

Environmental Impact Assessment

Screening

(According to Schedule IB of LN 114/2007, as amended)

PA file no.: PA 02540/16

Other reference: EA 00015/16

Project Title: Rehabilitation of spent quarry into storage area class 6A

Location: Site at (Quarry), Tas- Salvatur, Siggiewi, Malta

Screening date: October 2016

1. Description of Proposal

1.1 Outline of project/development

This development seeks the rehabilitation of a disused quarry (SM44) into an open storage area for parking of HGVs and ancillary office facilities. The site as per South Malta Local Plan (SMLP) is designated as a Quarry (SM44 - SMIA 10, Map SI5), and was in operation from 1982 to 1986. The quarry has been in disuse since its exhaustion in 1986 (refer to Fig. 3 below).

The proposal will consist of a paved open yard including five open storage bays (8 courses high) for heavy goods vehicles (HGVs), and one administration building (16 courses high), all of which will be below street level.

There are water, sewage and electrical services in the vicinity which can be easily accessed.

1.2 Site description and related considerations

The site is located in an area known as tas-Sejba (aka tas-Salvatur) limits of ta' Kandja Siggiewi and has a total site area is of 3,156m². The surrounding area is characterised by agricultural land, quarries and the SAG training grounds (Proposed Police Academy). Works being envisaged include the backfilling of the quarry with inert building material, compaction levelling, construction of a reservoir, paving and construction of an administration building.

The site falls Outside Development Zone (ODZ) and lies approximately 750 metres from the nearest built-up area (Imqabba). Furthermore, the site lies: (i) within a Drinking-Water Safeguard Zone as identified by the Malta Resources Authority (MRA) under the Water Policy Framework Regulations (Legal Notice 194 of 2004); (ii) adjacent to proposed areas of Ecological and Scientific Importance, namely 'Wied Xkora', 'Wied Musa', 'Wied Silani', and 'il-Wied ta' Kandja' (South Malta Local Plan (SMLP) - SMCO 03); (iii) a proposed Area of High Landscape Value (SMLP – SMCO 06); (iv) the proposed Valley Protection Zone of 'Wied ta' Kandja' (SMLP – SMCO 07); (v) approx. 300 metres from L-Ajruport ta' Ħal-Luqa Bird Sanctuary (as per Legal Notice 41 of 2003, which in this case is only a nominal environmental constraint, as the purpose of airport safety, and is not really related to environmental protection); and (vi) 250m from an archaeological buffer zone for a Punic Roman tower (Legal Notice 588 of 1994).

Figures 1 - 5 below indicate the location and block plan of the proposed development, as well as a view into the site.

1.3 Relevant planning history

- PA 03878/07: Outline development for the rehabilitation of disused quarry into open storage area (Refused)
 - 13th April 2010 – DCC Board Meeting held: **Application Refused** (Doc. 62)
 - 25th May 2010 – **Request for appeal** against refusal (Doc. 66)

- 28th July 2010 – Appeal No. 123/10 held: Applicant requested an MRA representative as a witness to his case (Doc. 70)
- 11th January 2011 – Appeal Hearing held: **EIA Screening Required** (Doc. 73)
- PDS submitted (Doc. 86/88)
- 27th September 2012 – Environment and Planning Review Tribunal (EPRT) held: **Confirmation of Refusal Decision** (Doc. 96)
- 2nd May 2013 – Court of Appeals Hearing held: Policy SMIA 11 of the South Malta Local plan was not taken into account when assessing the proposal, thus, the assessment was not considered complete. **EPRT is required to re-assess the proposal in view of all applicable policies** (Doc. 99)
- 16th July 2013 – EPRT noted Court of Appeal's decision and stated that the DCC Board did not consider all the relevant policies at that stage either. **Case is referred back to EPC Board for reconsideration** (Doc. 102)
- 7th November 2013 – Appeal Hearing held: Applicant and/or representative not present. Case deferred to 13th February 2014 (Doc. 112)
- 20th November 2013 – EPCA Meeting held: Legal Consultants confirm decision is to be taken by EPRT (Doc. 115/121)
- 11th December 2013 – EPCA Meeting held: Referred back to EPRT due to previous Legal Consultation at Doc. 115/121 (Doc. 129)
- Authority decides that, **following EPRT decision** at Doc. 102, **EPC Board is to decide the case**. Should the proposal be refused, the EPRT is to review this second refusal (Doc. 130)
- 13th February 2014 – Appeal Hearing held: Case deferred to the 24th April 2014 in view of Doc. 130 (Doc. 131)
- 15th April 2014 – EPCA Meeting held: Case deferred to the 13th May 2014 in order for further submissions from architect (Doc. 138)
- 24th April 2014 – Appeal Hearing held: Case deferred to the 19th June 2014 in view of Doc. 138 (Doc. 150)
- 13th May 2014 – EPCA Meeting held: Case deferred to the 10th June 2014 on applicant's request (Doc. 154)
- 10th June 2014 – EPCA Meeting held: Case deferred to the 10th June 2014 on architect's request (Doc. 154)
- 19th June 2014 – Appeal Hearing held: Case deferred to the 2nd October 2014 as neither applicant nor architect were in attendance (Doc. 159)
- 2nd October 2014 – Appeal Hearing held: Case deferred to the 3rd February 2015 in order to review previous submissions (Doc. 160)
- 3rd February 2015 – Appeal Hearing held: Case deferred to the 12th May for further information (Doc. 169)
- 13th February 2015 – EPCA Meeting held: **Application Refused** (Doc. 170/171)
- 12th May 2015 – Appeal Hearing held: Case deferred to a later date for decision to be taken (Doc. 175)
- 17th December 2015 – Appeal Hearing held: **Appeal upheld against refusal** (Doc. 177)
- PA 04076/10: To demolish existing utility rooms (in a dangerous state due to rock slip) and reconstruct same in safer area (**Approved**)
- PA 02540/16: **Current Application**

