

**ERA Ref.:** EA/00064/19

**Description Proposal:** Demolition of existing structures, ramp, gates and boundary walls, Uprooting and planting trees. Proposed rehabilitation of disused soft stone quarry, including filling of same and landscaping works. Proposed construction of old people's home (class 2A) that comprises of basement (level -1), three floors (levels 0, 1, 2) above ground and roof structures at level 3. The basement level consists of a car park having 137 parking spaces, 6 accessible parking spaces and 1 accessible van space, an unloading/loading area, kitchen, dining areas and ancillary facilities, Level 0 consists of a reception area, lounge, multipurpose hall, accommodation (42-2-2bedded guest rooms) and ancillary facilities. It also includes a wandering garden, other gardens, 17 parking spaces, a space for a fire truck, minibuses, and ambulance, a drop-off zone, ramps leading to the basement level and a security room. Level 1 consists of a staff area, lounge, accommodation (42-2-2bedded guestrooms) and ancillary facilities. Level 2 consists of a crafts room, lounge, chapel, accommodation (42-2-2bedded guestrooms) and ancillary facilities. The roof level is an area for services.

**Location:** SM61, Triq il-Belt Valletta, Mqabba

Subject: Table with recommendations and ancillary reasoned justifications provided by the public, government entities, E-NGOs and relevant local councils, during 30-day public consultation on Terms of Reference, on any matters that they wish to see included in the EIA terms of reference.

Consultation period: 4 February 2020 – 5 March 2020

No.	From	Comment
1	Occupational Health and Safety Authority (email dated 3 February 2020)	Kindly note that it is the obligation of the employer to conform to all applicable OHS legislation. The PDS submitted by the operator does not delve into health and safety issues except to mention fire safety and signs and it incorrectly quotes "the Occupational Health and Safety Act (Act 85 of 1993)". This should read Act XXVII of 2000.
2	Civil Protection (email dated 4 February 2020)	The proposal shall have the fire safety measures and provisions as per the CPD approved relevant standards. Such measures and provisions shall be addressed in the fire safety report submitted and approved by the Civil Protection Department.
3	Malta Beekeepers Association (6 February 2020)	In response to your request, there has to be a comprehensive and credible site selection exercise for the proposal in subject. The proposed reservoir volume should reflect also the hard landscaped area since it is quite extensive.

		<p>Nonetheless, being it proposed on land out of development zone which is in the vicinity of the rural area, it should be ascertained that any activity proposed is not to conflict with any existing and/or future rural/agricultural related activities in the area.</p>
4	<p>Malta Resource Authority (email dated 7 February 2020)</p>	<p>The Malta Resources Authority notes that the proposal envisages the old person's home. The policy of the MRA is that quarries are restored to their original conditions once the mineral is exhausted and, as such, the Authority cannot recommend any such proposed development of a quarry.</p> <p>Furthermore, the licence to quarry is fully paid to 2020, and the MRA cannot therefore even recommend that the quarry be infilled prior to an architect certifying that the quarry is exhausted and all viable resource extracted to the allowable limit.</p> <p>Furthermore if the proposed development include excavation works that reach partially or totally within the saturated zone, then the developer should submit an application in writing to the MRA including the details specified in regulation 5(1) of the Borehole drilling and excavation works within the saturated zone regulations (SL423.32), together with a technical study showing that there will not be a significant impact on water resources; that water resources will be used efficiently in the course of any activities carried out; and that the water environment is protected including the limitation of discharges to the environment.</p> <p>This assessment is based primarily on the documentation that was published on the weblink provided as on the date of the assessment. The Authority made its assessment on a good faith basis and reserves the right to review its position and, or to take action against the authors of the documentation and, or the applicant if information relevant to its assessment (particularly the prior use of the site where the development is proposed) is 'buried' or concealed (including through the submission of documentation that is not text searchable).</p> <p>This, and any other response in writing by the MRA to the application submitted for consultation or to any other documentation, should not in any way be deemed as approving or endorsing this application in any form or of condoning any matters that fall beyond the MRA's immediate remit as established under the Malta Resources Authority Act and as in force on the date of the relevant response. In particular, you are reminded that with the coming into force of the Act No. XXV of 2015 establishing the Regulator for Energy and Water Services, the Water Policy Framework Regulations and the Protection of Groundwater against Pollution and Deterioration Regulations have been excluded from the remit of Malta Resources Authority and as such the MRA has no authority to take a position on matters regulated by these regulations or indeed any other matter that does not fall within its remit.</p>

