

PA/01398/23 (GF/00150/06): AMENDMENTS TO PA 1191/05 INCLUDING: INCREASE IN NUMBER OF APARTMENTS FROM 159 TO 234; RECONFIGURATION OF PARKING LEVELS TO INCREASE NUMBER OF PARKING SPACES FROM 600+ TO 850+; INTRODUCTION OF A GREEN PARKING AREA FOR ALTERNATIVE MODE OF TRANSPORT INCLUDING CYCLING, SCOOTERS, AND TAXIS; REMOVAL OF VEHICULAR ACCESS TO THE CAR PARK FROM HUGHES HALLET STREET LEVEL; INTRODUCTION OF HOTEL (CLASS 3B) TO ALSO SERVE APARTMENTS (CLASS 1); ADDITION OF AMENITIES LEVEL WITHIN DOUBLE HEIGHT LEVEL IN TOWER; CONVERSION OF RECESSED LEVEL OF TOWER HOUSING CORE INTO RECESSED LEVEL; REMOVAL OF THE PAVILION BUILDING; INTRODUCTION OF OFFICE LEVELS WITHIN DOUBLE HEIGHT AREAS IN LOWER BUILDINGS; INTERNAL RECONFIGURATION OF OFFICE SPACES; INTERNAL RECONFIGURATION AND SUBDIVISION OF RETAIL AND FOOD AND BEVERAGE OUTLETS, INCREASING THE TOTAL NUMBER OF CLASS 4B UNITS; CHANGING THE USE OF SOME CLASS 4C OUTLETS TO CLASS 4D AND INCREASING THE NUMBER OF CLASS 4D UNITS, INCLUSION OF EXTERNAL AREAS TO CATER FOR THE USE OF TABLES AND CHAIRS.

LOCATION: TOWNSQUARE, TOWER ROAD, HUGHES HALLET STREET, TIGNE STREET, QUI-SI-SANA LANE, IX-XATT TA' QUI-SI-SANA, SLIEMA.

1. INTRODUCTION

1.1 General background

The proposal in caption involves amendments to the approved Townsquare development (PA/01191/05) at the former Union Club Site in Sliema. The permit comprises a mixed development with retail, offices, food and beverage outlets, a 28-storey residential tower, underground parking and service facilities, and had been subject to an Environmental Impact Assessment (EIA) in 2007 and EIA Updates in 2010, 2012, 2015 and 2019. ERA had communicated its latest positions in April 2019 as per Eapps documents PA/01191/05 – 1333a-c.

1.2 Description of the site and proposed development

PA/01398/23 involves the following changes, as compared to the approved development PA/01191/05 (see Figures 1 – 7):

- Introduction of an 11-storey hotel instead of the approved 3-storey pavilion and open landscaped area;
- Changes to internal layout, reorganisation of floors (mainly replacement of various double-height floors with single-height floors, to maximise floor space within same building envelope);
- Increase in total number of apartments (234 from 159) due to change in floor plans;
- Replacement of recessed top level of the tower with a full floor, and above-laying core with recessed floor level;
- Changes to the site access (entrance from Hughes Hallet Street removed, all traffic to enter the site through Triq Qui Si Sana); and
- An increase in total gross floor area by 11,912 m² (from 90,432 to 102,344 m²).

