

## Comments on the Updated Documentation to the Environmental Impact Assessment Report

**PA/03807/17**

Proposed City Centre multi-use development, including excavation of former ITS site & Wesghet Lewis V. Farrugia/Wesghet George Portanier, demolition of modern structures, sanctioning of partly demolished non-scheduled building, retention of Grade 2 scheduled buildings and Cold War substation, construction of a 5 Star Hotel (386 rooms) Class 3B, 179 residences, commercial office space (Class 4A), shopping mall (Class 4B) and restaurants (Class 4C and 4D) and basement car park. The proposal also includes the retention and integration of Grade 2 military blocks, Cold War substation and integration of other existing structures.

Site at, Former ITS Site, Wesghet George Portanier & Wesghet Lewis V. Farrugia, Triq il-Prof. Walter Ganado, Triq Pietru D'Armenia, Pembroke & Triq il-Prof. Walter Ganado, Ix-Xatt ta' San Gorg, San Giljan, Malta.

30 March 2021

### **1. Consultees' Comments on the Updated Documentation to the EIA Report (15 February 2021 – 17 March 2021):**

No.:	From	Comments	EIA Coordinator Response (24/03/2021)
1	Civil Protection Department  Dated 25/02/2021	The applicant shall submit the fire safety report adhering to the <i>Design guidelines on fire safety for buildings in Malta</i> , CPD approved standards and the Laws and Regulations of Malta prepared by the fire safety competent engineer. The access and facilities for the fire service covering the whole project proposal as indicated in your subjoined correspondence, shall be included and referred directly to the CPD for consultation, feedback and the relevant clearance. Should the applicant or the Planning Authority fail to correspond directly on <a href="mailto:civilprotection@gov.mt">civilprotection@gov.mt</a> , the CPD will not be in a position to provide the consultation and subsequently any no objection.	Agreed. The Applicant and the Perit responsible for the design and realisation of the proposed development are informed.
2	Department for Health Regulations  Dated 17/03/2021	We have no further comments with regards the subject inspection apart from the comments attached dated November 2017.  "With reference to environmental planning statement dated October 2017 regarding subject indicated in caption, please be informed that this Directorate would like to submit the following comments/recommendations regarding this proposal: The area to be developed is located on the northern headland of St Georges Bay, has a total footprint of 23975 square metres, and split into three sites; ☑ Site A, measuring 5536 square metres; this site Site A is currently an open site, earmarked for a car park, high quality residential and some commercial facilities in the North Harbour Local Plan; ☑ Site B, currently being occupied by ITS, measuring 18,202 square metres; this site is the area around and including the ITS building;	Agreed. The Applicant and the Perit responsible for the design and realisation of the proposed development are informed.

Site C, located by the sea and measuring 237 square metres; this is a small site located next to the coast and adjacent to the Marina San George Hotel.

With this regard the Directorate has no objection.

#### **Construction Phase**

Should this proposal be accepted, the applicant is to adopt best practice methods together with good site practices and ensure compliance with Environmental Management Construction Site Regulations during the construction phase. Moreover, applicant is to implement all proposed mitigation measures so as to cause least nuisance and mitigate adverse air (from dust dispersal and emissions from vehicles and machinery), noise and vibration impacts on sensitive receptors in the Area of Influence and on the general public. Hence the importance of drawing up and implementation of a Construction Management Plan to ensure adherence to proper site management practices so as to address sea water, groundwater and surface water pollution, to mitigate other adverse construction impacts, including construction traffic impacts and to ensure safety measures. Monitoring of construction works is also highly recommended so as to ensure implementation of all necessary mitigation measures and adherence to work practices throughout all the phases of the project. The use of water sprays to maintain dampness of the mineral can cause surface runoff on bathing area and thus this has to be mitigated. The creation of water aerosols from such activity should also be minimized as this may be of risk to employees and residents in area and hence it is recommended that said water is treated with chlorine prior use.