		While this response may be published, any response by the MRA may not be publicly used or mentioned as a general or partial approval by the MRA of the matter referred to for consultation.
5	Malta Energy Efficiency and Renewable Energies Association (MEEREA) (email dated 9 February 2020)	<p>In line with the Eu Directive 2018/844 on energy performance of buildings, this old people home must achieve a near zero energy status.</p> <p>This means that it must have minimum energy consumption by applying building envelope energy efficiency measures and high efficiency energy services systems, as well as integrate renewable energy systems in its building envelope and in the surrounding area forming part of the property of the said building.</p> <p>For example, hollow concrete blocks of the single or double density types are not sufficiently compliant with Technical Document F.</p> <p>More details on near zero energy buildings and cost optimal studies for homes for the elderly in Malta, visit EU countries' 2018 cost-optimal reports - Energy European Commission</p>
6	Environmental Health Directorate (email dated 20 February 2020)	<p>With reference to your e-mail dated 3rd February 2020 regarding subject in caption and following review of the Project Description Statement, please be informed that we would like to have the following issues related to public health included in the terms of reference for this proposed development:</p> <ol style="list-style-type: none"> <li>1. Air pollution impacts assessment <ul style="list-style-type: none"> <li>• For demolishing, excavation and construction</li> <li>• Emissions from heavy vehicles</li> <li>• Transports, storage and handling of construction materials</li> <li>• Operational traffic</li> <li>• And their effects on the surrounding area.</li> <li>• Necessary monitoring and mitigating measures must be clearly stated.</li> </ul> </li> <li>2. Noise and vibration impacts including construction activities, operational traffic and from other operational activities. Required monitoring and mitigating measures must be clearly stated</li> <li>3. Traffic Impact Assessment and mitigation measures.</li> <li>4. Light pollution impact and mitigation measures.</li> </ol>

		<p>5. A Waste Management Plan shall be implanted which should include the impacts from waste generated both during the construction (demolishing, excavated and construction material) and operation phase. Hence the importance of a detailed Construction and Waste Management Plan, which should be enforced by the site project manager. Details of monitoring and feedback mechanisms must be clearly stated and adhered to.</p> <p>6. Adverse impacts caused by unsafe, inadequate storage and improper handling of raw materials on site and from potential accidental spillage of hazardous fluids, fuel and lubricants.</p> <p>7. The overall cumulative impacts of the development on the general public.</p> <p>8. Details of measures proposed to be taken to prevent nuisances at all stages of the project on the Area of Influence.</p> <p>9. A hydrology assessment should be made available. Such assessment must include details for the supply, distribution and storage of potable water. Furthermore, it must include details of collection, storage, overflow and use of rainwater. Ground water and surface water in terms of water quality including run-off management</p> <p>10. Identify the source of ventilation of the underground parking and level of noise that it would generate. It must also cover the noise level that may have effect on the nearest private residence/ bedroom. WHO specifics, that the threshold level for noise exposure which may have a negative effect on the human health range is between 32-42dB.</p> <p>11. Details of proposed sanitary facilities for workers</p> <p>12. Pest control management on site and the surroundings.</p> <p>The EIA should also include a detailed description of the measures envisaged to prevent, minimise and where possible offset any significant temporary or permanent adverse health effects and nuisances on the Area of Influence and the general public. This should include details regarding monitoring programmes that may be proposed. The EIA should also identify, describe and discuss in detail the possible health effects of any residual impacts that cannot be mitigated.</p> <p>Applicants are also requested to carry out specific discussions with the various units within the Environmental Health Directorate once the detailed plans for the public areas, catering establishments, food outlets and other facilities (such as water distribution, water features, etc.) are prepared in view of specific regulations under the Food Safety Act, the Public Health Act and the Control of Legionella.</p>
--	--	--