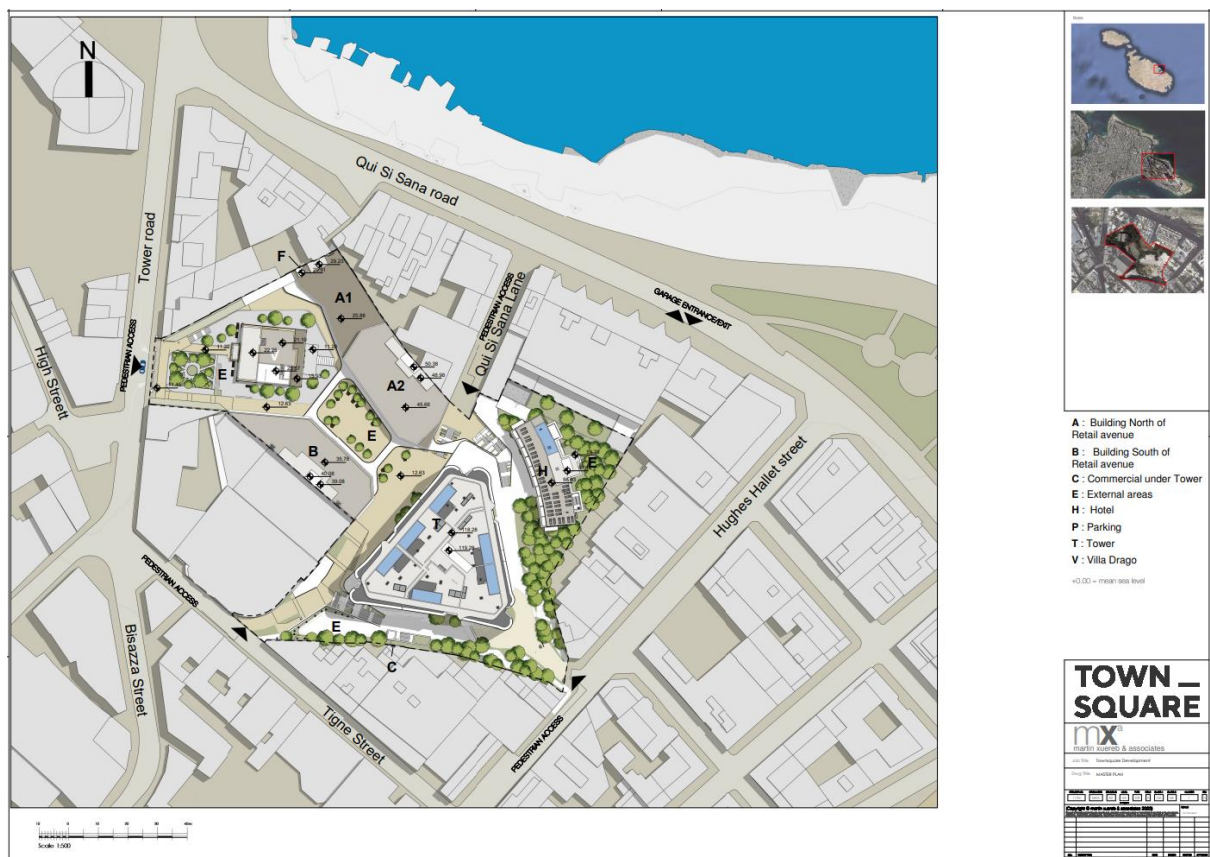
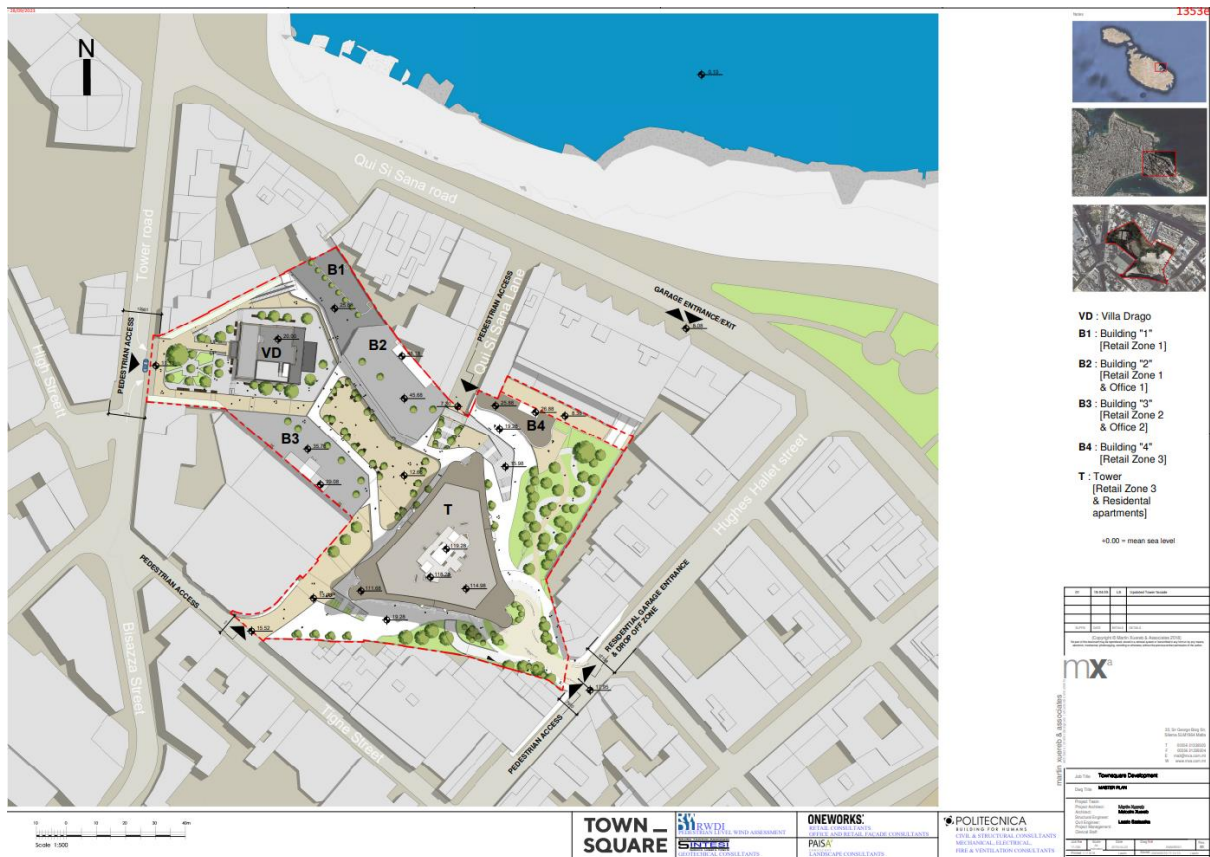




Figure 3 – Proposed level -3, indicating the development and its access from Triq Qui-Si-Sana (Source: EIA Coordinator Statement, August 2023, <https://era.org.mt/era-project/pa01191-05/>).