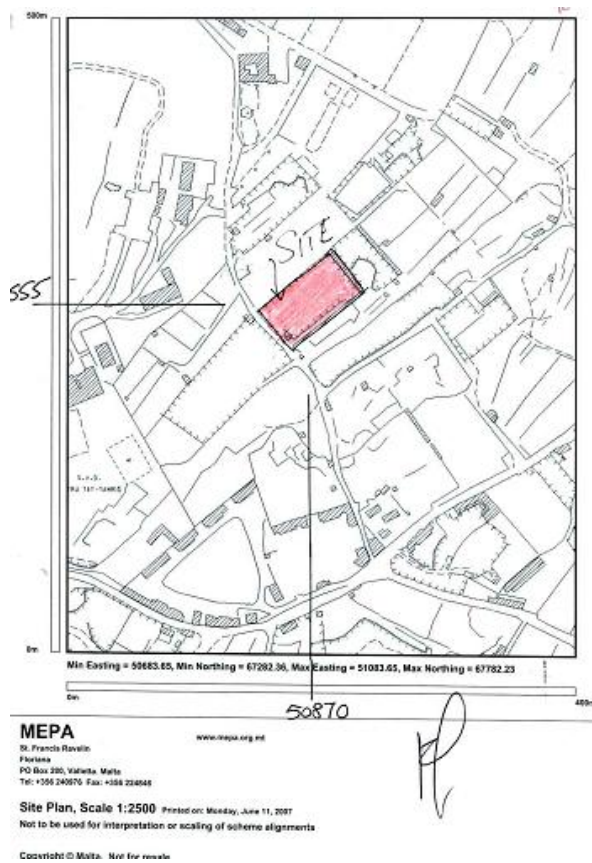


Figure 1: Location of the site earmarked for the proposed quarry



Figure 2: Close-up of the site and its immediate surroundings



Figure 3: View into the site

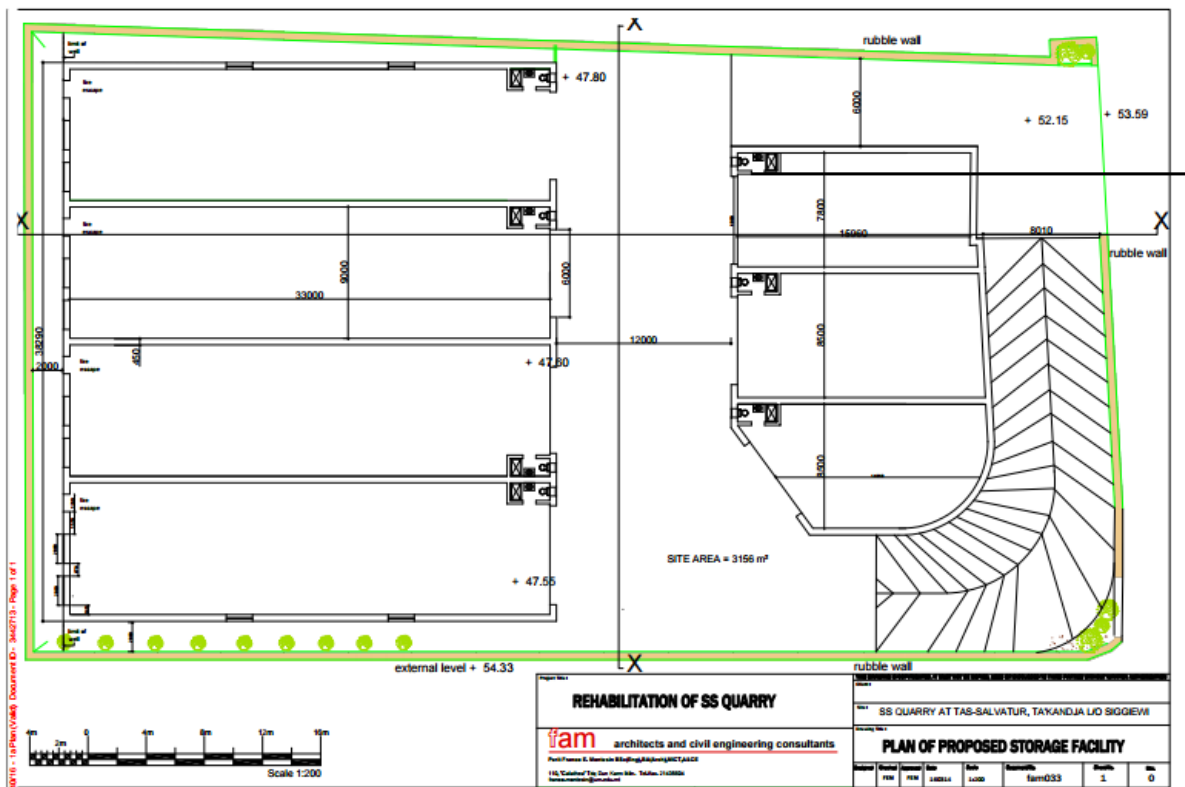


Figure 4: Proposed Block Plan

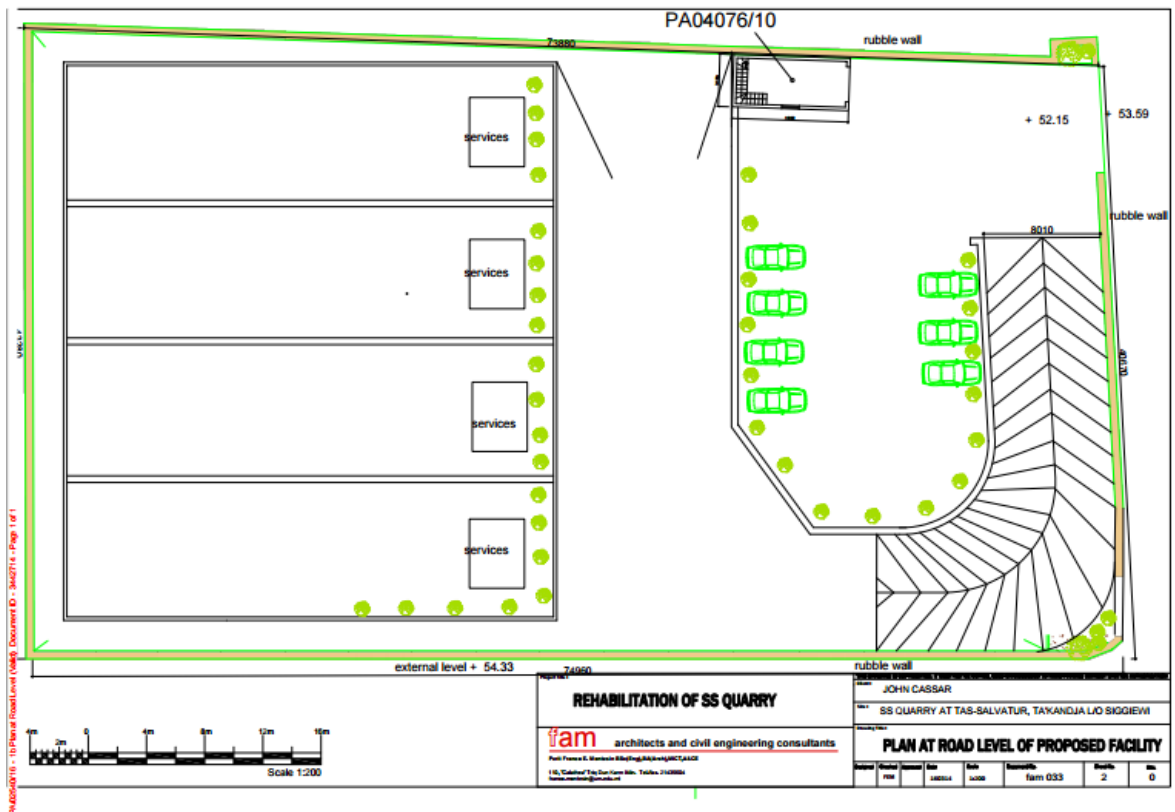


Figure 5: Proposed Plan at Road Level

2. EIA-relevant history

2.1 Relevant EIA/screening criteria (citations refer to S.L. 549.46, as amended, except where otherwise specified):

At ERA screening stage (Minute 17 in file), the proposed development was deemed to qualify for further screening as per Schedule IA, Category II Section 5.3.2.1 (Restoration and after use of existing and disused quarries not already covered by an approved landscaping/restoration scheme, where the boundary of the site is within 200m of a protected site or a site of known environmental importance) of the EIA Regulations, 2007 (S.L. 549.46) and thus the submission of a Project Description Statement (PDS) was required.

2.2 Version of documents used for screening:

1. PDS dated 27th April 2016 (PA 02540/16/Doc. 19).
2. Plans and Drawings (PA 02540/16/Doc. 1).
3. ERA Comments dated 11th April 2016 (PA 02540/16/Doc. 17).

3. Screening Matrix

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
1	Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in the locality (topography, landuse, changes in water bodies, etc)?	<p>Yes.</p> <p>The proposed project, located outside development zone and within an exhausted soft stone quarry, will result in the intensification of the site to industrial use. Furthermore, the project will hinder the potential backfilling of an existing depression in the topography.</p> <p>Works being envisage include backfilling, compaction levelling, construction of reservoir, paving and construction of administration building. The proposal includes five open storage bays (8 courses high) and one administration building (16 courses high) all of which will be below street level. The total site area is of 3,156m².</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>No significant environmental impacts are being envisaged considering the site is already disturbed and therefore the operations of the proposed development (i.e. use of the site for open storage) will not exert any significant environmental impacts on the physical properties of the site.