Safe and proper handling of raw materials on site should also be ensured to reduce the risk of spillage that might lead to contamination of bathing area. Good practice and adequate preventive measures are to be taken for any accidental spillage of construction material and/or excavation waste, hazardous fluids, fuel and lubricants which are also to be well managed and adequately stored.

The necessary arrangements for remedial and/or removal works affecting asbestos if and when appropriate are to be made.

#### **Bathing Area (St George Bay and its inner parts)**

The EHD is particularly concerned with the fact that the Scheme falls within an official bathing area and Blue Flag bathing area. Hence it is essential that all necessary mitigation measures are to be adopted to prevent from any contamination of the sea water and surroundings. As indicated by Grech & Cremona the large volumes of saline water from the RO and cooling water system that are going to be discharge in the sea water may be of 'industrial' scale. ***For this reason the indicated point of discharge of brine water into the sea from RO and Air Conditioning cooling system is not accepted and hence another point should be re proposed. The piping used for the discharge of***

***saline water from both RO and cooling water system must be placed at the bottom of the sea. Furthermore the suggestion by the authors of hydrology ESR with respect to the pumping station should be taken in consideration. To avoid that said pumping station is in close proximity of the bay as this would be dangerous in case of a breakdown. It is also being recommended that a backup generator would also be available at this pumping station.***

The use of pesticides and fertilizers should be used with caution and where possible biocides are to be used to prevent that runoff from them would reach the sea water, 15meters away from City Centre, which would be a possible source of contamination.

**Water**

1st Class water:

*Cold water*

For potable cold water system is being envisaged that a decentralized desalination plant/ reverse – osmosis plant would be installed for the hotel. Said plant must be registered with the EHD and follow LN 17 of 2009 Water Intended for Human Consumption Regulations as amended. No indication has been provided as to what type of Potable Cold Water System is to be used for the residential area. Construction of potable water tanks are to be made of material approved to be in contact with food. This reservoir for potable water has to be isolated from the other reservoirs used for second class water. Microbiological and chemical samples are to be taken at least every 3 months or more frequent.

*Hot water*

Any boilers used to heat water must be maintained at temperature of 80 deg Celsius and that of the Colorifier and any other hot water holding tank must be of 60 deg Celsius.

2nd Class water:

Water collected from rain water MUST NOT be used for human consumption. The overflow of reservoir used for the collection of rain water MUST NOT be connected to the drainage system but onto the street.

Grey Water:

Treated Grey water should not be used for human consumption. It can only be used on flushing apparatuses of WC and irrigation. Prior being used on flushing apparatuses it must be treated with chlorine. The overflow of said grey water should be discharge in the drainage water system and not onto the street.

Pool Water

Discharge of pool water can only be through the sewage system and must not reach the street or sea water. The necessary discharge permits are to be obtained from the relevant authorities.

**Air & Noise Pollution**

All necessary mitigation measures are to be implemented during the construction phase to reduce the level of air pollution. All mitigation measures to control dust must be carried out with caution to prevent that runoff ends in the bathing area. Measures mentioned to ensure that surface run-

off, water used for dust control, water used for wheel washing and general cleaning are to be adopted and maintained during construction and operational phase. It is also pertinent that during the operation of the scheme all proposed mitigation measures are strictly implemented so as to mitigate all environmental risks especially through underground, surface and airborne pollution.

All the necessary mitigation measures during the construction and operation phase of the City Centre are to be implementing to prevent and/or reduce the level of noise pollution in the surrounding area.

WHO states, that the threshold level for noise exposure which may have an effect on the human health range between 32-42db. ***Thus the levels of the four Ventilation points of car park on Triq Peter D'Armenia opposite the government housing that might be on the same level of several bedrooms must not reach the noise level range between 32-42 dB.***

#### **Waste Management**

Waste management strategy should be adopted and implemented during the excavation/ construction and operational phases so that all generated waste streams will be contained, separated and disposed of safely through the appropriate facilities and according to the necessary permits/licences. With regards to removal and disposal of any hazardous waste, adherence to regulatory codes and procedures and due diligence is important in view of the health and safety and any adverse impacts on nearby sensitive receptors

Generated wastes, cleaning chemicals, etc. from any temporary sanitary facilities for on-site workers should be properly disposed of.

