

Our Ref : EC 064-22/25

10th July 2024

Hon Perit Clint Camilleri
Minister
Ministry for Gozo and Planning
St Francis Square
Victoria, Gozo



Hon. Clint Camilleri
Minister for Gozo and Planning

Hon Perit Camilleri

Re : Withdrawal of Policy SMMS 04 – Yacht Marina Site from the 2006 South Malta Local Plan for Marsascala

At its meeting held on 25th June 2024, the Executive Council approved the withdrawal of Policy SMMS 04 – Yacht Marina Site, from the 2006 South Malta Local Plan for Marsascala and agreed to forward its Position Statement to the Minister as requested by Article 53(3)(c) of the Development Planning Act (Cap 552).

Enclosed please find the Executive Council's Position Statement and a copy of the related Executive Council minutes.

As per Schedule 3 of the Development Planning Act (2016), since the area includes parts of land situated outside the development zone, the Minister may wish to refer to the Standing Committee.

Referred for your kind consideration.

Regards,

Yoanne Muscat
Executive Council Secretary



Hon. Clint Camilleri
Minister for Gozo and Planning

POSITION STATEMENT

SUBJECT: Withdrawal of Policy SMMS 04 – Yacht Marina Site from the 2006 South Malta Local Plan for Marsascala.

DATE: 18th June 2024

1.0 Current Policy Provisions

- 1.1 Policy SMMS 04 – Yacht Marina Site was approved in 2006 as part of the South Malta Local Plan for Marsascala. This policy states that in the inner part of Marsascala Bay, proposals for the development of a yacht marina would be considered but allows such a consideration subject to “appropriate studies” which are to include an archaeological survey and an Environmental Impact Assessment to determine “the scale and form and suitability of the proposed use”. The policy also requires confirmation of the financial feasibility of the project.
- 1.2 The policy also links the development of the ex-National Swimming Pool pitch site to the development of the yacht marina and varies the development parameters in policy SMMS 03 provided a master plan has been prepared.

2.0 Background

- 2.1 The policy context for the drafting of policy SMMS 04 was the 1997 Yachting Development Subject Plan which did not recommend Marsascala Bay as a potential site for a yacht marina due to the exposure of this area to winds and seas from the east and severe reflective wave problems during onshore winds. The 2006 Local Plan provided arguments to justify its designation on the basis that Marsascala Bay has the coastal characteristics that lends itself to the development of a marina and that in 1997 no detailed studies had been carried out to determine the extent of the observations made in the Yachting Development Subject Plan and whether they can be mitigated. Furthermore, local demand was increasing, and new berths being sought.

2.2 The 2009 Development of Yachting Facilities in Malta identified Marsascala Bay as having potential for a 380-berth permanent marina on the basis of a Strategic Planning Assessment and further studies which investigated the costs of construction of a breakwater to create an all-weather marina.

3.0 Proposal

3.1 In April 2024, the Minister for Planning directed the Executive Council of the Planning Authority to withdraw Policy SMMS 04 from the 2006 South Malta Local Plan as Government is desirous of maintaining the characteristics physically existent on site in lieu of the potential development of a yacht marina and marine related shore-based facilities. Government is also of the opinion that the ex-National Swimming Pool site should remain a community facility with sports being the primary land use rather than allocating 60% for residential and commercial development. The Executive Council endorsed this direction on the 30th of April.

4.0 Consultation

4.1 The proposal to withdraw Policy SMMS 04 from the 2006 South Malta Local Plan was published for consultation for six weeks between the 3rd of May 2024 and the 17th of June 2024. The proposal was also referred to the Standing Committee on the Environment, Climate Change and Development Planning. Fourteen submissions were received within the consultation period and these submissions together with the Planning Authority's response are attached to this memo. Eleven of the submissions consisted of the same email sent by nine individuals and two NGOs (Marsascala Residents Network, Graffiti) which supported the withdrawal of policy SMMS 04 and made suggestions for policies and measures to safeguard the marine and coastal environment in Marsascala and on the future use of the x-National Swimming Pool. Two other submissions also supported withdrawal of the policy and made similar suggestions. One submission was received from the Standing Committee on the Environment, Climate Change and Development Planning.