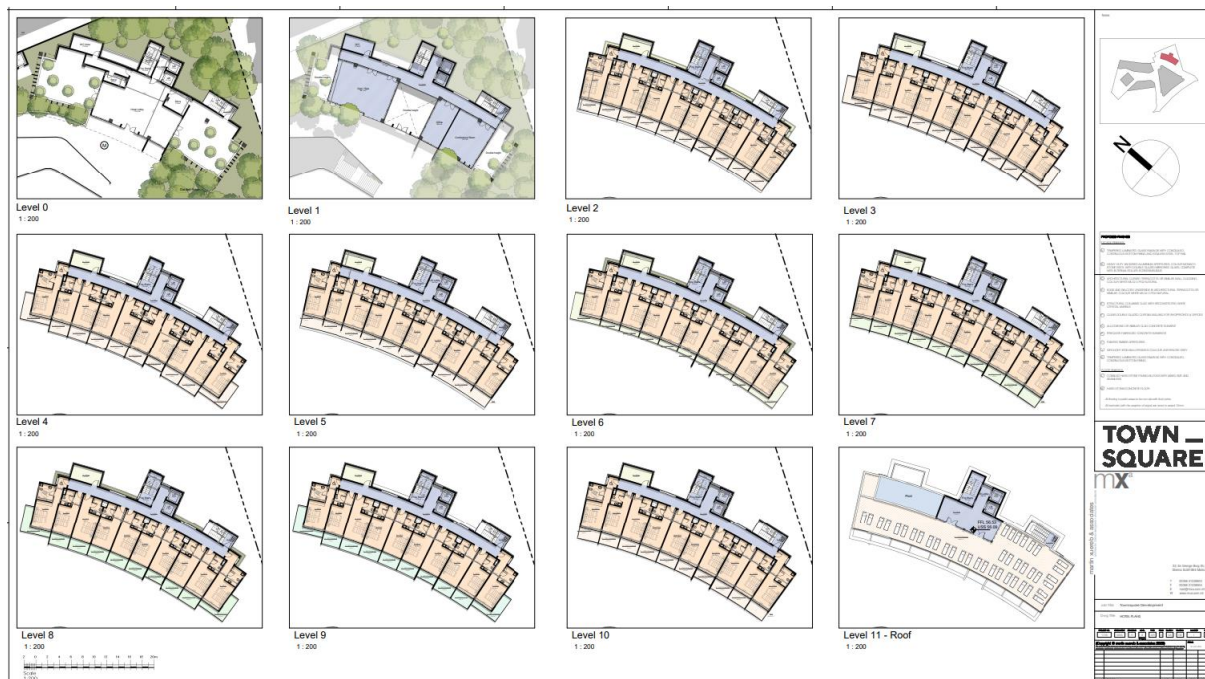


Figure 4 – Plans of the proposed hotel (Source: EIA Coordinator Statement, August 2023, <https://era.org.mt/era-project/pa01191-05/>).

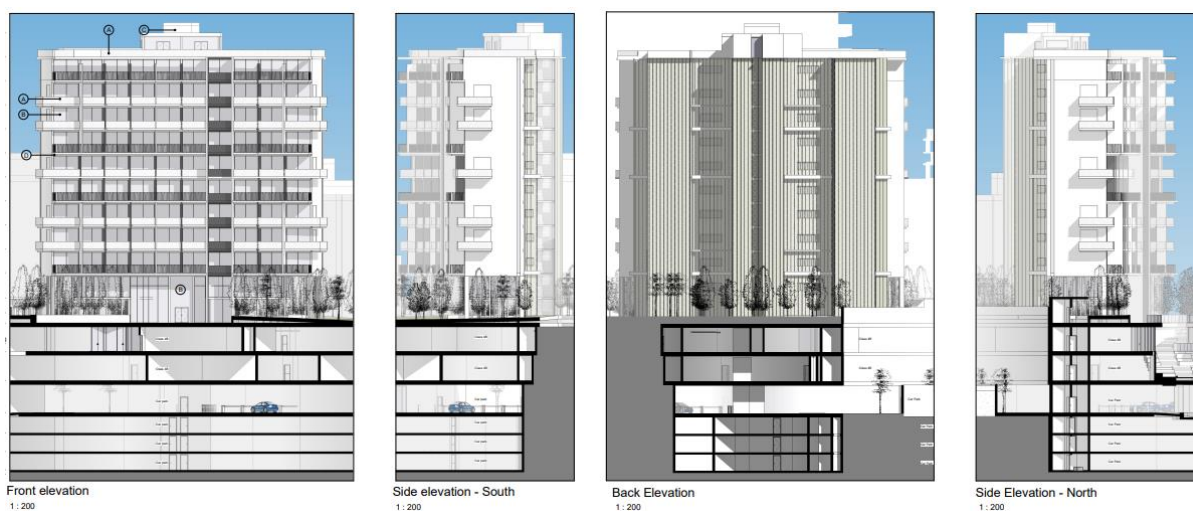


Figure 5 – Elevations of the proposed hotel (Source: EIA Coordinator Statement, August 2023, <https://era.org.mt/era-project/pa01191-05/>).

