

SEA SCREENING TEMPLATE

Part A – Plan/Programme (PP) and Responsible Authority

Title of PP: Policy and Design Guidance – Cemeteries

Responsible Authority: MEPA

Contact Person: Raphael Axiak
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Date: 28th March 2015

Part B – Key Facts

Responsible Authority: MEPA

Title of PP: Policy and Design Guidance – Cemeteries

Purpose of PP: This Policy and Design Guidance sets out the criteria which the Authority deems appropriate to guide the location, design and other considerations of development related to cemeteries. It also makes provision for the introduction of alternative funerary techniques. The document applies to any type of cemetery (human or animal), to any type of funerary technique, to any religion or rite, and to any type of ownership (Government or non-government).

Is the PP the result of legislative, regulatory or administrative provisions? Explain.

The Policy Guidance is not specifically required by legislative, regulatory or administrative provisions. However, in terms of Article 57(1) of the Environment and Development Planning Act (2010), the Authority is required to prepare, adopt, and amend, from time to time as it considers appropriate, plans or policies on any matter relating to the environment and development planning so as to ensure their effective management and planning.

Period covered by PP: Not applicable

Envisaged Frequency of Updates: The Policy Guidance will be monitored and reviewed on a regular basis.

Area covered by PP (ideally also attach map): The territory of the Maltese Islands

Summary of PP content: The Policy Guidance prohibits the construction of new cemeteries and establishes criteria for the assessment of proposed extensions to existing cemeteries; establishes best practices for the proper daily management of cemeteries and ensures that existing cemeteries are conserved and/or upgraded; identifies any hydro-geological impacts caused by cemeteries or extensions thereto; ensures no discrimination between different rites and religions; introduces different methods of funerary techniques and establishes safeguards which are necessary to address potential environmental impacts.

Part D – Likely Significance of Effects on the Environment

Responsible Authority: MEPA

Title of PP: Policy and Design Guidance – Cemeteries

Criteria for determining the likely significance of effects on the environment	Likely to have significant environmental effects? Yes/No (no other answer except Yes/No)	Summary of significant environmental effects (negative and positive)
the degree to which the PP sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	NO	The policy prohibits the construction of new cemeteries which, by their nature, need to be located at a distance from inhabited areas. Only extensions to existing cemeteries are permissible. The policy also ensures that certain potential impacts, such as visual and on water resources, are assessed. Mitigation measures would need to be implemented.
the degree to which the PP influences other plans and programmes including those in a hierarchy	NO	The policy relates to a specific subject.
the relevance of the PP for the integration of environmental considerations in particular with a view to promoting sustainable development	NO	Since cemeteries are, in general, located within sensitive locations, environmental considerations are primary concerns forming the basis of the policy.
environmental problems relevant to the PP	NO	The policy identifies the potential environmental impacts, guides the methods of assessment, and ensures mitigation measures.
the relevance of the PP for the implementation of Community legislation on the environment (e.g. PPs linked to waste management or water protection)	NO	The policy requires the consideration of operational impacts and imposes specific construction methods to address such impacts where the site conditions require so.
the probability, duration, frequency and reversibility of the effects	NO	The policy requirements are based on specific assessments of impacts. In relation to operational impacts, a risk assessment and related mitigation measures are also in place.
the cumulative nature of the effects	NO	Cemeteries are in general sparsely located.

the transboundary nature of the effects	NO	The effects of impacts of cemeteries is localised.
the risks to human health or the environment (e.g. due to accidents)	NO	The policy ensures that development proposals are properly addressed to reduce the risk to human health or the environment.
the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	NO	The policy document restrains development by limiting development proposals to extensions to existing cemeteries only.
the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values (iii) intensive land-use	NO	The policy requires specific assessment to ensure that development proposals are not the cause of unnecessary negative impact on the natural and cultural heritage, or result in waste of land resources.
the effects on areas or landscapes which have a recognised national, Community or international protection status	NO	Development proposals are required to be assessed in terms of impact on the landscape and ensures that legally required assessments are carried out.

