



**BirdLife Malta's comments on the EIA and AA reports
in relation to the PA/07254/22 Proposed Touristic Complex
Villa Rosa, San Giljan
10th 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.

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.

Land and sea uses

- 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.

Landscape and visual assessment

- 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.
- 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.

Geology and geomorphology

- 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 run-off. Such impacts are not assessed competently.
- The mitigation measures proposed in relation to “modifications to existing geomorphological features, namely Għar Harq 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.

Hydrogeology and hydrology

- 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 *Posidonia oceanica* meadows which are quite sensitive to negative environmental changes. Stronger mitigation measures are required to avoid adverse effects on the marine ecosystems.

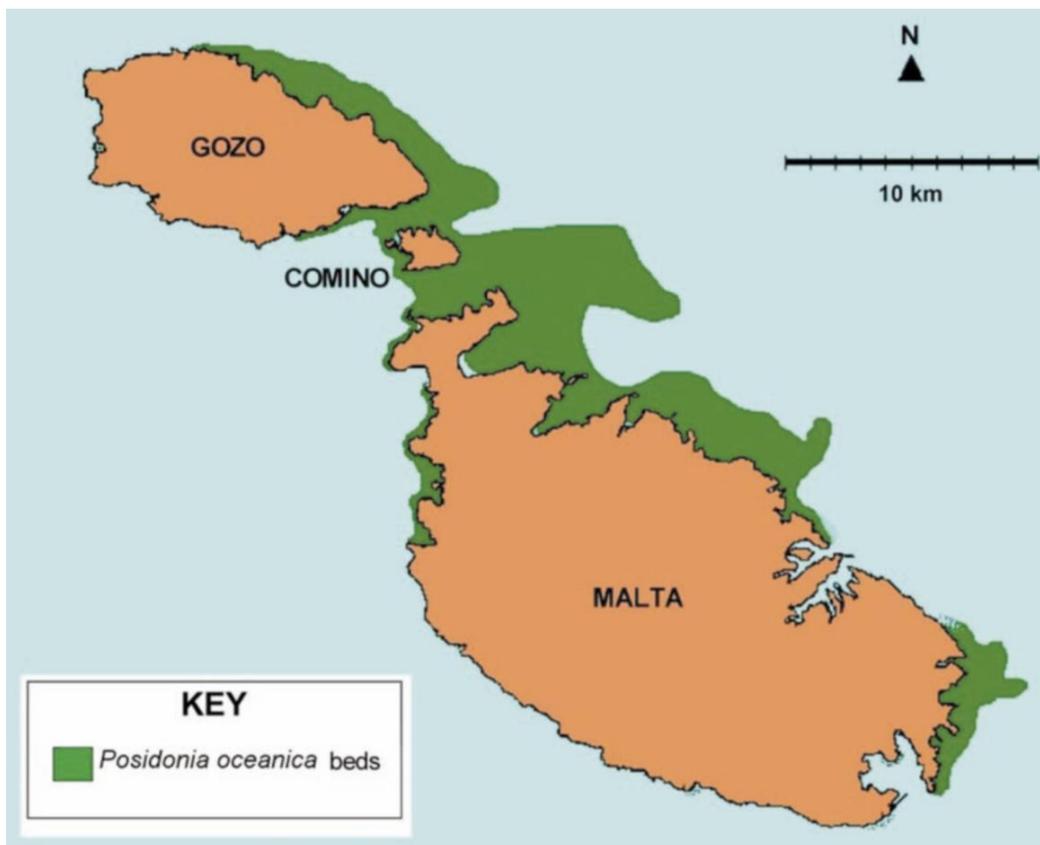


Figure 1. *Posidonia oceanica* distribution around the Maltese Islands. Source: <https://pdfs.semanticscholar.org/eb7c/a4d2d110072f10025a9f6f4719c14f3e8da3.pdf>

- Assessment of impact on watercourse and consequent hydrogeological features is limited.

Ecology



- 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.
- Impact on the integrity of the protected valley system is not assessed in depth.

Air quality

- 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.

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.