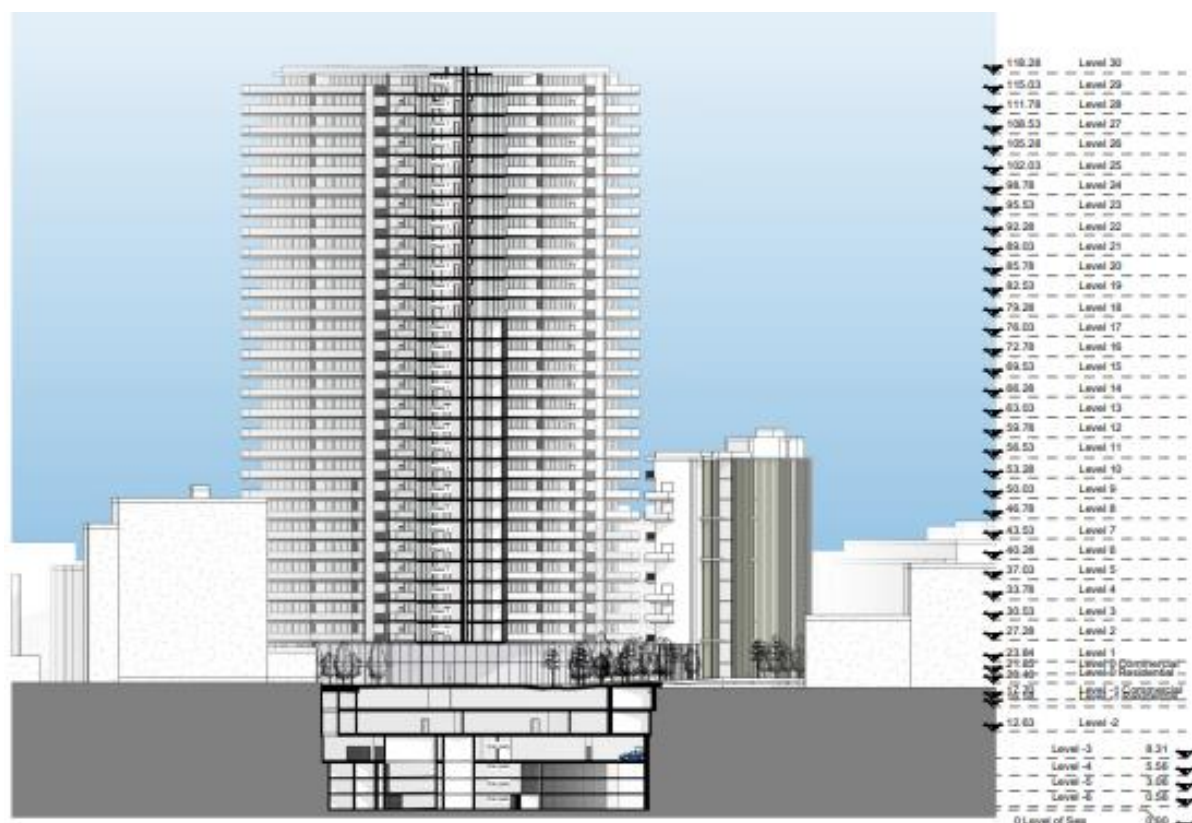


Figure 6 – Section drawing of the proposed development, showing the proposed hotel building adjacent (right side) to the residential tower (Source: EIA Coordinator Statement, August 2023, <https://era.org.mt/era-project/pa01191-05/>).

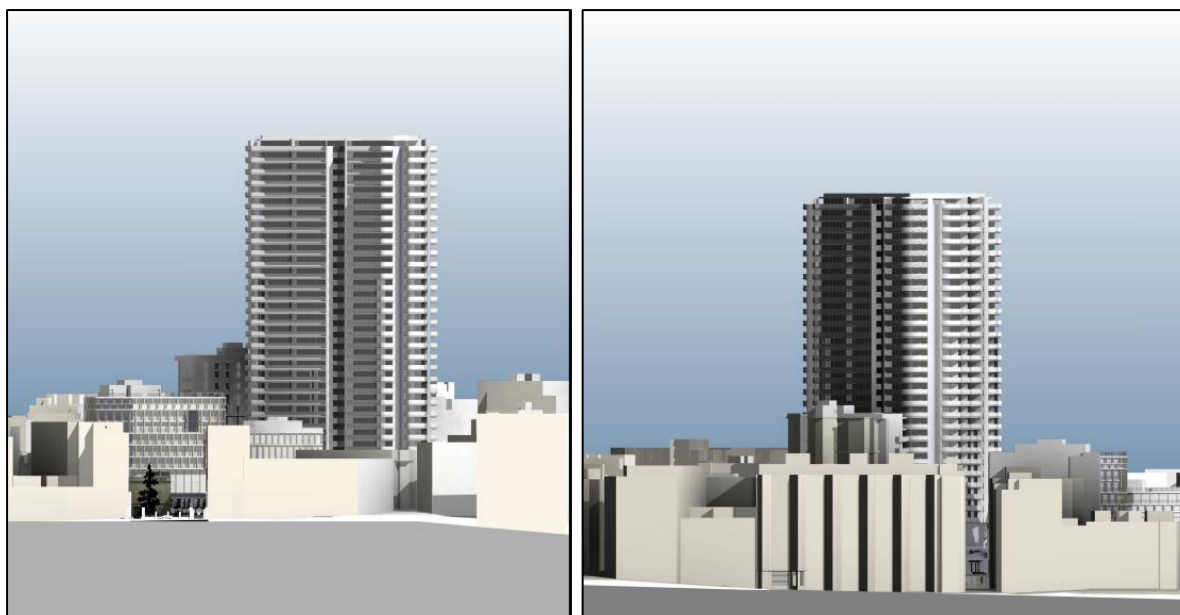


Figure 7 – Elevation drawings of the proposed development – left: elevation as seen from Triq it-Torri [proposed hotel on the left of residential tower] – right: elevation as seen from Triq Qui-Si-Sana [proposed hotel in front of residential tower] (Source: EIA Coordinator Statement, August 2023, <https://era.org.mt/era-project/pa01191-05/>).

