

## COMMENTS OF THE SUPERINTENDENCE REGARDING THE OBJECTORS' FEEDBACK TO THE HERITAGE IMPACT ASSESSMENT FOR PA/00570/21 (GIGANTIJA HEIGHTS).

### 1.0 Introduction

This report addresses the objections raised by the Coalition for Gozo regarding the Heritage Impact Assessment (HIA) for the proposed "Ggantija Heights" development (PA/00570/21). The development, situated approximately 180 meters from the Ggantija Temples World Heritage Site (WHS) within its designated buffer zone, has undergone a rigorous, iterative assessment process. The HIA – prepared by Chris Blandford Associates (CBA) – has been meticulously reviewed and endorsed by the Superintendence of Cultural Heritage (SCH), the National World Heritage Technical Committee (NWHTC), ICOMOS and the World Heritage Centre at UNESCO.

### 2.0 Methodological Integrity

The objectors contend that the HIA is "fundamentally flawed" and lacks procedural rigour. However, the ICOMOS Technical Review (December 2025) determined that the 2022 UNESCO Guidance and Toolkit for Impact Assessments "has been rigorously applied" and that the assessment is "thorough and comprehensive".

- **Scoping and Screening:** While the objectors claim procedural weaknesses in screening and scoping, the HIA clarifies that these requirements were fulfilled through previous assessments and ongoing consultation with the SCH, which provided specific Terms of Reference (TOR) for this study.
- **Independence:** The assertion that the HIA acts as "advocacy" due to developer funding is a misplaced critique. The report was prepared under strict SCH oversight and revised specifically to address comments from the SCH and NWHTC. ICOMOS further validates this by confirming that the HIA's judgment is "robustly supported by the text".
- **Planning Policy:** The objectors contend that the HIA relies "too heavily on ordinary planning compliance", arguing that adherence to local planning policies is secondary to World Heritage impact. In reality, the HIA is a comprehensive and holistic assessment. The inclusion of local planning policies was not only a specific requirement of the project's Terms of Reference (TOR) but also essential for providing a complete and contextualized understanding of how the proposal.

### 3.0 Assessment of Outstanding Universal Value (OUV) and the Buffer Zone

A central point of the objection is that the HIA narrowly treats the buffer zone and downplays harm by distinguishing between impacts within the WHS and those in the buffer zone.

- **Direct vs. Indirect Impact:** The HIA correctly identifies that because the development is outside the immediate temple site, any impact on the physical remains is non-existent, and impacts on setting are indirect. This is a standard methodological distinction, not a dismissal of harm.
- **Visual Significance:** The objectors argue that buffer zones are "not there to preserve one favoured alignment". The HIA, however, conducted a broad visual analysis using six verified viewpoints (AVRs) to assess the development's presence from various angles within the archaeological park. It concludes that the development results in a *very small visible change* to the setting and does not detract from the ability to appreciate the temples' physical form or OUV.
- **Significance of Impact:** The HIA concludes that the residual impact is *minor negative* and *not significant*. This conclusion is specifically endorsed by ICOMOS, which advised the State Party to accept this finding as it "does not endanger the Megalithic Temples of Malta World Heritage Site".

#### 4.0 Design Evolution, Alternatives, and Mitigation

The objectors claim that the HIA fails to consider "genuine" alternatives and relies on "future improvement". These claims ignore the documented five-stage iterative design process.

- **Alternatives Exercise:** The HIA documents the project's evolution – from the initial five-storey proposal to the current refined design – as a series of alternative options. This approach reflects the iterative nature of the planning process, where successive revisions were subject to assessment by the Superintendence. Since the HIA was finalized following this rigorous period of review, it effectively incorporates the alternatives considered throughout the application's lifecycle. This process directly informed the reduction of building mass and the setting back of the attic storey, ensuring the final scheme is "harmonious with the streetscape".
- **Effective Mitigation:** The current scheme (Revision 5) incorporates significant design mitigations, including the retention of the historic facade and the use of materials that integrate the building into the townscape. ICOMOS noted that the HIA included an "exhaustive and detailed examination of all the iterations", further validating the robustness of the alternatives assessment.
- **Minor Tweaking:** The objectors note that the HIA itself requested tweaking of the proposal, indeed the HIA itself recommended further variation in the projections of the street frontage to break up the facade. These changes have been implemented in the latest drawings submitted on e-Apps.

