

## **TENDER FOR THE REINFORCING AND RESURFACING OF ROAD LEADING TO BLUE LAGOON BAY - COMINO**

**\*16668. L-ONOR CHRIS SAID** staqsa lill-Ministru għal Ghawdex: B' referenza għat-tweġiba għall-mistoqsija parlamentari 16538 rigward it-*tender* li ħarġet fid-9 ta' Ġunju 2020 'MGOZ/MPU T 56/2020 *Tender for the reinforcing and resurfacing of road leading to Blue Lagoon Bay - Comino*', fejn ingħad li x-xogħol ha jibda fil-gimghat li ġejjin, jista' l-Ministru jpoġġi fuq il-Mejda tal-Kamra kopja tal-permessi min-naħa tal-Awtorità għall-Ambjent u r-Riżorsi (ERA) u tal-Awtorità tal-Ippjanar (PA) biex isir dan ix-xogħol li hu rikjest minn din it-*tender*?

16/10/2020

**ONOR. CLINT CAMILLERI:** Ninforma lill-Onor. Interpellant li qed inpoġġi fuq il-Mejda tal-Kamra d-dokumenti rilevanti ma' dan il-permess.

Seduta Numru 377  
22/10/2020



Date: 06/02/2020

The Executive Chairperson  
Planning Authority  
St. Francis Ravelin  
Floriana

Dear Sir,

**Planning ref:** PA/07028/18  
**Description of proposal:** Resurfacing of existing access road towards Blue Lagoon.  
**Location:** Site at, Blue Lagoon off, Bejn Il-Kmiemen, Kemuna, Ghajnsielem.

Reference is made to your consultation on the above application which ERA received.

ERA's recommendation and representation on the said development proposal are being lodged in its capacity as an external consultee and an interested party in accordance with the Development Planning Act and the Development Planning (Procedure for Applications and their Determination) Regulations, 2016 (L.N. 162 of 2016).

#### **Overall Environmental Assessment**

Reference is made to updated drawings at Docs.144a, 177b-c & 196a-c.

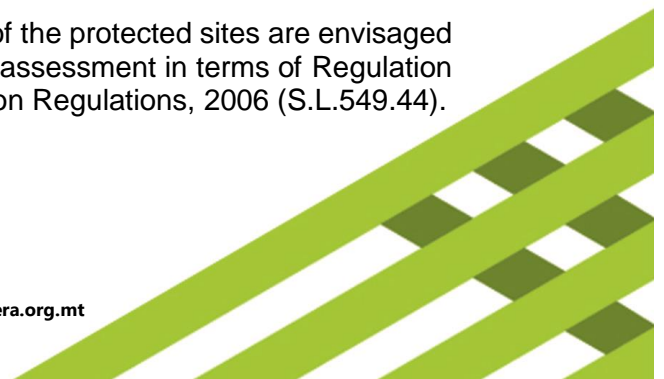
ERA considers that these latest submissions have addressed ERA's previous concerns. In this regard, noting that the proposal has been revised and is now being strictly limited to the surgical repair of the damaged parts of the existing wall, the resurfacing of the existing access road with natural stone paving and installation of a timber and rope railing, there is no objection to the proposal as per the aforementioned documents from an environmental point of view.

Furthermore, in view of the updated proposal and new plans, the proposal was re-screened for other requirements as per below.

#### **Environmental Impact Assessment & Appropriate Assessment**

With reference to the new plans at Docs.144a, 177b-c & 196a-c and updated proposal as described above, the proposal does not fall under the scope of the EIA Regulations, 2017 (S.L.549.46). Hence, the request for a PDS is now being superseded and no further assessment in terms of EIA is required.

In addition, no significant impacts on the integrity of the protected sites are envisaged and thus, the proposal does not qualify for further assessment in terms of Regulation 20 of the Flora, Fauna & Natural Habitats Protection Regulations, 2006 (S.L.549.44).



**Conditions (Refer to attached document)**

ERA requests that the conditions included in the annex to this consultation reply, are included as an approved document to the development permit.

Yours faithfully,

Cheryl Tonna  
Environment Protection Officer  
Environmental Assessment Unit  
f/Director of Environment and Resources  
Environment and Resources Authority

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**Disclaimer**

*The above comments are being issued without prejudice to any additional issues which are regulated by ERA through any relevant environmental permitting and, or compliance mechanisms, as well as to any environmental considerations that may be beyond the scope of the application under consideration.*

*The above assessment is based on the information provided to ERA in the application. Should it result that such information is incorrect, incomplete or misleading, or in the event of any omissions, or subsequent modifications, amendments or changes to the proposal application and/or related submissions, the above assessment (including any favourable consideration, lack of objection, any proposed conditions or lack thereof, or any other equivalent stance, etc.) may need to be reopened to ERA's satisfaction. ERA shall not take responsibility for comments, assessments or judgments based on information that is incorrect, incomplete, missing or misleading, and which is only discovered after its assessment, nor for any environmental impacts resulting from developments which it was not specifically consulted on. Furthermore, ERA also retains the right to take additional action should the information provided, or any incorrect, incomplete, missing or misleading details, be tantamount to fraud.*



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### **ERA Conditions**

1. All works covered by this development permission shall be restricted to the site defined on the site plan at Doc.144a and as per drawings at Docs.177b-c & 196a-c. Works outside this area are prohibited and there shall be no encroachment or over spills outside the permitted area.
2. Any undeveloped or un-built land on site shall be retained as such in perpetuity. Neither this development permission nor any details that are shown, omitted or unclearly indicated in the approved plans/documents shall be construed as in any way implying any entitlement or in-principle commitment for additional future development, even if ancillary to the approved development or required in connection with its operation.
3. This development permission does not grant permission for: any intervention on protected trees; the removal of or damage to natural habitats or vegetation; cutting, excavation or covering of any exposed rocky surface including the rocky coast; modification of site topography; land form; or damage to natural features or rubble walls.
4. All works are to be managed in such manner as to avoid environmental damage to any adjoining land, natural habitats, natural features or rubble walls, as well as to the landscape. All material and temporary installations, vehicles and machinery used for, or generated by, the works are to be entirely confined within the perimeter of the site approved for development and/or the land area occupied by the existing road carriageways. There shall be no over spills of dust, mud, surface water runoff or other construction-phase debris or material from the site, or vehicular trampling/manoeuvring/parking, or storage of material/machinery beyond such land area.
5. Waste generated from the execution of the development shall be transported in accordance with all the relevant waste management regulations and disposed of at facilities duly permitted by the Environment and Resources Authority (ERA) to accept such waste.