2. EIA PROCESS

2.1 *Statement by the EIA Coordinator*

In view of afore-mentioned changes, ERA requested the submission of a statement from the EIA Coordinator to determine whether the proposed revisions to the approved plans are likely to affect the findings of the previous EIA. Such statement was referred directly to ERA on 29 August 2023, and uploaded on the ERA website (<https://era.org.mt/era-project/pa01191-05/>).

The EIA Coordinator statement assessed the aforementioned changes as follows:

- No effects on the EIA findings in relation to geology since the site has already been excavated and no changes are proposed to the approved excavation level.
- With respect to cultural heritage; while a lightweight walkway/bridge is proposed to connect the southern façade of Villa Drago with the rest of the site, the Villa will remain freestanding, and the façade will remain intact. In addition, in view that the surrounding third-party properties are taller than the proposed Townsquare buildings immediately adjacent to the Villa, no additional effects on the setting and context of Villa Drago are envisaged.
- Due to the increase in total floor area of the development, an envisaged increase in traffic generation was identified (annual average daily traffic [AADT] increase by 662 vehicle trips per day, from 2,526 to 3,188 vehicles in total). The implications from such increase in daily traffic on air quality were unclear and required further assessment. In terms of traffic noise generation; while access to the site from Hughes Hallet Street would be removed, with all traffic directed via Triq Qui-Si-Sana, peak hourly traffic flows are not expected to double as a result of the proposed changes. Hence, no additional significant traffic noise impacts are identified.
- With respect to visual amenity and impacts on the surrounding landscape character; while the new hotel may affect some short distance views; the other buildings will retain a similar configuration. In this regard, the magnitude of change is unlikely to differ significantly from those assessed in the previous EIA.

ERA agreed with the Coordinator's assessment that the proposed changes to the approved development are unlikely to affect the findings and conclusions of the previous EIA, except in terms of Air Quality where the envisaged increase in traffic generation required further assessment. To this effect, ERA requested the updating of the Air Quality study and its submission as an Addendum to the previous EIA Report, for further assessment, in accordance with Regulation 24(3) of S.L. 549.46. The Addendum was coordinated by Ms. Rachel Xuereb, on behalf of Adi Associates Environmental Consultants Ltd.

2.2 Addendum to the EIA Report

The Addendum was submitted to ERA on 21 August 2023, uploaded on the ERA website (<https://era.org.mt/era-project/pa01191-05/>), and published for a 30-day consultation with the public (03 September 2023 – 03 October 2023) and the following consultees:

- *Government entities*: Planning Authority, Malta Resources Authority (MRA), Regulator for Energy and Water Services (REWS), Energy and Water Agency (EWA), Civil Protection Department (CPD), Malta Tourism Authority (MTA), Environmental Health Directorate (EHD), Transport Malta (TM), Occupational Health & Safety Authority (OHSA), Superintendent of Cultural Heritage (SCH);
- *Local Council*: Sliema Local Council; and
- *Environmental NGOs*: ACT Malta, Archaeological Society Malta, Bicycle Advocacy Group Malta, Biological Conservation Research Foundation (BICREF), BirdLife Malta, Capers (Creating A Positive Resourceful Environmental Society) Malta, Centre for Sustainable Development, Din L-Art Helwa, Entomological Society of Malta, Environment Commission, Flimkien Għall-Ambjent Ahjar, Fondazzjoni Patrimonju Malti, Fondazzjoni Wirt Artna, Friends of the Earth Malta, Għaqda Sgar Maltin, Greenhouse Malta, International Tree Foundation, Light Pollution Awareness Group, Malta Energy Efficiency and Renewable Energies Association, Malta Organic and Agriculture Movement (MOAM), Malta Health Network, Malta Water Association, Moviment Graffiti, Nature Trust Malta, Noise Abatement Society of Malta, Ramblers Association of Malta (RAM), Sliema Heritage Society, Sustainable Built Environment Malta, Youth for the Environment, Young Reporters for the Environment Malta and Zminijietna.

Notifications of the submission of the said Addendum were published by the developer in the form of adverts in local newspapers on 03 September 2023. The Addendum was also circulated for internal review within ERA.

Within the stipulated consultation period, feedback was received from the Environmental Health Directorate (submissions dated 12 September 2023 and 03 October 2023), the Malta Sociological Association (submission dated 02 October 2023) and members of the public (submissions dated 08 and 18 September 2023). These are reproduced in Section 4 to this document.

2.3 Follow-up of comments on Addendum

Comments made by the ERA, its consultees and the public during the review period were forwarded to the EIA Coordinator, the developer, and the architect on 4 and 11 October 2023. The EIA Coordinator's responses to the review comments were submitted as part of the Addendum to the EIA Report on 11 October 2023 and are also included in Section 4 of this document.

