

Comments on the Environmental Impact Assessment Report

PA/03927/19 (EA 00009/20)

Proposed alterations and construction of a water polo and swimming pool, deck area, changing rooms, toilets, showers, committee meeting room and ancillary facilities.

San Ġiljan Aquatic Sports Club, Triq Ġorġ Borġ Olivier, San Ġiljan

21 April 2022

1. Consultees' Comments on the EIA Report (21 March 2022 – 19 April 2022):

No.:	From	Comments
1	Environmental Health Directorate Dated 18/04/2022	<p>With reference to environmental planning statement dated March 2022 regarding subject indicated in caption, please be informed that the Environmental Health Directorate (EHD) would like to submit the following comments/recommendations regarding this proposal:</p> <p>The EHD is particularly concerned with the nature of this project. This is due to the fact that the Scheme falls within an Official Bathing site B07 which will be altered and may cause adverse impacts on the bathing water quality. In 2021, the water quality in B07 is classified as 'Excellent'. Furthermore, the jetty will attract more vessels and the fact that in the future it may attract scheduled ferry services this will limit the access of bathing. The area of influence in the EIA does not include the Balluta Bay which may also be impacted from the said development. This area includes the Official Bathing sites B08 and B09. It is good to point out at this stage that the increased use of marine vessels during the summer season in Balluta have negatively impacted the classification of these bathing sites (in 2021 B08 was classified as 'Sufficient' and B09 as 'Good') and further contamination will possibly result in the permanent closure of these sites.</p> <p>Water classification reports are published on the EHD website (https://deputyprimeminister.gov.mt/en/environmental/Health-Inspectorate/WRAU/Pages/Bathing-Water-Programme.aspx) and reports are forwarded to the commission on a yearly basis as per Management of Bathing Water Quality Regulations, 2008 (L.N. 125 of 2008 (MT) as amended by L.N. 237 of 2011 (MT) / Directive2006/7/EC.</p> <p>EHD Comments and recommendations in case proposal is accepted.</p> <p>Construction Phase</p> <p>Should this proposal be accepted, the applicant is to adopt best practice methods together with good site practices and ensure compliance with Environmental Management Construction Site Regulations during the construction phase. Moreover, applicant is to implement all proposed mitigation measures so as to cause least nuisance and mitigate adverse air (from dust dispersal and emissions from vehicles and machinery), noise and vibration impacts on sensitive receptors in the Area of Influence and on the general public. Hence the importance of drawing up and implementation of a Construction Management Plan to ensure adherence to proper site management practices so as to address sea water, groundwater and surface water pollution, to mitigate other adverse construction impacts, including construction traffic impacts and to ensure safety measures. Monitoring of construction works is also highly recommended so as to ensure implementation of all necessary mitigation measures and adherence to work practices throughout all the phases of the project. The use of water sprays to maintain dampness of the mineral can cause surface runoff on bathing area and thus this has to be mitigated. The creation of water aerosols from such activity should also be minimized as this may be of risk to employees and public in area and hence it is recommended that said water is treated with chlorine prior use.</p> <p>Safe and proper handling of raw materials on site should also be ensured to reduce the risk of spillage that might lead to contamination of bathing area. Good practice and adequate preventive measures are to be taken for any accidental spillage of construction material and/or excavation waste, hazardous fluids, fuel and lubricants which are also to be well managed and adequately stored.</p>

Operation Phase

Pool Water

Discharge of water from freshwater pool, must not reach the street or sea water. Discharge of water from seawater pool must not be carried out during the official bathing season. Any anthropogenic materials, natural occurring growing material such as algae and any other waste in pools must not be discharged into the sea. The necessary discharge permits are to be obtained from the relevant authorities.

The applicant must take the necessary preventive measures, so no water from the washing of decks and other equipment ends in the sea water.

Restrooms

Every restroom present on the premises should be supplied with a wash hand basin and adequate source of ventilation and light. The wash hand basin should be supplied with potable hot and cold water connected to a wastewater pipe that discharges on a gully trap situated in an open area and connected with regular drains. All drains are to be constructed and connected as per requirements of chapter 10, Code of Police.

Cesspit is to be registered with the Superintendent of Public Health.

Waste

The applicant is to make sure that the deck and area close to the sea, is kept clean as to prevent any dispersal of material at sea or surrounding area. No waste, chemicals, oils and fuels from the activities carried out during the operation phase should not leach in the sea and surrounding area to not have an adverse impact. The necessary mitigation and monitoring measures are to be adopted and maintained.