</p> <p>This is without prejudice to ERA's concerns highlighted in PA 02540/16/Doc. 17. These concerns relate to: (i) the introduction of industrial uses on site; (ii) further site formalisation and intensification of development; (iii) the reinstatement of the disused quarry not connected to rural recreation or nature conservation; and (iv) ERA's recommendation for refusal and unacceptability from an environmental point of view. Such concerns can be addressed directly through the mechanisms of the mainstream development permit process.</p>	PDS Pgs. 5 - 8
2	Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	<p>Yes</p> <p>The proposal makes use of 3,156m² ODZ land.</p> <p>The proposal also includes the use of grade selected backfill materials, franka stone blocks, concrete, and structural steel beams and columns during construction.</p> <p>Furthermore, operations will make use of basic water and electricity services.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>No significant environmental impacts are being envisaged considering the scale of the proposed development.</p> <p>A number of mitigation measures have also been proposed, including:</p> <ul style="list-style-type: none"> - The proposed reservoir is intended for the collection of run-off water on site. This is to be used for the landscaping scheme and other uses requiring second class water. <p>There is also the possibility for the use of alternative sources of energy, namely PV systems.</p>	PDS Pgs. 18 - 19
3	Will the Project involve use, storage, transport, handling or production of substances or materials or energy, especially any resources which could be harmful	<p>No such impacts are envisaged during the construction phase.</p> <p>The operational phase will involve the storage of Heavy Goods Vehicles (HGVs) on site. Thus, there is the possibility of accidental spillages of hazardous substances (spent oils, acids and fuels) from these vehicles.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>No significant impacts are envisaged when considering the scale of the proposed development.</p> <p>Any possible impacts may also be sufficiently mitigated through the application of mitigation measures identified in the Environmental Management Construction Site Regulations (Legal Notice 295 of 2007, as</p>	PDS Pgs. 18, 22, 27