3. SUMMARY OF EIA CONSULTANTS' FINDINGS

The Addendum to the EIA Report addresses the predicted impacts on air quality from vehicular traffic generated by the revised development during operations. Baseline monitoring was carried out with a monitoring point along Qui-Si-Sana gardens, and data from ERA's NO₂ diffusion tube on the corner of Ix Xatt ta' Qui-Si-Sana with Triq It-Torri was used. The same sensitive receptors assessed in the 2018 EIA Update Report for PA/01191/05 were selected for this study (see figure 8 and table 1 below). Baseline monitoring was based on the monitoring carried out during the afore-mentioned 2018 EIA Update, with the further increase in traffic over the subsequent years, since 2018, accounted for.

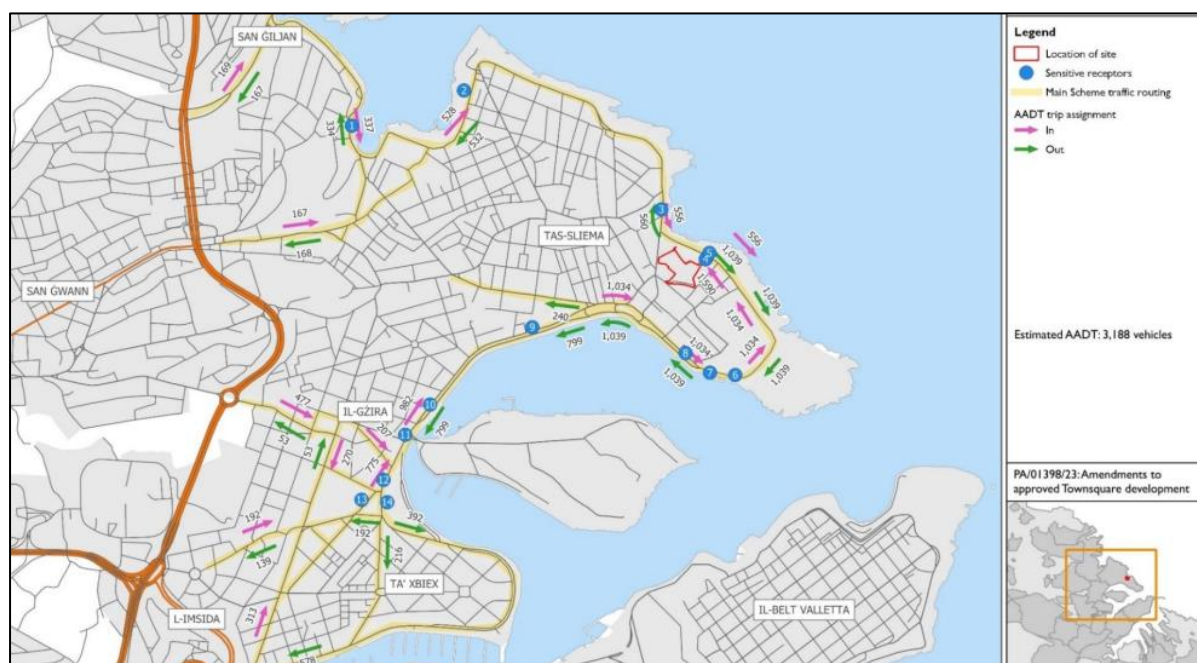


Figure 8 – Area of study of the updated air quality study – indicating the selected sensitive receptors and main traffic routes (Source: Addendum to the EIA Report (Updated air quality study report, August 2023, <https://era.org.mt/era-project/pa01191-05/>).

Table 1: List of receptor locations used for the updated air quality, in line with the 2018 EIA Update Report for PA/01191/05.

Point ref.	Receptor location
1	Triq Censu Tabone (Neptunes water polo pitch)
2	Triq it-Torri (Independence Garden)
3	Triq it-Torri (Piazzetta junction)
4	Ix-Xatt ta' Qui-Si-Sana (west of STS access)
5	Ix-Xatt ta' Qui-Si-Sana (east of STS access)
6	Ix-Xatt ta' Tigne' (east of Fortina)
7	Ix-Xatt ta' Tigne' (west of Fortina)
8	Ix-Xatt ta' Tigne' (Sliema Ferries up to Triq Censu Xerri)
9	Ix-Xatt (between Triq Bouverie and Sliema Ferries)
10	Triq ix-Xatt (between Manoel island and Triq Ponsonby)
11	Triq ix-Xatt (Manoel Island)
12	Triq ix-Xatt (between Triq il-Gzira and Triq San Gorg)
13	Triq L-Imnsida
14	Triq ix-Xatt (between Triq San Gorg and Triq Il-Gnien)

The study concludes that impacts from traffic in terms of NO₂ annual average concentrations are *not significant* at all sensitive receptors in both the year of commencement of operations (2028) as well as after five years (2033), and the allowable 18 exceedances of 200 µg/m³ as an hourly mean will be achieved.

With respect to PM₁₀, the study concludes that impacts on PM₁₀ annual average concentrations range from *not significant* to *moderate significant* (minor significant for receptor locations 4, 5 and 7 in both years, for receptor location 6 only after five years or operations, and moderate significant for receptor location 8), and the impact on the number of exceedances of the daily limit value range from *not significant* to *moderate significant* (moderate significant for receptor locations 4, 5, 6, 7 and 8 in both years, and for receptor location 9 only after five years or operations).

