhangs ('visors') have collapsed into sea a few years ago.

Adjacent to the site is the existing cliff line, exposing a 12 m high Upper Globigerina Limestone formation, which shows some flaking in the exposed clayey limestone. Even though this flaking per se is not expected to significantly impact the cliff stability, a *major* negative significant impact is envisaged on the stability of the cliff face, given the proximity of the excavation to the cliff face and the proposed breaching of the cliff face by the excavation of the underground tunnel leading to the beach and the ancillary facilities. The introduction of the above-ground building and excavation of the underground levels and structures, such as the lift shaft and swimming pool, are expected to impose an additional negative significant impact on the stability of the site of the proposed development, which the EPS regards as *minor*. The omission of the tunnel and beach facilities are being identified in the EPS as a mitigation measure to decrease the impacts on the cliff stability and on the geomorphological features; however this does not reflect the intentions of the developer as indicated in the latest plans. Therefore a *major* negative residual impact is envisaged from the rock cutting on the change in geomorphological features and on the stability of the cliff side

Excavation of the site to accommodate the proposal will also generate approximately 2,708 m³ of rock waste, introducing a *major* negative impact from the extraction of mineral resources. The use of the excavated material as infill material is proposed solely as a measure to mitigate the impacts of the extraction of mineral resource, as the clayey and marly nature of the limestone beds limit the suitability to be used for building stone extraction. Given the limited re-use potential, the residual impact remains *major*.

With regard to surface impact, the site itself has already been disturbed by past construction activities, however this was limited to minor groundfloor-level developmental changes and landscaping, and did not involve significant excavations. There is still soil remaining on site, originating from the Xagħra Soil Series.

No watercourses and aquifers were found in the area close to the site, given the narrow shape of the peninsula. The only hydrological feature in the area is the small surface catchment that pours into Il-Kalanka t-Tawwalija. Therefore *no* significant impacts on hydrogeological features and ground water quality are envisaged. Given the proposed collection of rain and surface water run-off coming from upstream of the site of the proposal, which currently flows directly into the bay, a *minor* positive impact is envisaged. Water run-off during excavation will drain to one area of the excavation for settlement (silt traps) before collection by vacuum pumps for disposal, to mitigate any potential impacts on the quality of groundwater. The introduction of the building, swimming pool, terraces and hard landscaping will make additional parts of the site impermeable for water percolation. During operations, rainwater and surface water collected from the hard structures on site and from the road adjacent to the site will be collected and stored in a system of underground reservoirs for re-use in the

permeable landscaped area on site. Therefore the net residual impact on the surface water and run-off patterns is expected to be of *no* significance.

4.2 Ecology

On site, the vegetation is mostly characterised by alien species, typical of disturbed habitats and past landscaping. Two *Phoenix dactylifera* (Date Palm) specimens and four *Tamarix africana* (African Tamarisk) specimens are present, which are listed in Schedule II of the Trees and Woodlands Protection Regulations (S.L. 549.64) and protected given their occurrence outside the development zone (ODZ).

Within the area of influence, the following five different habitats types were recorded during the ecological baseline surveys:

- i. Hyblaeo-Maltese sea-cliff communities and vegetated sea cliffs with endemic *Limonium* species (Habitat type 1240, Schedule I of the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44));
- ii. Maltese *rdum* communities and calcareous rocky slopes with chasmophytic vegetation (Habitat type 8210, Schedule I of the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44));
- iii. Sea-cliff and rocky shore aerohaline communities with a combination of vegetated sea cliffs of the Mediterranean coasts with endemic *Limonium* species and Mediterranean and thermo-Atlantic halophilous scrubs (Habitat types 1240/1420, Schedule I of the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44));
- iv. Ermes steppe community; and
- v. Unmanaged woodland dominated by a mixture of native and alien tree species.

