



BirdLife Malta's comments on the PA 0865/24

Featuring excavation of part of the site on Triq-il Maqdes Megalitiku and construction of 13-storey building comprising of residential apartments, car parking area, minor retail Class 4B, Class 4D food and drink establishments including intense landscaping and play areas

22 March 2024

BirdLife Malta has become aware of the proposed development on Triq il-Maqdes Megalitiku (PA 865/24) and would like to object to this development due to several concerns.

The proposed development will destroy a total of 14,000 sq.m. pristine garigue ecosystem. Amongst some of the important flora and fauna present in the proposed development area are orchid species which are legally protected in Malta. This includes the Maltese pyramidal orchid, *Anacamptis pyramidalis* var. *urvilleana*, an orchid endemic to the Maltese islands and listed in S.L.549.44 on Flora, Fauna and Natural Habitats Protection Regulations. This development would threaten such species of national importance where the only way to protect them is by protecting their habitat¹.

Garigue habitat is of great importance for the Maltese Honey Bee which recently has been proposed to be included into the list of National Species and should be gaining further protection.

The site also hosts several temporary rock pools resided by important pool communities generally dominated by microcrustaceans, filamentous algae and aquatic macrophytes. Such communities are rare locally and should thus benefit from direct protective measures².

The site is safeguarded from development by policy NWSP 21 of the North West Local Plan of 2006 (NWLP) due to its potential as a site of archeological importance, as indicated in Figure 1 below. According to such policy, development may only be allowed if archaeological surveys prove the absence of remains, which is not the case. Currently, a designated heritage trail is passing through the area with historical cart ruts present within the site proposed for development in addition to neolithic tombs found only a few

¹ Mifsud, S. (2016). Taxonomic notes on *Anacamptis pyramidalis* var. *urvilleana* (Orchidaceae), a good endemic orchid from Malta. *Journal Europäischer Orchideen*, 48(1), 19.

² Lanfranco, S. (2004, May). Temporary freshwater rockpools in the Maltese Islands (Central Mediterranean): formation, ecological processes and implications for management and conservation. In LIFE conference on Mediterranean Temporary Ponds. Roquebrune-sur-Argens, France

hundred meters away. The development will threaten the integrity of this open public space and the cultural heritage present in Xemxija.

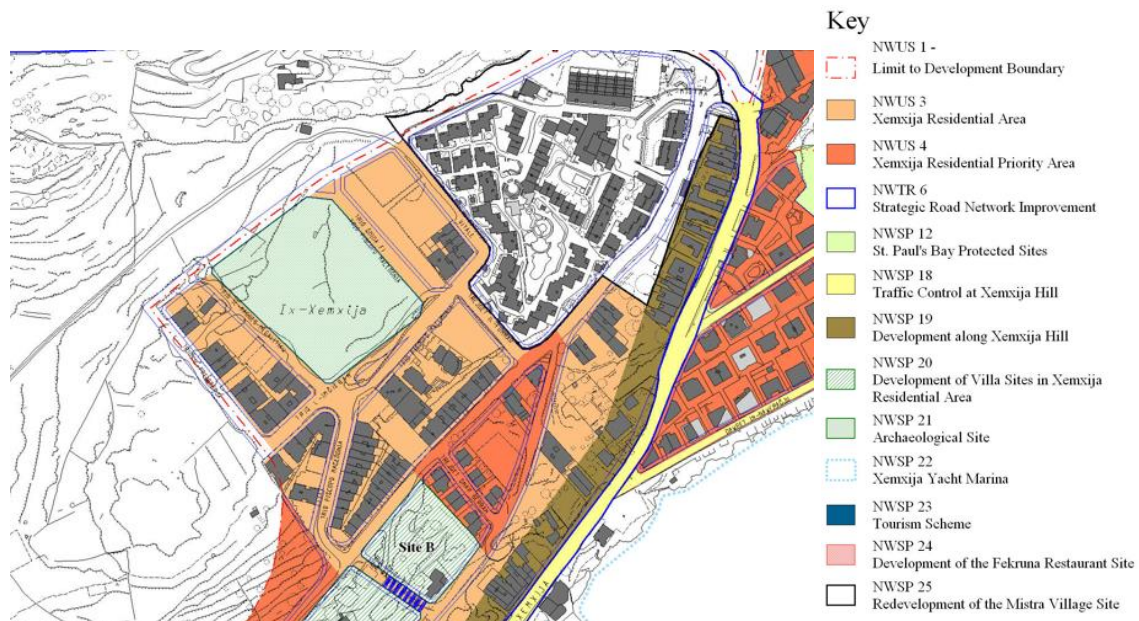


Figure 1: Map of Xemxija with relevant NWLP policies (Source: NWLP, 2006)

These concerns indicate that the proposed development contradicts the Strategic Plan for Environment and Development (SPED) wherein Objective 8 of SPED is concerned with safeguarding and enhancing biodiversity and cultural heritage.