#### **Restrooms**

Every restroom present in the premises should be supplied with a wash hand basin and adequate source of ventilation and light. The wash hand basin should be supplied with potable water. The wash hand basin must be connected to a waste water pipe that discharge on a gully trap situated in open area and connected with regular drains.

#### **Light**

The proposal that light dispersion will be controlled so as to avoid undesirable pollution effects on the neighbouring environment is highly recommended.

#### **Traffic Management**

It is recommended that construction traffic follows established specific routes and adequate site management together with other measures such as storing or transporting creed sand and other loose building materials in containers with suitable covers which effectively prevent dispersal of dusts, washing of wheels and other dust control measures are taken to mitigate adverse dust impacts and nuisances from heavy vehicles during transportation. All other mitigation measures which may be necessary to minimise nuisances and adverse health impacts from construction traffic are to be implemented.

All proposed mitigation measures regarding adverse impacts arising from this development during the construction and operation phase are to be implemented by applicant to mitigate any significant

adverse health effects and nuisances on sensitive receptors in the Area of Influence and the general public. The possible health effects of any residual impacts that cannot be mitigated and the overall cumulative impacts should also be taken into consideration. Land use requirements during construction such as take up of major road leading to traffic build up and road safety issues in such a busy road should be included in the Environment Planning Statement.

**Fuel Storage**

Any storage of fuel must be place in sealed and leak proof containers to minimise the risk of contamination through leakages into the rock below. The site should be sealed with geotextile material and covered with an impermeable layer of concrete to cover all the plant.

**Legionella**

A risk assessment manual as per LN 5 of 2006 Control of Legionella, amended by LN 262 of 2006 must be carried out prior operational phase starts based on ECDC Legionella Guidelines. Furthermore pools, water fountains and any other high risk water systems such as SPAs must be included in the risk assessment manual as preventive measure for Legionella. It is being recommended that the applicant should discuss the plan for distribution of water systems in City Centre with the EHD at the initial stage of the project.

Manual power washing equipment used for vehicles washing must be treated against Legionnaires disease.

Second class water and grey water used for flushing apparatuses must also be treated with chlorine against Legionnaires disease.

Showers and changing facilities mentioned in the green travel plan must be included as part of the risk assessment manual for Legionella.

It is recommend that instead of sprinkles for irrigation, drip irrigation is used to prevent that aerosol are distribute in the area that may be of risk for Legionnaire Diseases.

Moreover, any other unpredicted impacts and nuisances which may arise from this development and that may have a significant adverse effect on public health are to be immediately addressed by the applicant and the necessary mitigation measures taken.

Complaints lodged by the public regarding any adverse impacts/nuisances should be immediately addressed by the applicant. All complaints lodged and actions taken are to be recorded and such records are to be readily available to the Competent Authorities when requested.

A pollution incident control plan should also be in place. Records of all pollution incidents, especially regarding potential pollution of the surrounding environment, are also to be kept and reported to the respective authorities accordingly.

Regarding any future plans for Scheme decommissioning, a full decommissioning plan should be prepared for approval by the relevant competent authorities.

Risk of workers repeatedly exposed to dust particulates, noise and human exposure to vibration in buildings should be referred to OHSA”.