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
	to human health or the environment or raise concerns about actual or perceived risks to human health?		<p>amended), which is highlighted in the PDS.</p> <p>The PDS also outlines a number of specific mitigation measures with regards to hazardous waste;</p> <ul style="list-style-type: none"> - An impermeable concrete flooring layer above 5 metres of backfill material will halt the percolation of hazardous substances to the groundwater, and will also be connected to an oil/waste separator through which surface water runoff will be filtered. - Spent oils and batteries will be collected in appropriate banded pallets, and spent lead batteries will be stored in acid resistant containers; both will be disposed of by approved third-party waste carriers. - Spill kits will also be kept on site in case of emergencies. 	
4	Will the Project produce solid wastes during construction, operation or decommissioning ?	<p>No, significant volumes of waste are expected during the construction phase, but will recycle 16,000m³ of construction and demolition waste for the initial backfilling of the site.</p> <p>The project's operational phase may result in a number of hazardous waste streams.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>No significant impacts are envisaged when considering the proposed mitigation measures below.</p> <p>Any possible impacts may be sufficiently mitigated through the application of mitigation measures identified in the Environmental Management Construction Site Regulations (Legal Notice 295 of 2007, as amended), which is highlighted in the PDS.</p> <p>The PDS also outlines a number of specific mitigation measures with regards to hazardous waste;</p> <ul style="list-style-type: none"> - An impermeable concrete flooring layer above 5 metres of backfill material will halt the percolation of hazardous substances to the groundwater, and will also be connected to an oil/waste separator through which surface water runoff will be filtered. - Spent oils and batteries will be collected in appropriate banded pallets, and spent lead batteries will be stored in acid resistant containers; both will be disposed of by approved third-party waste carriers. - Spill kits will also be kept on site in case of emergencies. 	PDS Pgs. 18 – 19, 22, 27

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
5	Will the project release pollutants or any hazardous, toxic or noxious substances to air?	<p>Yes</p> <p>During construction a significant number of HGV trips are required for the initial backfilling process, as well as for the general construction of the proposal. This is likely to generate fugitive dust emissions from site clearance, and excavation and NO_x from construction vehicles.</p> <p>During operations, air pollutants (NO_x) are expected to be limited to air emissions from the vehicles that visit the site including stored vehicles and those rendering service during operation and construction.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant environmental impacts are being envisaged considering the scale of the proposed the development and the proposed mitigation measures below.</p> <p>All vehicles are to be kept in a good state of repair, fitted with appropriate acoustic suppression equipment and serviced regularly in order to minimise exhaust and noise emissions.</p> <p>Some dust emissions are also expected from the activities on site. However, this is expected to be reduced from current levels due to the new concrete flooring introduced, and is also minimal when compared to the adjacent quarrying activities.</p>	PDS Pgs. 17 – 20, 27 - 28
6	Will the Project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	<p>Yes.</p> <p>Noise during both construction and operation is expected to be limited to the traffic accessing the site.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant impacts are envisaged when considering the scale of the proposed development.</p> <p>Any possible impacts may also be sufficiently mitigated through the application of mitigation measures identified in the Environmental Management Construction Site Regulations (Legal Notice 295 of 2007, as amended), which is highlighted in the PDS.</p> <p>The PDS also outlines a number of specific mitigation measures with regards to noise, namely, that all vehicles are to be kept in a good state of repair, fitted with appropriate acoustic suppression equipment and serviced regularly in order to minimise exhaust and noise emissions.</p> <p>Additionally, the development will be located within a spent quarry below street level, which should further mitigate some of the noise impacts envisaged.</p>	PDS Pgs. 28 - 29

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
7	Will the Project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	<p>Yes.</p> <p>The site is within Drinking-Water Safeguard Zone (Legal Notice 194 of 2004), and is also located adjacent to a major watercourse (Il-Wied ta' Kandja). There is also a borehole on site.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>No significant environmental impacts are being envisaged considering the proposed mitigation measures below.</p> <p>Any possible impacts may be sufficiently mitigated through the application of mitigation measures identified in the Environmental Management Construction Site Regulations (Legal Notice 295 of 2007, as amended), which is highlighted in the PDS.</p> <p>The PDS also outlines a number of specific mitigation measures with regards to hazardous waste;</p> <ul style="list-style-type: none"> - An impermeable concrete flooring layer above 5 metres of backfill material will halt the percolation of hazardous substances to the groundwater, and will also be connected to an oil/waste separator through which surface water runoff will be filtered. - Spent oils and batteries will be collected in appropriate bunded pallets, and spent lead batteries will be stored in acid resistant containers; both will be disposed of by approved third-party waste carriers. - Spill kits will also be kept on site in case of emergencies. 	PDS Pgs. 18, 22, 27
8	Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?	<p>No increase in the risk of accidents is envisaged, other than 'normal' occupational risks typically associated with proposed development.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>No significant environmental impacts are being envisaged considering the proposed mitigation measures below.</p> <p>Any possible impacts may be sufficiently mitigated through the application of mitigation measures identified in the Environmental Management Construction Site Regulations (Legal Notice 295 of 2007, as amended), which is highlighted in the PDS.</p> <p>The PDS also outlines a number of specific mitigation measures with regards to hazardous waste;</p> <ul style="list-style-type: none"> - An impermeable concrete flooring layer above 5 metres of backfill material will halt the percolation of hazardous substances to the groundwater, and will also be connected to an oil/waste separator through which surface water runoff will be filtered. - Spent oils and batteries will be 	PDS Pgs. 18, 22, 27