5.0 Recommendation

- 5.1 Following review of the submissions from the public consultation, the Planning Directorate recommends that the Executive Council confirms the withdrawal of Policy SMMS 04 – Yacht Marina Site from the 2006 South Malta Local Plan for Marsascala and forwards this document as its position statement to the Minister as requested by Article 53(3)(c) of the Development Planning Act (Cap 552).

**Withdrawal
of the
Policy SMMS 04 – Yacht Marina Site
From the Marsascala Local Plan of 2006**

**Public Submissions
on Intention to
Withdraw Policy**

Key	Name/Company	Date	Comments Received	Remarks
WD-SMMS04 - 001	Perit Karys Schembri	06/05/2024	<p>Well done for this initiative. I agree 100%. Marsascala should be respected for the fishing village it originally was. The type of buildings and uses need to be studied and more monitoring given on the type of designs and uses to make it a more residential area which is safe and functional for growing families also including some recreational areas, tourism and sports. Unfortunately, it has been highly developed and populated. I was never in favour of the yacht marina nor the development of the pool. The pool should be reinstated and used for sports and leisure activities. Millions have been spent on the Cottonera Sports Complex and this should be treated with the same importance. We need more spaces like the pool. The promenade should also be given importance to integrate leisure and sports, where so many people train on a daily basis and families stroll every day.</p> <p>As an architect, urban planner and a person who grew up in MScala I applaud you for this decision.</p>	<p>The support for the proposal to withdraw policy SMMS 04 is noted. The consideration of an alternative policy framework for Marsascala goes beyond the scope of this consultation.</p>
WD-SMMS04 - 002	Prof Ivan Sammut obo Marsaskala Residents Network	23/05/2024	<p>The commitment towards the yacht marina being eliminated and the ex-National Swimming Pool remaining a community facility with sports being the primary land use is commended by Marsaskala Residents Network. It is being proposed that:</p> <p>i) Both the inner and the outer parts of the bay are given a protection status in order to safeguard the quality of seawater,</p>	<p>The support for the proposal to withdraw policy SMMS 04 is noted. The consideration of an alternative policy framework for Marsascala Bay and the marine and coastal environment goes beyond the scope of this consultation.</p>

Ref	Name/Company	Date	Comments Received	Remarks
WD-SMMS04 - 003	Ms Martina Camilleri obo Moviment	24/05/2024	which is crucial for safeguarding the Natura 2000 site il-Maghluq, the posidonia oceanica meadows in all parts of the bay and the coastline, the coral mounds that were discovered outside the bay, and other ecosystems and habitats.	
WD-SMMS04 - 004	Mr Stephen Rizzo	24/05/2024	ii) The surrounding coast that is still intact is not developed to ensure that any coastal flora and fauna are protected. Where possible and feasible, the parts of the coast that were disturbed by previous developments are restored.	
WD-SMMS04 - 005	Ms Estelle Scicluna	24/05/2024	iii) The bay and the coast are recognized as an ecological area, where the habitats of the previously mentioned protected species and ecosystems not only become the focus of attention of the eco resident and the eco-tourist but can also become the focus of study for various researchers. Marsaskala Residents Network suggests a change in direction towards a commitment to sustainable, non-exploitative activities that leave no or minimal impact on the marine and coastal environment so that direct human impact on this ecological area is minimized.	
WD-SMMS04 - 006	Ms Alison alison.bld@gmail.com	24/05/2024	iv) The salt pans in the different parts of the coast are restored. The tradition of salt harvesting should be revived, thus increasing the historical and cultural value and appeal of Marsaskala.	
WD-SMMS04 - 007	Ms May Schembri	24/05/2024	v) Sports activities carried out in the ex-national Pool area cater to people of different age groups, economic means, and abilities to ensure accessibility for all.	
WD-SMMS04 - 008	Ms Laura Privitelli	24/05/2024		
WD-SMMS04 - 009	Mr BillyJ McBee	24/05/2024		
WD-SMMS04 - 010	Ms Enya Putignano	25/05/2024		
WD-SMMS04 - 011	Ms Emile Lauria	25/05/2024		
WD-SMMS04 - 012	Mr Thomas Muscat	27/05/2024		