<p>3</p>	<p>Superintendence of Cultural Heritage</p> <p>Dated 17/03/2021</p>	<p>Ref. Cultural Heritage Act 2019 (CAP 445)</p> <p>Comments on Update to EA/00017/17 i.c.w PA/03807/17 – Proposed City Centre multi-use development at Former ITS Site, Wesghet George Portanier &amp; Wesghet Lewis V. Farrugia, Triq il-Prof. Walter Ganado, Triq Pietru D'Armenia, Pembroke &amp; Triq il-Prof. Walter Ganado, Ix-Xatt ta' San Gorg, San Giljan</p> <p>Cultural Heritage Context</p> <p>The proposed development is an extensive and intensive development, overlooking St George's Bay. The development will have direct bearing on to the historical military barracks that are scheduled at Grade 2, and will partly lie over Harq Hammiem Cave, an extensive geological/geomorphological feature, scheduled at level 1. Other significant cultural heritage assets had been identified in the course of assessment, including historical reservoirs, a cluster of monumental regimental crests and an underground sub-station dating to the Cold War.</p> <p>Proposal</p> <p>As currently described by the architect, the application is for: Proposed City Centre multi-use development, including excavation of former ITS site &amp; Wesghet Lewis V. Farrugia/Wesghet George Portanier, demolition of modern structures, sanctioning of partly demolished non-scheduled building, retention of Grade 2 scheduled buildings and Cold War substation, construction of a 5 Star Hotel (386 rooms) Class 3B, 179 residences, commercial office space (Class 4A), shopping mall (Class 4B) and restaurants (Class 4C and 4D) and basement / surface car park. The proposal also includes the retention and integration of Grade 2 military blocks, Cold War substation and integration of other existing structures.</p> <p>Review of Updated Documentation on Environment Impact Assessment</p> <p>In response to e-mail received on 15th February 2021 from the Environment and Planning Authority, the Superintendence has reviewed to the Updated Documentation to the EIA and AA Reports, even in the context of the ongoing consultation by the Planning authority on PA 03807/17, which proposed development is covered by this EIA. The Superintendence has limited its review to this addendum as finalised in January 2021.</p> <p>Heritage Assessment</p> <p>The Superintendence notes that the revision of data and assessment in the addendum is focused mainly on photomontages and studies of visual impact, on studies of shadow and on studies of wind flow. These studies are undoubtedly relevant given the considerable redesign in height in overall height and volumes.</p> <p>Nevertheless, the Superintendence has not identified any new data within the addendum regarding the presence of cultural heritage assets within the footprint of the development or within its</p>	<p>Points noted.</p>
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	<p>immediate area of influence, nor has it identified any further comment on the impact of the proposed developments on such cultural heritage assets.</p> <p>The Superintendence has in fact a long-standing engagement with this development and has noted an evolution in the proposal, taking greater account of cultural heritage assets, even as had been identified in the course of inspections.</p> <p>The Superintendence draws the attention of the Environment and Resource Authority to the position and recommendations of the Superintendence in its latest response to the Planning Authority, dated 11th February 2021 and uploaded on EApps at doc 11874a, wherein the Superintendence identifies significant cultural heritage assets and comments on their proposed treatment.</p> <p><b>Conclusion</b></p> <p>In conclusion, the Superintendence is constrained to note that the Updated Documentation to the EIA and AA Reports as reviewed is of limited relevance to the cultural heritage. The Superintendence again draws attention to its comments and recommendations as expressed in its response to the Planning Authority of the 11th February 2021, attached for the convenience of the Environment and Resource Authority.</p>	
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**2. Public comments on the Updated Documentation to the EIA Report (15 February 2021 – 17 March 2021):**