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
			<p>collected in appropriate banded pallets, and spent lead batteries will be stored in acid resistant containers; both will be disposed of by approved third-party waste carriers.</p> <ul style="list-style-type: none"> - Spill kits will also be kept on site in case of emergencies. 	
9	Will the Project result in social changes for example, in demography, traditional lifestyles, employment?	<p>No.</p> <p>Considering the scale, nature and size of the project, the proposed development is not expected to lead to significant demographic or social changes.</p> <p>The project will employ an equivalent of 5 full-time workers.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>No significant changes are expected.</p>	PDS Pg. 16
10	Are there any such factors which should be considered such as the consequential development which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality?	<p>Yes.</p> <p>The development would potentially open up development pressures in the surrounding area.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>The development of this proposal on ODZ land may contribute to the further sprawl of industrial development outside the development zone.</p> <p>This is without prejudice to ERA's concerns highlighted in PA 02540/16/Doc. 17 as outlined question 1 above.</p>	/
11	Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the project?	<p>Yes.</p> <p>The site lies;</p> <ol style="list-style-type: none"> within a Drinking-Water Safeguard Zone as identified by the Malta Resources Authority (MRA) under the Water Policy Framework Regulations (Legal Notice 194 of 2004); directly adjacent to proposed areas of Ecological and Scientific Importance, namely 'Wied Xkora', 'Wied Musa', 'Wied Silani', and 'il-Wied ta' Kandja' (SMLP - SMCO 03); a proposed Area of High Landscape Value (SMLP – SMCO 06); the proposed Valley Protection Zone of 	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <p>No significant environmental impacts are being envisaged considering the proposed mitigation measures below.</p> <p>Any possible impacts may be sufficiently mitigated through the application of mitigation measures identified in the Environmental Management Construction Site Regulations (Legal Notice 295 of 2007, as amended), which is highlighted in the PDS.</p> <p>The PDS also outlines a number of specific mitigation measures with regards to hazardous waste;</p> <ul style="list-style-type: none"> - An impermeable concrete flooring layer above 5 metres of backfill material will halt the percolation of hazardous substances to the groundwater, and will also be connected to an oil/waste 	/

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
		<p>'Wied ta' Kandja' (SMLP – SMCO 07);</p> <p>v. approx. 300 metres from L-Ajruport ta' Hal-Luqa Bird Sanctuary (as per Legal Notice 41 of 2003, which in this case is only a nominal environmental constraint, as the purpose of airport safety, and is not really related to environmental protection); and</p> <p>vi. 250m from an archaeological buffer zone for a roman tower (Legal Notice 588 of 1994).</p>	<p>separator through which surface water runoff will be filtered.</p> <ul style="list-style-type: none"> - Spent oils and batteries will be collected in appropriate banded pallets, and spent lead batteries will be stored in acid resistant containers; both will be disposed of by approved third-party waste carriers. - Spill kits will also be kept on site in case of emergencies. <p>Some dust emissions are also expected from the activities on site. However, this is expected to be reduced from current levels due to the new concrete flooring introduced, and is also minimal when compared to the adjacent quarrying activities.</p> <p>Additionally, the development will be located within a spent quarry below street level and surrounded by the high walls of surrounding quarries. Thus, it will only be visible from within the site. This should mitigate the visual impacts on the adjacent landscape</p>	
12	<p>Are there any areas on or around the location which are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other water bodies, the coastal zone, mountains, forests or woodlands, which could be affected by the project?</p>	<p>Yes</p> <p>Reply to Question 11 refers.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>Reply to Question 11 refers.</p>	/
13	<p>Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering,</p>	<p>Reply to Question 11 refers.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>Reply to Question 11 refers.</p>	/

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	migration, which could be affected by the project?			
14	Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	Yes. The site lies; i. within a Drinking-Water Safeguard Zone as identified by the Malta Resources Authority (MRA) under the Water Policy Framework Regulations (Legal Notice 194 of 2004); ii. directly adjacent to proposed areas of Ecological and Scientific Importance, namely 'Wied Xkora', 'Wied Musa', 'Wied Silani', and 'il-Wied ta' Kandja' watercourse (SMLP - SMCO 03);.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/> No significant environmental impacts are being envisaged when considering the mitigation measures proposed. Reply to Question 7 refers.	PDS Pgs. 18, 22, 27
15	Are there any areas or features of high landscape or scenic value on or around the location which could be effected by the project?	Yes. The site lies directly adjacent to proposed areas of Ecological and Scientific Importance, namely 'Wied Xkora', 'Wied Musa', 'Wied Silani', and 'il-Wied ta' Kandja' watercourse (SMLP - SMCO 03); . Furthermore, the site is a proposed Area of High Landscape Value (SMLP – SMCO 06);	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/> No significant effects envisaged when considering the development will be located within a spent quarry below street level and surrounded by the high walls of surrounding quarries. Thus, it will only be visible from within the site. This should mitigate the visual impacts on the adjacent landscape This is without prejudice to ERA's concerns highlighted in PA 02540/16/Doc. 17, as outlined in question 1 above.	
16	Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes. The site is located in a country road linking to roundabout between Triq l-Imqabba and Triq ta` Kandja which link Siggiewi to Luqa/Hal-Farrug or Mqabba.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/> No significant effects are envisaged when considering the scale of traffic likely to be generated by the proposed development.	PDS Pg. 24
17	Are there any transport routes on or around the location which are susceptible to congestion or which cause	Reply to Question 16 refers.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/> Reply to Question 16 refers.	PDS Pg. 24