Ref	Name/Company	Date	Comments Received	Remarks
			<p>vii) Coastal and marine activities that are allowed are not to generate pollution, including light and noise pollution.</p> <p>Marsaskala Residents Network is also categorically against a ferry in Marsaskala due to the pollution created by such means of transport and its negative impact on the coastal and marine environment created by the ancillary facilities required.</p>	
WD-SMMS04 - 013	Mr Chris Morey	30/05/2024	I fully support the proposed change withdrawing the planning policy SMMS04 regarding a yacht marina in Marsaskala harbour and related works.	The support for the proposal to withdraw policy SMMS 04 is noted.
Submissions by the Parliamentary Standing Committee for the Environment, Climate Change and Development Planning		17/6/24	<p>The Committee agreed with the principle of the withdrawal of this policy as it has increased the potential for abuse. Whilst agreeing that the Standing Committee may not be the appropriate forum, the Committee raised the issue of how this withdrawal will impact the future of the yachting industry. This same point was raised when the Committee discussed the proposal to prohibit the development a yacht marina at Hondoq ir-Rummien. Potential sites for yacht marinas cannot be withdrawn without consideration of alternative possibilities. The Committee enquired on which policy framework will replace this policy and whether there were any intentions to introduce a replacement local plan policy.</p> <p>The Committee also forwarded the submissions made by the representative of the Marsaskala Residents Network.</p>	<p>The support for the proposal to withdraw policy SMMS 04 is noted. The consideration of an alternative policy framework for Marsaskala Bay goes beyond the scope of this consultation.</p> <p>It is noted that the submissions by the Marsaskala Residents Network to the Standing Committee are in line with submission WD-SMMS04 – 002.</p>

Ref	Name/Company	Date	Comments Received	Remarks

EXTRACT FROM EC 064-22/25 HELD ON 25TH JUNE 2024

WITHDRAWAL OF POLICY SMMS 04 – YACHT MARINA IN MARSASCALA

Withdrawal of
policy SMMS 04 -
Yacht Marina in
Marsascala

08312. Perit Joseph Scalpello, Deputy Director, referred members to the discussions held at the Executive Council meeting held on 30th April 2024. At that meeting members agreed to issue the request for withdrawal of policy SMMS 04 for the reasons provided, for a period of six weeks. The Standing Committee is to be consulted as per Article 53(3)(b).

08313. The proposal to withdraw Policy SMMS 04 from the 2006 South Malta Local Plan was published for consultation for six weeks between the 3rd May 2024 and 17th June 2024. The proposal was also referred to the Standing Committee on the Environment, Climate Change and Development Planning.

08314. Fourteen submissions were received within the consultation period and these submissions together with the Planning Authority's response were previously circulated to the members. Eleven of the submissions consisted of the same email sent by nine individuals and two NGOs (Marsascala Residents Network and Graffiti) which supported the withdrawal of policy SMMS 04 and made suggestions for policies and measures to safeguard the marine and coastal environment in Marsascala and on the future use of the x-National Swimming Pool. Two other submissions also supported withdrawal of the policy and made similar suggestions. One submission was received from the Standing Committee on the Environment, Climate Change and Development Planning.

08315. Perit Scalpello pointed out that this is a withdrawal of a policy and not a partial review. Therefore, in this procedure, the Directorate is not in a position to consider alternative policy proposals.

08316. Following review of the submissions from the public consultation, the Planning Directorate recommends that the Executive Council confirms the withdrawal of Policy SMMS 04 – Yacht Marina Site from the 2006 South Malta Local Plan for Marsascala and forwards the previously circulated document as its position statement to the Minister as requested by Article 53(3)(c) of the Development Planning Act (Cap 552).

08317. Members approved the withdrawal of Policy SMMS 04, Yacht Marina Site from the 2006 South Malta Local Plan for Marsascala and agreed to forward the previously circulated memorandum as its position statement to the Minister as requested by Article 53(3)(c) of the Development Planning Act (Cap 552). As per Schedule 3, since the area includes parts within the ODZ (the sea), the Minister is obliged to discuss/inform the Standing Committee.