The proposed development suggests a 13-storey building facing an Outside Development Zone (ODZ) in Xemxija, which has a great value in terms of landscape and the environment. In the NWLP, a height limitation of four floors within the Xemxija Residential Priority Area is present, as shown in the map below (Figure 2). This means that the suggested building would go over and beyond the envisaged building height plans for Xemxija. Even though the developers are proposing this through the Floor Area Ratio (FAR) Policy, it should be noted that the adjacent areas are designated as Residential Priority Areas where the application of the FAR policy is prohibited as per the NWLP. Therefore, the application of the FAR policy does not have legal or reasonable ground in this case.

In addition, the proposed development is at an edge of an interface between the Development Zone (DZ) and ODZ. According to the Development Control Design Policy (2015), the competent authority is to ensure a suitable transition is achieved in terms of built volume between the site within the DZ and the ODZ. The proposed 13-storey building facing the Xemxija ODZ would not make a seamless transition between these two zones and might be an incentive for nearby buildings to increase their heights too. Furthermore, the same policy (G2) states that the impact of the development on the skyline should be duly taken into account when planning such development, which in this

case is clearly ignored. A vehicular access is planned for this development with a new road to encroach onto the ODZ.

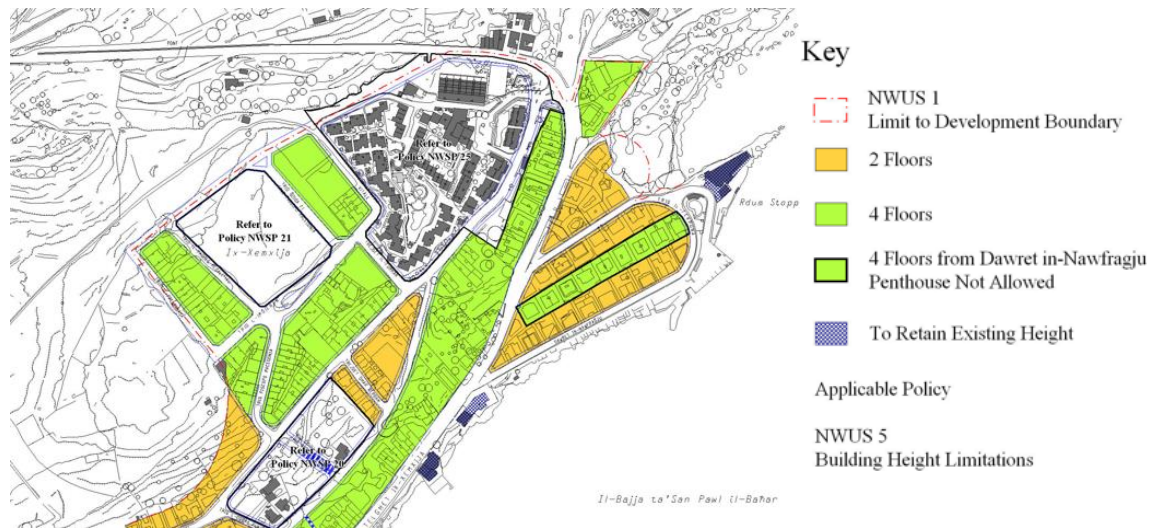


Figure 2: Map of Xemxija with building height limitations (Source: NWLP, 2006)

Another concern is the increased traffic that such a development would bring. Xemxija is notoriously known for being subject to seasonal traffic congestion and the construction of residential apartments along with the proposed commercial use of the site, would only worsen the situation. This would mean added noise and a substantial reduction of air quality in the area. Not to mention that the controversial Mistra development, which is currently being challenged in a pending appeal, is found adjacent to this proposed development. Hence, the cumulative impacts of such developments in addition to the current traffic issue would have a detrimental effect on the wellbeing of Xemxija residents. Such increased traffic will also strain further the current road infrastructure affecting the wider population of residents in the area, and those at a national scale that need to transit to Mellieħa or even Gozo, and vice versa.

Furthermore, the massing and weight of the proposed 13-storey building is of great concern in terms of geology and geomorphology. A building of such a height is likely to become a source of light pollution which will lead to adverse impacts for ecology given the location of the project at the edge of ODZ land and the close proximity of protected areas including Simar Nature reserve (Bird Sanctuary, SPA and SCI) and SCI of St Paul's Islands hosting a colony of shearwaters especially sensitive to light pollution. Other concerns associated with this development include trampling of the garrigue habitat, and a strain on the current sewer infrastructure increasing the risk of overflows, a recurring issue happening in densely built areas in Malta including in Xemxija bay.

In light of the above BirdLife Malta is objecting to this development proposal in full.