The study also concludes that the PM₁₀ daily limit values will be exceeded at all receptors considered, even without the development in place (i.e. baseline scenario), and the annual limit value will be exceeded at multiple sensitive receptors (1, 2, 4, 5, 8, 9, 10, 11, 12), even in the baseline scenario.

The implementation of a Green Transport Plan is proposed to mitigate adverse effects from increased emissions, and includes a number of measures and financial commitments aimed to shift the mode of travel of employees and visitors away from single occupancy passenger cars (e.g. promoting use of public transport, financial incentives for staff to use alternative modes of travel, shower and charging facilities for employees who walk or cycle, electric charging points for vehicles, collective private transport services for employees, flexi-time and working from home policies). The study assessed such measures as beneficial from an air quality perspective, although the consultants indicated that a reduction in impact significance is not envisaged.

In summary, the impacts from the proposed project on sensitive receptors in terms of air quality are as follows:

- Previous Air Quality Study (2018):
 - o Dust emissions during the works, from ground works and machinery/equipment used: *major adverse*; and
 - o Change in NO₂ annual average: *not significant*;
 - o Change in PM₁₀ annual average: *not significant*; and
 - o Change in number of daily PM₁₀ exceedances: *not significant to moderate adverse (for residences along Triq it-Torri and pedestrians on Ix-Xatt ta' Tigne)*.
- Updated Air Quality Study (2023):
 - o [construction-phase impacts remain unchanged and are as per above]
 - o Change in NO₂ annual average: *not significant*;
 - o Change in PM₁₀ annual average: *not significant to moderate adverse (along Ix-Xatt ta' Qui-Si-Sana [west and east of site access] and along Triq Ix-Xatt [west and east of Fortina and along Sliema Ferries from Triq Bouverie and Triq Censu Xerri]; and*
 - o Change in number of daily PM₁₀ exceedances: *not significant to moderate adverse (along Ix-Xatt ta' Qui-Si-Sana [west and east of site access] and along Triq Ix-Xatt [west and east of Fortina and along Sliema Ferries from Triq Bouverie to Triq Censu Xerri]).*

With respect to the other EIA topics, as mentioned in section 2.1 above, the findings of the previous EIA Report (2018 EIA Update) remain valid, and the assessed significant impacts are reproduced as follows:

- Cultural Heritage:
 - o Potential unearthing of archaeological artefacts during the works: *impact uncertain*; and
 - o Restoration of the facades and interior of Villa Drago and its gardens: *up to major beneficial*.

- Noise:
 - o Noise generated during the works and from machinery on site: *moderate to major adverse*; and
 - o Noise generated by operational traffic: *minor adverse*.
- Visual amenity:
 - o Changes to the character and quality of views: *major adverse* (from various locations, notably as seen from the Sliema and Gzira waterfronts, Valletta, Bighi, and Villa Drago).
- Effects on human populations due to:
 - o Noise emissions: *major adverse* (during works), *minor adverse* (during operations);
 - o Visual impacts: *moderate adverse*; and
 - o Air emissions during works: *major adverse*.

4. COMMENTS RECEIVED BY ERA DURING PUBLIC CONSULTATION ON THE ADDENDUM TO THE EIA REPORT (03 September 2023 – 03 October 2023)

A. Environmental Health Directorate (submissions dated 12 September 2023 and 03 October 2023)

Comment	EIA Coordinator's Response
<p>There is no objection from this end provided that:</p> <ul style="list-style-type: none"> • Applicant adheres with the copy of proposed sketch plans. • The volume of food preparation on site should commensurate with the size of the kitchen and the operator is to ensure food safety at all times. • It is imperative that once said development is approved applicant is to provide this office with detailed information related to the exact operation of all the catering/retail and accommodation business outlets within the proposed complex. • Proposed food outlets should be provided with suitable toilet/s. Toilets leading to food rooms should be provided with adequate ventilation and with an adequately ventilated ante room. Where natural ventilation is not possible, adequate extract ventilation by mechanical means is to be provided. • Prior to use, premises are to be regularly connected to the government main sewerage system, be provided with a supply of electricity and be provided with a supply of wholesome water from an approved source. • Height of proposed food rooms should not be less than 8ft (2.4m). • Proposed hotel should be provided with a number of adequate staff changing facilities. • Proposed grease trap (unless self-cleansing)/gully traps are to be located in the open air. • Loading bays leading directly to the storage area should be provided with an adequate ventilated space. 	<p>Noted and passed onto applicant.</p>