Other species of conservation significance recorded within the area of influence during the dry-season survey include *Olea europaea* (Olive), *Phoenix dactylifera* (Date Palm) and *Tamarix africana* (African Tamarisk), listed in Schedule II of the Trees and Woodlands Protection Regulations (L.N. 200 of 2011). *Limonium melitense* (Maltese Sea Lavender), *Urginea panceration* (Sea Squill) and *Capparis orientalis* (Caper Bush), as listed in Schedule III, VIII and VIIIb, respectively, of the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44), were also present. The wet-season survey confirmed all species recorded during the dry-season survey, with the addition of following species of conservation interest: *Anthemis urvilleanea* (Maltese Sea Chamomile), and *Euphorbia exigua* (Maltese Dwarf Spurge), as listed in Schedule X of the aforementioned regulations (S.L. 549.44). With regards to fauna on site and within the area of influence, a specimen of *Chamaeleo chamaeleon* (European Chamaeleon) and various specimens of *Podarcis filfolensis* (Maltese Wall Lizard) were recorded, listed in Schedule V of the aforementioned regulations (S.L. 549.44).

The proper implementation of a Construction Management Plan (CMP), monitoring of works and cordoning off important habitats to prevent overspill are proposed to mitigate potential ecological impacts during the construction processes. As stated in the EPS, no residual impact is expected from the removal of alien species on site. Given the low ecological value of the vegetation on site and the absence of protected habitats, no significant loss of habitats on site is envisaged. However, given the presence of protected habitats within the area of influence, the construction processes are envisaged to have a minor residual impact on the integrity of the protected habitat type 1240/1420, except for habitat 1240 downwind of the prevailing winds for which the residual impact is stated to be not significant.

During the operational phase, the proper implementation of mitigation measures, including the clear marking of pathways and signage, and education of guests to avoid sensitive habitats, are proposed as mitigation measures. Given that an increase in footfall in the area from the introduction of the proposed development is expected, the residual impact on the present fauna within the area of

influence is expected to be of minor negative significance. The disturbance and damage to habitats and wildlife within the area of influence is expected to be of minor significance as well, as stated in the EPS. Given that the proposed landscaping is ecologically compatible with the surroundings, the EPS concludes that the potential escape of species used in the landscaping on site is expected to be of *minor* negative significance.

4.3 Cultural Heritage

There is the potential for the discovery or disturbance of archaeological remains during the site's excavation. Such impacts are of *uncertain* significance and given that archaeological monitoring during construction will mitigate any potential impacts, the residual impact remains not significant. Given the distance from the proposal to Fort Delimara and Delimara Lighthouse, and the nature and scale of the development, *no* significant impact is envisaged from the introduction of the proposed development. There are no identified cultural heritage features on site, with the exception of existing rubble walls. The impact from the construction of the proposal on the potential loss or damage to the vernacular features on site is therefore expected to be *not* significant, as it is envisaged to retain the rubble walls. The good implementation of the Construction Management Plan (CMP) will be used to mitigate any potential damages during construction, and therefore the residual impact remains not significant.

4.4 Landscape and Visual Amenity

The proposed development is located within a scheduled Level 2 Area of Ecological Importance (AEI) and a scheduled Area of High Landscape Value (AHLV) issued through Govt Notice 400 of 1996, as included in Policy ME01 of the Marsaxlokk Bay Local Plan, as well as within an area proposed to be designated as National Park (Policy MD01, Marsaxlokk Bay Local Plan). The Delimara Peninsula is mainly rural, with no major settlements in the area, and is defined by small scenic coves (known locally as 'kalanki') and elevated cliff ridges which allow long-distance views. Il-Kalanka t-Tawwalija is the largest and the best developed of these coves. Other features in the area include salt pans along the coast, Fort Delimara, the old lighthouse and the Delimara Power Station. The views of the eastern coast are uncluttered and provide a sense of openness and isolation. The immediate surroundings are mainly characterised by natural bedrock and vegetation representative of coastal and cliff communities.