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
	environmental problems, which could be affected by the project?			
18	Is the project in a location where it is likely to be highly visible to many people?	<p>No</p> <p>The site in question is within a spent quarry below street level. The project is thus unlikely to be visible from neighbouring villages and access roads.</p> <p>The proposed will be visible while onsite or from high points such as during aerial departure/arrival.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant effects envisaged when considering the development will be located within a spent quarry below street level and surrounded by the high walls of surrounding quarries. Thus, it will only be visible from within the site. This should mitigate the visual impacts on the adjacent landscape</p> <p>This is without prejudice notwithstanding ERA's concerns highlighted in PA 02540/16/Doc. 17, as outlined in question 1 above.</p>	/
19	Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	Reply to Question 11 refers.	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>Reply to Question 11 refers.</p>	/
20	Is the project located in a previously undeveloped area where there will be loss of greenfield land?	<p>No.</p> <p>The project proposes the use of an exhausted quarry that will be refilled.</p> <p>The status report by the MRA (PA 03878/07/Docs. 17-21) confirms that extraction at the site is no longer possible.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant effects envisaged.</p>	PDS Pg. 6
21	Are there existing land uses on or around the location e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying which could be affected by the project?	<p>Yes.</p> <p>The site is surrounded by a number of agricultural fields, other quarries, and SAG grounds (Malta Police Force).</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant effects envisaged when considering the nature and scale of the proposed development.</p>	/

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
22	Are there any plans for future land uses on or around the location which could be affected by the project?	<p>Yes.</p> <p>The project shall hinder the potential restoration of the site back to agricultural land. This could also hinder the rehabilitation of the surrounding quarries and potentially open up development pressures in the surrounding area.</p> <p>Furthermore, there is an unpermitted boatyard (PA 04879/02) directly adjacent to the site, which was refused a permit in 2003 and is currently undergoing appeals process.</p> <p>PA 00284/09 also proposes a new police academy at the ex-SAG training grounds.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>Yes.</p> <p>While no impacts on the boatyard and SAG training grounds are envisaged, the development of this proposal on ODZ land may contribute to the further sprawl of industrial development into the countryside.</p> <p>These concerns can be addressed directly through the mechanisms of the mainstream development permit process</p>	/
23	Are there any areas on or around the location which are densely populated or built up, which could be affected by the project?	<p>No such areas are present.</p> <p>The nearest village of L-Imqabba is found at approximately 750m away from the site of the proposed development.</p> <p>Reply to Question 18 refers.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>Reply to Question 18 refers.</p>	/
24	Are there any areas on or around the location, which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities which could be affected by the project?	<p>No such areas are present other than the airport grounds, which is unlikely to be affected by the proposed development.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant impacts are envisaged.</p>	
25	Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism,	<p>Yes.</p> <p>The site is surrounded by agricultural fields and other quarries.</p> <p>The site also lies;</p> <ol style="list-style-type: none"> i. within a Drinking-Water Safeguard Zone as identified by the Malta Resources Authority (MRA) under the Water Policy Framework 	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant environmental impacts are being envisaged considering the proposed mitigation measures below.</p> <p>Any possible impacts may be sufficiently mitigated through the application of mitigation measures identified in the Environmental Management Construction Site Regulations (Legal Notice 295 of 2007, as amended), which is highlighted</p>	PDS Pgs. 18, 22, 27

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
	minerals, which could be affected by the project?	<p>Regulations (Legal Notice 194 of 2004);</p> <p>ii. directly adjacent to proposed areas of Ecological and Scientific Importance, namely 'Wied Xkora', 'Wied Musa', 'Wied Silani', and 'il-Wied ta' Kandja'(SMLP - SMCO 03);</p> <p>iii. a proposed Area of High Landscape Value (SMLP – SMCO 06);</p> <p>iv. the proposed Valley Protection Zone of 'Wied ta' Kandja' (SMLP – SMCO 07);</p> <p>v. approx. 300 metres from L-Ajruport ta' Hal-Luqa Bird Sanctuary (as per Legal Notice 41 of 2003, which in this case is only a nominal environmental constraint, as the purpose of airport safety, and is not really related to environmental protection); and</p> <p>vi. 250m from an archaeological buffer zone for a roman tower (Legal Notice 588 of 1994)</p>	<p>in the PDS.</p> <p>The PDS also outlines a number of specific mitigation measures with regards to hazardous waste;</p> <ul style="list-style-type: none"> - An impermeable concrete flooring layer above 5 metres of backfill material will halt the percolation of hazardous substances to the groundwater, and will also be connected to an oil/waste separator through which surface water runoff will be filtered. - Spent oils and batteries will be collected in appropriate bunded pallets, and spent lead batteries will be stored in acid resistant containers; both will be disposed of by approved third-party waste carriers. - Spill kits will also be kept on site in case of emergencies. 	
26	Are there any areas on or around the location which have already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	No such areas are known of, other than the disused quarry itself.	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant impacts envisaged.</p>	PDS Pgs. 18, 22, 27
27	Is the project location susceptible to earthquakes, or subsidence, landslides, erosion, flooding or extreme or	Yes. The Maltese archipelago is susceptible to earthquake activity; however the likelihood of the site in question being significantly affected by tremors is slim.	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unclear <input type="checkbox"/></p> <hr/> <p>No significant environmental impacts are envisaged.</p>	/

	Issues to be considered	Relevant constraints, environmental considerations & potential impacts	Is any significant effect envisaged?	Document reference
	adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?			

4. EIA Screening Conclusion and recommended way forward

4.1 EIA screening conclusion

The proposal falls within the scope of Schedule IA, Category II Section 5.3.2.1 of the EIA Regulations (S.L. 549.46), however following detailed screening in accordance with Schedule IB of the same Regulations and matrix above, the proposal does not require an EIA given that no significant environmental impacts have been identified. In this regard, the proposal qualifies for the exemption process established in the EIA Regulations, 2007 as per Regulation 3(8) of S.L. 549.46.