Comment	EIA Coordinator's Response
<ul style="list-style-type: none"> • All food rooms including food stores are to be adequately ventilated. Where natural ventilation is not possible, adequate intake and extract ventilation by mechanical means is to be provided. • To provide adequate measures for the hygienic disposal of refuse. Passage-way used for garbage should not be the same used for foodstuffs. • Proposed cesspit/sump is to be made according to law. This should be of adequate size, easily accessible to a bowser all the year round for the purpose of emptying, made leak-proof and built in such a way as not to contaminate the surrounding area. • Applicant has to provide this Directorate a certification from a competent engineer/architect confirming that the cesspit/sump once constructed have been tested and confirmed leak-proof and that same have been constructed according to law and of the required size. • The Superintendent of Public Health reserves the right to order the abolition of the said cesspit/sump when he deems this is necessary and to order the connection of the drains to the public sewer or to adopt any other sewage drainage system. • Cesspit/sump is to be emptied regularly and in no way should foul matter overflow onto nearby areas. The material emptied from the cesspits/sumps by the bowser, should be discharged in the main public sewer at authorized points only, as directed by the Wastewater Unit within the Water Services Corporation. • Applicant should make all the necessary arrangements with a private consultant so that samples are collected as per LN 129 of 2005 and tested for microbiology and chemistry as required. • A pool safety operating procedure manual is to be made available according to regulation. • All pools (including jacuzzi) are to be duly registered with the Superintendent of Public Health and are to conform to the Swimming Pools Regulations, L.N. 129 of 2005. • Water system distribution for hot and cold water is to be sampled and tested for legionella bacteria from designated sentinel points as per L.N. 05 of 2006 prior opening an establishment and once every 6 months as per regulation and as per ECDC Guidelines of 2017. • Applicant is to take all the necessary measures to prevent above mentioned premises from being a statutory nuisance to neighbouring properties. • All the relevant building and sanitary laws and regulations are to be strictly adhered to. <p>[Additional feedback received on 03 October 2023]</p> <p>The Environmental Health Directorate (EHD) would like to submit the following comments/recommendations regarding this proposal:</p>	

Comment	EIA Coordinator's Response
<ul style="list-style-type: none"> • All drains are to be constructed and connected as per requirements of Chapter 10, Code of Police Laws. • Measures in relation to legionella control as per LN 5 of 2006 Control of Legionella, amended by LN 262 of 2006 must also be carried out for the showers and changing rooms mentioned in the Green Transport plan. 	

B. Malta Sociological Association (submission dated 02 October 2023)

Comment	EIA Coordinator's Response
<p>With reference to the latest development proposals at the Townsquare site in Sliema, the Malta Sociological Association is requesting EIA Malta to commission an ongoing social impact assessment. Previous versions of this project, including the one that was approved by the Planning Authority in 2019, had corresponding social impact assessments, but the plans have changed yet again, as per application GF 00150/06 (ERA) and 01398/23 (PA), which refers to an</p> <p>"increase in number of apartments from 159 to 234; reconfiguration of parking levels to increase number of parking spaces from 600+ to 850+; introduction of a green parking area for alternative mode of transport including cycling, scooters, and taxis; removal of vehicular access to the car park from Hughes Hallet street level; introduction of hotel (Class 3B) to also serve apartments (Class 1); addition of amenities level within double height level in tower; removal of the Pavilion building; introduction of office levels within double height areas in lower buildings; internal reconfiguration of office and retail areas; change of use of some Class 4C outlets to Class 4D.</p> <p>As per Malta's national census (2021), Sliema is now Malta's most densely populated locality. Various social characteristics of Sliema have changed since the approval of the previous version of the Townsquare project. These need to be analysed scientifically through social impact assessment in an ongoing process, and in conformity to guidelines such as those of the International Association for Impact Assessment.</p>	<p>Noted, however outside the remit of the EIA Addendum that focused on air quality as requested by ERA.</p> <hr/> <p><i>ERA note:</i> Social Impact Assessment does not fall within ERA's remit.</p>

C. Members of the public (submissions dated 08 and 18 September 2023, respectively)

No.	Comment	EIA Coordinator's Response
1	<p>I wish to write my objection to the new Townsquare development.</p> <p>The people had already protested in a demonstration at Qui-s-sana about the height of the apartment block. In 2018 the Environment and Planning Review Tribunal upheld the Appeals. Now, it seems, that there are to be more apartments added. Plus there is now a second high building which is to be a hotel. This will bring even much more pollution, lack of sunlight and fresh air to the surrounding residences. This apart from the constant deliveries necessary for a hotel.</p>	Noted and passed onto applicant.

No.	Comment	EIA Coordinator's Response
	<p>The plan is in the midst of apartments already built on roads surrounding the plot. Therefore the new buildings with exaggerated heights will add to the lack of air, sunlight and pollution, as Tigne Street is narrow, and the once pleasant area is now already suffocated. (I lived in a one storey detached house and garden there, so I know what we have lost).</p> <p>Infrastructure, the most important survey before building these high-rise horrors, was/is non-existent. How are the drainage, electric cables. Water distribution etc. going to cope with the demand? The quality of life is already compromised, let alone if this suffocation is added to the area.</p> <p>Traffic, already a huge problem, will increase. It takes twenty minutes to exit Sliema from this area by car. It will only get worse with more building. Hotels and shops will need constant trucks to deliver their goods, as they already do. Why try to ruin what was pleasant about our Island? Why not improve the so many places that need arranging and upkeep?</p>	
2	<p>The introduction of a hotel in an area previously reserved for an open space with no buildings close to Hughes Hallett street is an extreme revision from the original approved plan and an entire reassessment of the project must be held to ascertain the impact that this will have on environmental quality and logistical bottlenecks, and if so, the modification must be rejected.</p>	<p>Noted. The EIA Addendum considered the additional impact on air quality of the traffic generated from the hotel.</p>