7	Energy and Water Agency (2 March 2020)	<p>The following are comments for The Energy and Water Agency divided by considerations which relate to specifically and solely to energy and water management.</p> <p>Energy:</p> <ul style="list-style-type: none"> <li>• In the case of any external lighting installations, we would suggest looking into the use of solar-powered, and energy efficient lighting systems where applicable.</li> <li>• For internal lighting installations, we would suggest looking into the use of solar tubes and energy efficient lighting were applicable.</li> <li>• To meet any heating and cooling demands, we would suggest the use of heat pumps where applicable.</li> <li>• We would recommend looking into the possibility of installing a photovoltaic system on the available roof space.</li> </ul> <p>Water:</p> <ul style="list-style-type: none"> <li>• It is recommended that the design specifically includes measures to utilise the rainwater harvested on-site including a secondary distribution network for use in landscape irrigation and toilet flushing. The design should consider best practices in the design of rainwater harvesting infrastructure to ease the cleaning of water catchment areas and cisterns.</li> <li>• No mention was made with regards to water requirements for irrigation purposes. Landscaping should preferably respect the Mediterranean character of the Maltese Islands and be compatible with the surrounding environment by utilising native species of trees, shrubs and plants which do not require excess amounts of irrigation water. Water efficient irrigation systems should be included.</li> <li>• Water efficient devices should be adopted in terms of dual-flush toilets, water efficient shower and sink faucets as well as water efficient washing machines and dishwashers.</li> <li>• Due to the large landscaped area, it is important that water within the landscaped catchment is not drained outside the boundaries of the development but is either harvested for use as second class water or forms of sustainable urban drainage systems (SUDS) are employed to ensure that all rainwater falling within the 11,329 m<sup>2</sup> of the landscaped area is allowed to recharge the underlying aquifers</li> </ul>
8	Superintendence of Cultural Heritage (3 March 2020)	<p><b>1.0 Preamble</b></p> <p>The site in question is a former quarry located outside the Development Zone, in the limits of Mqabba. The proposed project would involve development over an extensive area and may lead to intensification of activity over a larger area. Potential impacts may occur within the footprint of the project, in the immediate environs, and along access routes to the site. Potential impacts may include direct and immediate material impacts, as well as subsequent impacts that might arise from the modification of the existing situation.</p> <p><b>2.0 Scope and Definitions of the EIA</b></p>

		<p>For the purposes of this document, cultural heritage is defined by Article 2 of the Cultural Heritage Act (2019). This includes movable or immovable objects of artistic, architectural, historical, archaeological, ethnographic, palaeontological and geological importance.</p> <p>2.1 The study area shall include the total footprint of the proposed development.</p> <p>2.2 In the context of this particular application, cultural heritage considerations are negligible. The closest is the Urban Conservation Area boundary in 200 metres from the site.</p> <p>The above cultural heritage definitions and considerations are not to be considered as exclusive. The EIA must consider all other forms of cultural heritage, both known and unknown.</p> <p>2.3 The Environmental Impact assessment will: -</p> <ul style="list-style-type: none"> <li>• Describe the Cultural Heritage assets within the study area;</li> <li>• Analyse the cultural heritage features within the context of the cultural landscape;</li> <li>• Assess the physical, spatial and visual impacts of the proposed development on the cultural heritage assets;</li> <li>• Propose corrective measures for the protection of the cultural resources.</li> </ul> <p><b>3.0 Methodology</b></p> <p>In quantifying the cultural heritage assets within the study area, and assessing the impacts of the proposed development, the EIA will undertake:</p> <ul style="list-style-type: none"> <li>• Description and assessment of the property;</li> <li>• Desktop and archival research limited to the study area;</li> <li>• Fieldwork and research, including “field walking”, topographic survey and remote sensing as may be necessary within the site. All fieldwork has to be authorised by the Superintendence of Cultural Heritage as defined below under point 4;</li> <li>• Consultations with any relevant bodies, including the Superintendence of Cultural Heritage, Heritage Malta, the University of Malta, NGOs and Local Councils;</li> <li>• Compilation of an inventory of the cultural heritage assets identified within the study area. The features of cultural heritage are to be described and plotted with grid references, on Data Capture Sheets, the design of which should be approved in advance by the Superintendence of Cultural Heritage. The Data Capture Sheets will be presented as an appendix to the EIS. The analysis of the features will be included in the main report;</li> <li>• A cultural heritage Risk Assessment Map examining the various impacts of the proposed project is to be included in the EIA.</li> </ul> <p><b>4.0 Authorisation by the Superintendence of Cultural Heritage</b></p>
--	--	--

		As per Cultural Heritage Act 2019, any form of investigation or prospection required for the identification of cultural heritage (including excavation, field walking, topographic survey and remote sensing) may only be undertaken by the Superintendence of Cultural Heritage or with its written approval.
9	Superintendence of Cultural Heritage (9 March 2020)	<p>This is to clarify that the Superintendence is not yet aware of any cultural heritage features within or in the immediate vicinity to the site.</p> <p>Nevertheless, given the potentiality of the presence of cultural heritage features within the site, all necessary analyses are to be conducted as per standard practice.</p>