The EPS assessed the likely impacts of the proposal on landscape and visual amenity from five and three viewpoints, respectively. Impacts for each of the viewpoints were assessed through photomontages included in the EPS and the following significant impacts were noted:

Viewpoint	Location	Landscape	
		Impact	Significance
2	Delimara Peninsula Character Area LLT: Rural / natural area	<i>Adverse</i>	<i>Major</i>
3	Delimara Peninsula Character Area LLT: Coastal area	<i>Adverse</i>	<i>Major</i>
Viewpoint	Location	Visual Amenity	
		Impact	Significance
1	Delimara Point (looking north-eastwards)	<i>Adverse</i>	<i>Major</i>
2	Delimara Point (looking south-eastwards)	<i>Adverse</i>	<i>Minor</i>
3	Delimara Point (looking westwards)	<i>Adverse</i>	<i>Major</i>

The greatest impact on the landscape is envisaged from Viewpoints 2 and 3 of the landscape assessment, representing the rural, natural and coastal area of the Delimara Peninsula, where the proposed development is expected to alter the landscape characteristics significantly. Other viewpoints, representing the Delimara Power Station and Marsaxlokk harbour and settlement were deemed to be largely irrelevant such that they would only serve to dilute the assessment vis-a-vis salient viewpoints within the area of influence of the proposal.

It was noted that the proposed development would dominate the views in question, including the approaches to the site, as the proposed building rises higher and wider than the previous structure, and creates a visual obstruction to the surrounding natural landscape. In this regard, a *major* impact is expected on the visual amenity from Viewpoints 1 and 3, with a *minor* impact being felt at Viewpoint 2 given its higher location than the site of the proposal.

The EPS concluded that the proposed landscaping will not sufficiently mitigate the visual aspects, as the proposed vegetation does not screen the proposed development from Viewpoints 1 and 2, and only partially from Viewpoint 3. No additional measures are being proposed to mitigate the impacts on landscape features and visual amenity. In addition, it is questionable whether the landscaping would satisfactorily reach the size as shown in the photomontages of the visual assessment, and in such a manner that does not in itself stand out as an extraneous feature, given the exposed conditions of the coastal environment and the consequent low-profile nature of the native coastal vegetation. The relatively large modern building remains noticeable in the landscape and dominates the views. Therefore the highlighted potential impacts retain their significance level as residual, and the proposed development would significantly conflict with the predominantly natural character of the immediate surroundings of the site.

Furthermore, ERA notes that the proposal also includes additional uses and facilities (e.g. gymnasium, swimming pool, spa) that would be more in keeping with an urban setting, and are completely out of place in such rural location which to date still retains a more or less remote feel despite its popularity and notwithstanding the changes brought about in nearby areas as a result of the power station development. Together with the visual intrusion into the natural landscape (as above) and the introduction of operational noise and light (see next section), this also renders the proposal alien to the site context in which it is being proposed, thereby contributing to the holistic denaturation of the overall rural character and natural ambience of the coastal landscape.

4.5 Noise and Light pollution

Construction noise impacts were assessed in the EPS with reference to the nearest residential properties, and were identified as ranging from *moderate* to *major* significance, depending on the phase of the construction. In this regard, the EPS states that the noise impacts on the recreational users of the area are expected to be of *major* significance throughout all construction works. However, given that the timing of construction works excludes the summer season, the implementation of a Construction Management Plan (CMP) and noise monitoring, the residual impact on both the nearest residential properties and on the recreational users of the area could be reduced to *minor* to *moderate* negative significant. During the operational phase, depending on the volume of amplified music playing, the impact on the same receptors (i.e. nearest residential properties) could be of *no* significance to *major* significance. Depending on the effectiveness of mitigation measures such as the adherence to regulations for amplified music outdoors and limiting the loudness of the latter, a residual impact could remain ranging from no significance to potentially minor or moderately negative significance.

With regard to these conclusions, ERA is concerned that during the ancillary operational activities, the EPS largely limits its evaluation to disturbance of the nearest residential properties. Noting that the site is located within a predominantly natural coast and well away from established residential areas, this is not considered adequately representative of the site environment as the introduction of light, noise and other disturbance into a night-time quiet area would still be of environmental concern.

During the operational phase, the proposed development is also expected to introduce light trespass, which (according to the EPS) would have potentially *minor* significant impacts on the fauna (invertebrates and nocturnal mammals) present on site and in the surrounding rural area. A lighting plan and building management system, which include minimisation of exterior lighting and use of full-

cut-off light types, are proposed to mitigate the measures. However, given the absence of significant light sources in the area, the residual impact remains.

