

ERA Ref: EA 00035/17

Date: 22/06/2018

The Executive Chairperson  
Planning Authority  
St. Francis Ravelin  
Floriana

Dear Sir,

**Planning ref:** PA 05909/17  
**Description of proposal:** Proposed construction of mixed use complex, comprising a Class 3B Hotel including amenities, Class 4B retail shops, 120 no. residential units with underlying basements for vehicle garaging.  
**Location:** Site at, Triq Halq ic-Cawl c/w Triq L-Izbark tal-Francizi c/w Triq in-Nases c/w, Triq Il-Fortizza, Mellieha, Malta.

Reference is made to your re-consultation on the above application which ERA received on 25<sup>th</sup> May 2018.

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).

The submitted Air Quality Study at doc. 124b and Noise Impact Study at doc. 126b have been jointly reviewed. The ERA has no further comments on these studies in view that no significant adverse impacts are expected from the envisaged increase in traffic as a result of the proposed development.

Should the proposal be considered favourably by the Planning Authority, ERA requests that the conditions annexed to this consultation reply, are included as an approved document to the development permit.

Yours faithfully,

Stephanie Farrugia  
Senior Officer  
f/Director Environment and Resources

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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.*

## **ERA Conditions**

1. Any soil on the site shall not be built over but shall be collected for reuse. A permit from the Director of Agriculture may be required to remove the soil from the site and to transport it to a different location. This condition does not exonerate the applicant, contractor or any other relevant party from complying with all permitting requirements as may be applicable for deposition of the removed soil onto other land. Soil and material removed from the site shall not be deposited on any open or undeveloped land outside officially approved development zones, nor used for land reclamation, unless with prior approval in writing by ERA.
2. Contaminated soils are to be managed and disposed of in accordance with the Waste Management Regulations (S.L.549.63) and Waste Management (Landfill) Regulations (S.L.549.29).
3. Inert waste material resulting from construction and excavation may be reused as fill material within the site as long as such reuse is in line with the approved plans and other conditions of this permit, or shall be deposited at facilities duly permitted by ERA and in accordance with the Waste Regulations (S.L.549.63) and the Waste Management (Activity Registration) Regulations (S.L.549.45).
4. All wastes shall be separated according to the different waste streams as per EWC codes as defined in Commission Decision 2000/532/EC, and deposited in sites permitted by ERA to accept such wastes.
5. Waste oils generated during the construction phase of the project must be stored in a secure leak proof container and may only be disposed of through a company duly authorised for the collection of waste oils or at an authorised site as per the legal provisions of the Waste Regulations (S.L.549.63).
6. All storage of machinery and/or waste oils required for or generated from the project shall take place only in locations where thorough clean-up and site reinstatement can be readily undertaken.
7. On-site planting of appropriate indigenous plant species, shall be carried out in its entirety within the first planting season following commencement of works.
8. No rainwater runoff, or wastewater other than sewage, shall be discharged into the sewer. Foul sewer drains must be strictly segregated from stormwater drains. The operator shall endeavour to collect rainwater in a suitable reservoir or cistern.
9. All measures shall be adopted to avoid pollution of the surrounding terrestrial environment, including through the action of runoff from potentially contaminated areas.