#### 5.0 Cultural Heritage and Cumulative Impacts

The objectors emphasize the loss of a 19th-century vernacular farmhouse, characterizing its demolition as an "irreversible loss".

- **Heritage Value:** The HIA acknowledges the building's vernacular character but notes it is "substantially altered", not designated, and its rear elements are an "ad hoc composition" of "piecemeal development". Its loss is assessed as "neutral" specifically in relation to the *OUV of the WHS*. The determination of the impact of the proposal on the OUV of the WHS was the primary reason for requesting this HIA as it was triggered upon the interpretation of Article 118bis of the Operational Guidelines for the Implementation of the World Heritage Convention (2023) – whose specific intent is the protection of the outstanding universal values of world heritage. The vernacular architecture does not form part of the intrinsic attributes of world heritage in this location as is clear from the UNESCO inscription of the megalithic temples of Malta and from which the attributes are elicited.

While the objectors maintain that the proposal undermines the OUV of Ġgantija, it has been clearly established that the heritage value of the existing vernacular architecture is of local significance and does not constitute an attribute of the OUV itself. Consequently, the HIA's determination of a "neutral" impact on the WHS is methodologically sound; the removal of elements that do not contribute to the site's global significance cannot, by definition, result in a loss of Outstanding Universal Value.

- **Precedent and Urbanization:** Regarding the concern over "ruinous precedent", the HIA includes a specific Cumulative Impacts Assessment. It concludes that there is "no cumulative impact" because the development is located within an already "built-up area of Xaghra" and does not encroach on the principal rural setting to the south-east of the temples.

The objectors assert that the HIA overlooks a potential domino effect, arguing that if one vernacular building in the buffer zone is replaced by apartments under a "neutral" impact classification, "cumulative erosion" will inevitably follow. However, this claim is made without providing data on the prevalence of similar vernacular rural structures within the Ġgantija WHS boundary or buffer zone. Crucially, the argument fails to recognize that vernacular rural architecture is not an attribute of Ġgantija's Outstanding Universal Value (OUV).

## 6.0 Methodological flaws in the objectors' report

The Superintendence observes that a significant portion of the objectors' report relies on decontextualized excerpts from the HIA. By selectively extracting short passages, the objectors provide an incorrect representation of the HIA's actual findings.

For instance, the report highlights the statement that "*repetition of this action within the buffer zones of the WHS sites has the potential to generate negative impacts*", yet it omits the crucial qualifier on page 90: "*although the particular location within the buffer zones of any repeated action would need to be considered for an evaluation assessment of any accuracy*".

Similarly, the objectors cite a passage regarding sensitivity "*to all geographic points, not simply the alignment to the south-east*" without clarifying that this refers specifically to the settings of Hagar Qim and Mnajdra. The full text clarifies that it is the "*open and undeveloped settings of Hagar Qim and Mnajdra, which potentially exhibit the strongest evidence in regard to prehistoric perceptions of demography are sensitive to all geographic points, not simply the alignment to the south-east*".

When restored to their proper context, these statements carry a significantly different meaning than the one suggested by the objectors.

## **7.0 Conclusion**

The objections rely on a misinterpretation of the UNESCO 2022 Guidance, prioritising local values over the established criteria for protecting World Heritage OUV. The HIA has demonstrated that:

1. The project's impact is generally "not significant". The only impact identified as "minor negative" is limited to the change of existing setting brought about the proposal.
2. The OUV of the Megalithic Temples remains entirely protected.
3. The methodology and conclusions are "robust" and have been fully endorsed by ICOMOS and UNESCO.

The latest revised drawings, which further articulate the facade and reduce visual impact, address the final residual concerns identified by the HIA and ICOMOS. Consequently, there is no technical or heritage-based justification to require a "new, fully independent" HIA, as the current assessment has already been validated by the highest international authorities in heritage conservation.