4.6 Environmental Risk and effects on Human Populations resulting from impacts on the environment

Standard mitigation measures during the construction phase will be applied in accordance with the Environmental Management Construction Site Regulations (S.L. 552.09), thus reducing any potential impacts originating during the site clearing, excavation and construction works. Given the *major* significant residual impact on the stability of the cliff face by the introduction of the development and excavation of the underground tunnel and beach facilities, as stated in the EPS, ERA still has unresolved concerns on the arising risk of rock detachments due to the reduction in cliff stability, with consequent implications in terms of irreversible defacement of the site. Furthermore, the introduction of development and ancillary operations into an area that is naturally prone to erosional and geotechnical stability issues is also expected to result in longer-term conflicts with the environmental dynamics of the site and consequent demand for high-impact engineering interventions (e.g. rock-face stabilisation) that would exert further impact on the site.

4.7 Other details

4.7.1 Air Quality

Given the temporary nature of dust emissions (local suspended particles and PM₁₀) during the construction processes and the implementation of dust control measures, no impacts of dust deposition on the environment are envisaged. An annual average daily traffic (AADT) of 131 vehicles is estimated to be generated by the project, and therefore the proposal will *not* result in a significant increase in vehicle emissions (PM₁₀ and NO₂).

4.7.2 Waste

The proposal will generate c. 4,019 m³ of demolition and excavation waste. Due to the clay content of the excavation material, there is limited potential for re-use on or off-site, with the exception of the potential use as in-fill material. Therefore the demolition and excavation material will primarily be waste, to be discarded in approved facilities. This aspect has already been assessed above, in the section on geo-environmental impact.

Operational waste to be generated by the proposed development will comprise primarily municipal waste. In addition to sewage and foul water, packaging waste and kitchen waste, including waste oils, will be generated as well. These wastes will be separated and disposed of by licensed waste contractors.

4.7.3 Infrastructure and Utilities

The site of the proposed development is already connected to the existing electricity and mains water utility networks. However, no sewerage infrastructure or adequate arrangements for storm/surface water are currently available on site. It is not envisaged by the developer to connect the site to the sewerage network, and instead an engineered cesspit will be installed. Reservoirs will be constructed to collect rain and surface water, from roofs and elsewhere within the site, and from the road and parking adjacent to and uphill of the site. No significant impacts are envisaged under normal operating conditions.

4.7.4 Public Access

The proposed development includes the construction of beach facilities, including publicly accessible toilets, showers, a first aid room, a beach equipment store and waste separation facilities. The bay is

accessed from a set of stairs that runs adjacent to the site of the proposed development and will remain publicly accessible. However, the wider implications of the proposed direct access to the rocky coast via a tunnel passing through the development site are not fully clear and are expected to result in some degree of modification to the predominantly informal use of the site by the public.

4.7.5 Climate Change

Given the use of energy-efficient machinery, lighting and air conditioning, along with renewable sources (photovoltaic panels, geothermal heating system) of energy, the overall greenhouse emissions will be reduced, and an annual surplus energy of 21,951 kWh is envisaged to be generated. Therefore, *no* impacts on climate change are identified by the EPS.

5. ENVIRONMENT RESOURCES AUTHORITY COMMENTS AND CONCLUSIONS

The proposal seeks to introduce a sizeable urban development beyond the development zone boundary, in a sensitive coastal area which so far has retained a relative secluded and natural feel. ERA acknowledges that the site per se is already partly occupied by a dilapidated building, however the proposal would result in a significant expansion compared to the existing structures (in terms of height, lateral extent, underground excavation and scale of operations). The resulting development, including the new building and its ancillary structures, is considered visually intrusive and would dominate the scenic cove of Il-Kalanka t-Tawwalija, significantly impacting its still-prevalent natural character. Additional significant impacts are also expected as a result of the introduction of:

- New environmental disturbances typically associated with the operation of such commercial establishments, such as noise and light pollution; and
- Competition with informal use of the site by the public.