No.:	From	Comments	EIA Coordinator Response (24/03/2021)
1	<p>[Representative of Moviment Graffiti, Friends of the Earth Malta, Żminijietna – Voice of the Left, Din l-Art Ħelwa, Flimkien Għal Ambjent Aħjar (FAA), Green House, The Archaeological Society Malta, Rota and members of the public]</p> <p>Dated 02/03/2021</p>	<p>I act on behalf of the undersigned persons and NGOs and write in relation to the updated documentation relative to the EIA report.</p> <p>My clients would like to be informed of any further submission of documentation/reports and to be present at the public meeting to be held regarding the same.</p> <p>The following observations are being made:</p> <p>1) There has been no update as regards the very pertinent cultural and heritage aspects and findings made from the date of the original submission of this application. Specific reference is made to the discovery (by some of the original appellants to the application) of the Cold War substation. There is no update in relation to this or the original fabric of the barracks.</p> <p>2) Some of the images of the latest photomontages being presented contain an outline or render of the development as originally proposed and the permit for which was revoked. It is being submitted that these renders are irrelevant at best and misleading at worst. They condition the viewer to assume that the exaggerated massing and volume of the original proposal are in some way still on the cards - and that the latest proposal is a magnanimous concession in terms of height and visual amenity - whereas a more clear comparison with the present baseline should have been presented. This is especially the case when the original permit was revoked in its entirety and is no longer a subject of consideration or public consultation.</p> <p>3) There is no update as to the cumulative effects of the various other projects which have been approved in the locality, as required by the Floor to Area Policy 2014. This is especially true insofar as traffic and its impacts are concerned, visual amenity, density, health, microclimate, hydrogeology, flora and fauna, noise, shadowing and other environmental factors are concerned.</p>	<p>1) The Cultural Heritage assessment in the original EIA included a blanket evaluation and proposals regarding the existing buildings located in Site B. Among other things, the assessment and proposals of the Cultural Heritage consultants in the EIA Team covered any British period structure or artifact which is located in this Site both observed and unobserved by them. This said, it should be noted that upon the cultural-heritage monitor's discovery of the cultural-heritage assets which are referred to by in the comment, detailed information regarding the finds were submitted to the Superintendence for Cultural Heritage and uploaded to the e-Apps facility for the public at large to be informed.</p> <p>Among other things, the layout of the development in Site B was modified in order for these assets to be preserved (see drawing number 01-003-00 in Appendix B01 to the Notes statement (document A01)). Reference should also be made to the SCH statement in Row 7 (previous table).</p> <p>2) The renders referred to in the comment do not form part of the official visual impact assessment montages. The official assessment illustrations are presented in appendices B04 and B05 to the Notes statement (document A01).</p> <p>The renders in question were simply included in the Notes statement in order illustrate the modifications to the design.</p> <p>3) This EIA Coordinator submits the following:</p> <ul style="list-style-type: none"> <li>• The photomontages in the above-mentioned appendices B04 and B05 refer to cumulative impacts.</li> <li>• The forecasts of network traffic flows referred to an annual growth rate of 1.5% per annum, when the Planning Authority requirement was 1% per annum. The substantial increase in the network traffic flows resulting from this assumption were meant to reflect both foreseen and unforeseen network traffic growth in the network resulting from further development in the Paceville area and beyond. It should also be noted that in addition to the growth of network traffic, the traffic generated by the Villa Rosa Development (which was approved mid-way through the EIA process) was also taken into consideration. These aspects were considered in the TIA and the air quality and noise assessments.</li> </ul>

		<p>4) There is limited available information as to mitigation measures, alternatives, and the possibility of their success or otherwise in mitigating any deleterious effects of the proposal.</p>	<ul style="list-style-type: none"><li>• As for the other environmental aspects which are mentioned, one would expect the author of the comment to give more detail regarding the additional work which could have been done.</li></ul> <p>4) The main mitigation measures are found in the original reports submitted by the Building Services Engineer and the Green Travel Plan the principles of which are still applicable, and in Chapter 5 of the EIA Report and the documents covering the Coordinator's responses to comments made by the ERA, ERA consultees, and the public.</p> <p>Given that EIAs are not limited to what the appointed EIA consultants do, state, and propose but also cover and submit assessments and proposals made by the developers' consultants, the ERA and its consultees (see for example the previous table), and the public, one would expect the author of the comment to submit mitigation measures on behalf of the parties mentioned in the 'From' column of this table.</p>
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