Part E – Summary of Environmental Effects

(Provide a summary of the significant environmental effects of the PP)

No development shall encroach on or adversely affect scheduled, listed, designated or protected areas/sites where such development is not permitted according to the level of protection of the area/site. These areas/sites are generally established through legal notices, government notices or designations in development plans. Any assessments which may be required as a consequence of designations would need to be carried out. Development within candidate areas/sites indicated to qualify for the above protective designations shall be considered on a case by case basis. The absence of formal or candidate protection of an area or site does not exclude the presence of a sensitive area or site.

Development proposals should always be accompanied by mitigation measures which seek to minimise any adverse impacts generated by the existing cemetery. To varying degrees, existing cemeteries are, in whole or in part, nature reserves and a wealth of archaeological, historic and architectural heritage. The provision of additional burial spaces or extensions to cemeteries must respect these sensitive areas by maintaining their character.

Extensions to cemeteries may be constrained by the topography, such as on ridge edges or sites with considerable breaks of slope that would result in major visual intrusion in the landscape. Other constraints may include mature vegetation/trees, natural habitats, good quality agricultural land, rubble walls, or other traditional rural structures which would have to be unnecessarily removed to make way for the extension. In general, development would not be acceptable where it cannot be accommodated without necessitating major-impact interventions such as re-profiling of fields or substantial topographic re-engineering works.

Extensions to cemeteries may have an impact on the hydrology and hydrogeology of an area during construction phase and subsequently due to discharge and percolation of leachates or flooding of graves. Hydrological and hydro-geological surveys, together with pollution impact and mitigation assessments, are to be carried out on site-specific data so as to pre-empt the potential impacts. These variables require that technical measures are adopted to prevent pollution and to ensure that the potential of contamination is reduced to a minimum. When considering extensions to cemeteries, any existing polluting activities need to be taken into account and remedial action proposed as a general upgrading of the existing cemetery.

Depending on the size and location of the proposed development, an Environmental Impact Assessment (EIA) and/or an Appropriate Assessment (AA) may be necessary. This is determined according to the relevant legislation. Development proposals are to be screened accordingly.

Aquifer pollution can vary greatly according to the geological strata, the cemetery layout, and the rigour of its management. The pollution potential from cemeteries is present, but in a well managed cemetery with suitable geological conditions and drainage arrangements, the risk would probably be slight. A risk assessment shall be required in conjunction with the risk of contamination of groundwater resources, watercourses and/or springs as deemed appropriate.

The risk assessment requires the following stages: hazard identification, identification of consequences, magnitude of consequences, probability of consequences, and significance of risk. Proposals are required to go through a risk screening assessment, a preliminary quantitative risk assessment with detailed desk study and preliminary site investigation, and a detailed quantitative risk assessment. The assessment should show that the risk of contamination of the ground or surface water is within acceptable limits.

Part F – Screening Outcome

Screening is required under the Strategic Environmental Assessment Regulations, 2010 (Legal Notice 497 of 2010). It is our view that:

- An SEA is required because the PP falls under the scope of Regulation 4(3) of the Regulations and is likely to have significant environmental effects
- An SEA is required because the PP falls under the scope of Regulation 4(4) of the Regulations and is likely to have significant environmental effects
- An SEA is not required because the PP is unlikely to have significant environmental effects.

Raphael Axiak

Name of Officer responsible for the Screening Report

Signature of Officer responsible for the Screening Report

Malta Environment and Planning Authority

Name of Responsible Authority

28th March 2015

Date

Notes to Responsible Authorities:

1. The SEA Focal Point cannot provide any feedback to incomplete Screening Templates
2. All responsible authorities should provide the SEA Focal Point with an original signed copy of each Screening Template prepared
3. All responsible authorities should provide the SEA Focal Point with a copy of the public notification which is obligatory under Regulation 4(7) of the Strategic Environmental Assessment Regulations, 2010.