As proposed, the proposal would also result in the additional take-up of coastal area that goes beyond the delineated site boundary, for the construction of the proposed underground tunnel and ancillary beach facilities on the natural rocky coast.

The EPS itself (which was commissioned despite the former EPD's upfront guidance that the development was inherently incompatible with its environmental setting) has predicted a number of potential impacts on the environment as a result of the proposed development. Whilst the EPS proposes mitigation measures to minimize these impacts, it still identifies significant residual impacts that are likely to be present after all mitigation measures have been exhausted, such as:

- Generation of 2,708 m³ of mineral excavation waste (*major significance*);
- Alteration to geomorphology features and cliff stability by the breaching of the cliff face and excavation of the tunnel and beach facilities (*major significance*);
- Alteration to the stability of the site of the proposed development, by the excavation works (*minor significance*);
- Disturbance or damage to protected habitats of conservation significance, both during the construction and operational phases (*minor significance*); and
- Localised impacts on the surrounding predominantly natural landscape and visual amenity from certain viewpoints by the massing of the development (*major significance*).

In view of the specific site context, the range and nature of residual impacts emerging from the EPS are of additional concern. In particular, the project would have major adverse impacts in terms of physical damage to the site and to the stability of the cliff face. Since the cliff is also one of the key geomorphological features that characterise the area, major adverse impacts in terms of permanent scarring of the coastal landscape and its scenery are envisaged. Additional conflicts with the landscape character and with the site's natural visual amenity are also expected as a result of the design and positioning of the development, through the imposition of a sizeable built development that would intrusively dominate the scenic natural cove known as Il-Kalanka t-Tawwalija.

In the ERA's opinion, due to the physical characteristics of the site and its proneness to erosional and geotechnical issues, the likely impacts and implications on the cliff face stability are expected to be much more significant than what may initially be perceived at face value from the submitted drawings, and would irreversibly alter the highly sensitive coastal cliffs, permanently scar the coastal landscape, and impose potentially severe environmental risks. In this regard, ERA contends that the plans provide an understated indication of the actual environmental damage likely to ensue from the proposed development, both in the short term and in the longer term.

The project is also expected to introduce additional adverse impacts on the protected habitats of conservation value within the area of influence, albeit these are expected to be of lesser significance. With regard to ancillary operational activities (and their associated implications such as light and noise generation), the EPS largely limits its evaluation to disturbance of the nearest residential properties. Noting that the site is located within a predominantly natural coast and well away from established residential areas, this is not considered adequately representative of the site environment as the introduction of light, noise and other disturbance into a night-time quiet area would still be of environmental concern.

In this regard, it is to be noted that the area is currently protected as a scheduled area (Govt Notice 400 of 1996), on two distinct counts: (i) as an Area of High Landscape Value (AHLV); and (ii) as an Area of Ecological Importance (AEI, level 2). Both counts of scheduling were issued specifically for the purpose of protecting the coastal cliffs from development pressures and their associated environmental impacts. In this regard, the proposed development would be in direct conflict with this protective designation, ultimately undermining its effectiveness. The proposal is also in conflict with Policy ME01 of the Marsaxlokk Bay Local Plan, which establishes a general presumption against development which could prejudice the unique natural characteristics of the area or adversely affect individual sites. In addition, the significant increase in total floor area would be in direct conflict with the limitations set out in Policy 6.2.C (3) of the Rural Policy and Design Guidance, 2014.

When considering these impacts as a whole, as well as the context and the protective designation of the area, ERA considers the proposal, as currently proposed, *strongly objectionable* from an environmental point of view.

In ERA's opinion, before the proposal can be considered any further, it would need to be significantly downscaled and limited to the replacement of the existing derelict building with a lower-key structure that does not in any way exceed the dimensions of the existing building (in terms of footprint and height, as well as depth below ground) and does not involve any excavation of the natural bedrock. It would also need to be ensured that the proposed use and its operations are likewise limited to what can be realistically accommodated and sustained within the downscaled building, without the need to eventually resort to ancillary interventions beyond the building footprint and without changing the rural character of the surrounding coastal area.