That being said, basic mitigation measures (as outlined in the above matrix) are to be duly addressed in the development permitting process namely:

- The prevention and mitigation of accidental leaks managed through the adequate application of waste management procedures on site;
- The management of hazardous wastes in accordance with statutory procedures to minimise environmental effects of the proposed use on the surrounding environment, and
- The safeguard that proposed activity is strictly confined to the site.

Furthermore, it is noted that PA 03878/07 has granted an outline development permit for the proposal in principle, and PA 04076/10 has granted a full development permit for a utility room on site, both of which are valid. However, the presences of such valid permits, and the lack of the requirement for an EIA, are without prejudice to the concerns raised in ERA Memo at Doc. PA02540/16/17. This is in view of the fact that the proposed development aims for the introduction of industrial uses on ODZ land, which will lead to a reduction in the possibility for rehabilitation of the land, further formalisation of the site area, as well as set a precedent for future physical expansion into the countryside and the conversion of disused quarries into commercial/industrial/urban uses when within rural environments.

4.2 Pending Further Submissions (Required pre-development permission)

1. Quarry backfilling operations require an Environmental Permit with ERA's Environmental Permitting Unit as per Waste Management (Management of Waste from Extractive Industries and Backfilling) Regulations, 2009 (L.N. 22 of 2009, as amended, S.L. 549.50). Thus the proposal qualifies for an Environmental Permit with ERA's Environmental Permitting Unit. If it is confirmed that the facility will include an industrial complex, the environmental permit for backfilling will need to be adapted to a GBR for the industrial complex. Applicant is to be requested to immediately contact the Environmental Permitting Unit (industrial.applications@era.org.mt) to discuss the requirements below. Kindly note that the ERA would not be in a position to recommend the proposal favourably should the environmental permitting requirements not be fulfilled accordingly.
2. The applicant is also required to note that clearance/consultation from the following Authorities is required:
 - a. WSC, in view of the potential requirement for a sewer discharge permit;
 - b. REWS, in view of potential registration of fuel tanks;
 - c. MCCA, in view of potential requirement of registration of refrigerated equipment;

3. Despite the previous request in ERA's document at Doc PA 02540/16/17, the applicant has failed to address the requirements of further submissions as per below. Hence ERA is not in a position to recommend the proposal favourably from an operational perspective.
4. In view of the above, the following requests below are being forwarded. Applicant is required to provide further information and updated drawings/sections. Such requests would need to be addressed as part of the project design in order to ensure that activities meet particular environmental standards related to their operation.

Clarifications required for continued ERA processing of the case:

5. The activities and processes which will be carried out in the individual industrial units within the complex particularly any fuel storage, waste management activities. These are to be included in updated plans and sections.

ERA required changes in drawings prior to the issuing of the development permit:

6. The type and quantity of materials (chemicals/solvents/paints/fuels/oils) that shall be kept on site. For any solvents or materials such as paints, varnishes and resins used containing VOC solvents, the annual estimated annual consumption in tonnes/year.
7. Location of temporary structural requirements for the carrying out of backfilling operations should be specified, namely: site office and weighbridge, wheel washing facility, temporary waste separation and storage area for non-inert waste streams prior to off-site disposal, sanitary facilities, fuel storage and associated bunding, etc.
8. Location of oil-water separators/interceptors, sediment traps and other facilities (foul water management infrastructure) to be utilized to handle contaminated wastewater runoff generated on site including gutters and their final discharge point. It is to be noted that soapy water generated on site shall pass through an alternative abatement equipment other than the oil separator. Moreover it cannot be used for irrigation and thus an additional reservoir/cesspit shall be constructed to store such contaminated water.
9. Location of abatement equipment installed where significant emissions to air are envisaged including areas used for the testing of vehicles, or where vehicles are left idling during engine warm-up, wood works, sprayers, etc;
10. Whether there shall be any generators, boilers and associated fuel storage in plant rooms or elsewhere on site. Should this be the case, plans are to indicate how:
 - i. All bulk fuel storage tanks shall be provided with an adequately designed bund system with an impermeable base and walls. The capacity of the bund shall be a minimum of 110% of the largest tank within the bund or 25% of the total volume of all the tanks within the bund, whichever is greater. All filling and off-take points shall be located within the bund;
 - ii. Exhaust gases from oil or solid fuel generators and other significant point source emissions shall vent through stacks 3 metres above roof level and 3 metres above any habitable floor within a 25 metres radius as per provisions of Ambient Air Quality Regulations, 2010 (L.N. 478 of 2010, as amended, S.L.549.59). The design and location of the exhaust system should take into account noise and visual intrusion;
11. The location of the waste storage area for paints/paint cans/solvents/chemicals/oils/vehicle parts, etc. including how this shall be bunded or otherwise designed so that surface and ground waters cannot be contaminated by spillages. All floors should be rendered impervious so as to avoid contamination of underlying substrate;
12. How exhausts (including wall grilles) shall be designed and located in such a way as to discharge above head height and be directed upwards so that the exhaust that will eventually be generated from general building ventilation (e.g. fans in walls or roofs) shall be vented in such a way as to avoid local nuisance;

4.3 Proposed ERA Conditions

1. The executable version of this development permission together with the approved plans and commencement notice shall not be issued until such time that the applicant submits a written acknowledgement from the Environment and Resources Authority (ERA) confirming that an application for

an environmental permit has been submitted and validated by ERA. Such time shall not be later than 3 calendar months from the issuing of the non-executable development permit.

2. No operations on site shall commence until such time that an environmental permit covering operations on site is issued by the ERA.
3. All works covered by this development permit shall be restricted to the area shown on the site plan at Doc. PA 02540/16/1M and drawings at Doc. PA02540/16/39B-E with the intent of servicing legal and/or approved structures. Works outside the area shown on the site plan at Doc. PA02540/16/1M are prohibited and there shall be no overflows outside the permitted area.
4. All works are to be carefully managed so as not to cause damage to any land, habitats or features. No overflows or vehicular trampling/manoeuvring beyond such land area are allowed. This applies to both the construction/site preparation phase and the operational use of the site.
5. Buildings, concrete flooring, paving and other hard or formal surfacing shall be limited to the areas indicated on drawings at Doc. PA02540/16/39B-E. All other un-built areas are to be left un-surfaced and in their current state.
6. Inert waste material resulting from construction and demolition 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, 2011 (Legal Notice 184 of 2011, as amended, S.L. 549.63) and Waste Management (Activity Registration) Regulations, 2007 (Legal Notice 106 of 2007, S.L. 549.45).
7. Clean rainwater from roofs and ground surfaces shall be laid to fall to a water reservoir of sufficient capacity, and the applicant shall be responsible for ensuring that such water is duly segregated from foul water, waste and other pollution sources.
8. All surface water runoff shall be entirely contained within the construction site and discharged through appropriate means and in appropriate locations. No overflows, spillages, seepages or leakages of runoff water shall be permitted to occur, whether intentionally or otherwise, to the ground or to the surrounding environment.
9. The permitted development shall not be a source of light pollution, especially at night;
 - i. lighting shall be strictly limited to within the developed part of the site, and its height and orientation shall be designed in a manner that it does not cause illumination beyond the development site;
 - ii. there shall be no lighting of access roads, tracks and paths leading to the site or other lighting beyond the site boundary;
 - iii. the lighting fittings and their supports shall be installed on the inner side of any peripheral landscaping, so as to be screened by the landscaping itself; and
 - iv. all exterior lighting installed on site is to be downward-pointing and full cut-off. No luminaire globes or uplighters are allowed.
 - v. exterior lighting shall be intruder-triggered, so as to avoid continuous nocturnal lighting.
10. Any soil on the site shall not be built over and shall be collected for re-use in accordance with the Fertile Soil (Preservation) Act, 1973. 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. In particular, the deposition and reuse of any soil removed from the site shall be approved in advance by ERA if it would involve deposition or re-use in any site which is located Outside Development Zones or within a scheduled or otherwise legally protected site or if the soil is to be used for land reclamation.
11. Any vegetation and non-inert waste on the site where the infilling will be carried out shall be removed prior to the commencement of backfilling operations.
12. All quarry operations including landfilling activities, are subject to the legal provisions of the Waste Management (Management of Waste from Extractive Industries and Backfilling) Regulations, 2009 (L.N. 22 of 2009, as amended, S.L.549.50) and the Waste Regulations, 2011 (L.N. 184 of 2011, as amended, S.L. 549.63).
13. With respect to waste management of the site, the following should be adhered to:

- All operations concerning the management of waste are subject to the legal provisions of the Waste Regulations, 2011 (L.N. 184 of 2011, as amended, S.L.549.63) and the Waste Management (Activity Registration) Regulations, 2007 (L.N. 106 of 2007, S.L.549.45).
- Inert waste material resulting from construction and demolition 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, 2011 (L.N. 184 of 2011, as amended, S.L.549.63) and the Waste Management (Activity Registration) Regulations, 2007 (L.N. 106 of 2007, S.L.549.45).
- All storage of materials or waste shall take place only in locations where thorough clean-up and site reinstatement can be readily undertaken.
- Waste material resulting from the installation of the hereby approved structure shall be disposed of and not left on site. Once such works have ceased, the waste generated shall be collected within appropriate containers and disposed of at sites duly licensed for that particular waste stream.
- All stockpiles of waste material are to be positioned in such a way as to avoid contamination of air and/or water through wind and/or runoff respectively. Dust and mud suppression equipment shall be installed in stockpiling area. Measures shall be taken to ensure that the vehicles leaving the site/engaged in the construction works do not deposit mud, rubble or other materials on public roads. There shall be no over spilling onto or contamination of adjacent sites by dust, mud, water and construction-phase debris.
- 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; wastes to be recycled should be stored in a designated container or area and not mixed with other wastes.
- All bulk oil storage tanks shall be provided with an adequately designed bund system with an impermeable base and walls. The capacity of the bund shall be a minimum of 110% of the largest tank or 25% of the volume of all the tanks within the bund, whichever is greater. All filling and off-take points shall be located within the bund.
- Extracted fumes and gases from boilers and generators shall vent through stacks extending at least 3 metres above roof level or as otherwise specified in the Ambient Air Quality Regulations, 2010 (L.N. 478 of 2010, as amended, S.L. 549.59).
- Drums and containers of paints/solvents/chemicals/resins/oils shall be stored in designated and secure storage areas. Storage areas shall be bunded or otherwise designed so that surface and ground waters cannot be contaminated by spillages.
- The cleaning of vehicle engine and body parts shall be carried out on an impervious surface such as sealed asphalt or cement. Water soluble engine washing fluids shall be recycled or disposed of through a company authorised to accept such waste.
- All maintenance is to be carried out on an impervious surface such as sealed asphalt or cement, where a thorough clean up of any spillages of oil, lubricants etc can be readily undertaken.

4.4 Screening Disclaimer

The above screening results, the ensuing conclusions and recommendations are without prejudice to any required changes or updates should the development proposal be eventually modified or should the information/assumptions provided turn out to be incorrect. Any deviations of the proposal from this submission would need to be re-assessed and the merits of this screening would need to be re-opened.