Bathing Area (St Julian's Bay)

The EHD is particularly concerned with the fact that the Scheme falls within an official bathing area B07 and adjacent to two other official bathing sites B08 and B09. Therefore, no works are allowed to be carried out during the official bathing season i.e. from the 3rd week of May till the 4th Week of October. It is essential that all necessary mitigation measures are to be adopted to prevent any contaminations which may end up into the sea water and surroundings throughout the year.

During the construction phase, the necessary mitigation measures are to be adopted to prevent runoff water or any other construction material from ending up into the sea. The use of silt curtains, booms and any other techniques to prevent the dispersal of material at sea is necessary.

Monitoring is to be maintained at all stages of the construction phase and operation phase. Sea water quality sample results that are taken for monitoring purposes during the construction phase at B07 are to be forwarded to the EHD. Sea water quality monitoring shall include B08 & B09.

The applicant states that during June and September, excavation and demolition works will not be carried out. However, the official bathing season is from the 3rd week of May till the 4th week of October. If any works that might have an impact on the official bathing site and/or on the bathing water quality need to be carried out during this period, the applicant must inform the EHD by November of the preceding year prior commencement of works. This is necessary so that the European Commission could be notified and the necessary arrangements carried out are to avoid an infringement with the local and EU regulations related to official bathing season. The applicant is to establish and maintain communication with the Water Regulatory and Auditing Unit (WRAU) within the EHD at all stages of the construction phase. Any changes to the Bathing Water Profile 9 for "Il Bajja Ta Spinola, il- Bajja ta San Giljan, il Bajja tal Balluta f' San Giljan & l- Exiles F' Tas Sliema (B06-B11), published by the Environmental Health Directorate within the Superintendence of Public Health, is to be revised and updated at the expense of the applicant following completion of the proposed project.

Furthermore, the referred swimming zone in the EIA is an official bathing site. Bathing sites are designated and reported to the European Commission and cannot be changed without the necessary permission.

The proposed construction of a jetty forming part of the land reclamation may lead to an increase in use of marine vessels and potentially also the provision of ferry services. This can lead to increased fuel and/or lubricants in sea water, more turbidity, and deterioration of chemical and microbiological parameters. Hence the applicant needs to inform the relevant authorities when there are visible signs of fuel and/or lubricants in

sea or any other contaminants. Cleaning of metal grills should not be carried out during the official bathing season in order not to impact the bathing water quality.

Air, Noise & Vibration Pollution

All necessary mitigation measures are to be implemented during the construction phase to reduce the level of air pollution. All mitigation measures to control dust must be carried out with to prevent that any runoff ends into the bathing area. Measures mentioned to ensure that surface run-off, water used for dust control, water used for wheel washing and general cleaning are to be adopted and maintained during construction and operational phase. It is also pertinent that during the operation of the scheme all proposed mitigation measures are strictly implemented to mitigate all environmental risks especially through underground, surface and airborne pollution.

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

Waste Management

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

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

The necessary monitoring and mitigation measures are to be carried out so as to prevent any damages of the sewage pumping stations situated in the Area of Influence owned by third parties. It is important to note that if any damages in the pumping station occur, the owner of said pumping station and the EHD are to be notified immediately to prevent the risk of a contamination of the official bathing waters.

Light

The necessary mitigation measures are to be adopted to avoid undesirable pollution that may have an effect on the neighbouring environment.

Traffic Management

It is recommended that construction traffic follows established specific routes and adequate site management together with other measures such as storing or transporting of creed sand and other loose building materials in containers with suitable covers. The necessary mitigation measures and monitoring must also include the transportation of material and use of machinery at sea.

Washing of wheels and other dust control measures are to be taken to mitigate adverse dust impacts and nuisances from heavy vehicles during transportation. All other mitigation measures which may be necessary to minimise nuisances and adverse health impacts from construction traffic are to be implemented. Any impacts from vehicles or machinery used both offshore and onshore during the construction phase are to be addressed in the Construction Management Plan.

All proposed mitigation measures regarding adverse impacts arising from this development during the construction and operation phase are to be implemented by the applicant to mitigate any significant adverse health effects and nuisances on sensitive receptors in the Area of Influence and to the general public. The possible health effects of any residual impacts that cannot be mitigated and the overall cumulative impacts should also be taken into consideration.

Fuel Storage

Any fuel storage must be placed in a sealed and leak-proof container to minimise the risk of contamination through leakages into the underlying surface. The area where the chemicals and fuels will be stored should be sealed with geotextile material and covered with an impermeable layer of concrete.

Legionella and Pool

		<p>A risk assessment manual as per LN 5 of 2006 Control of Legionella, amended by LN 262 of 2006 must be carried out prior operational phase starts based on ECDC Legionella Guidelines. Furthermore, pools are to be registered with the EHD and a risk assessment manual as per LN 129 of 2005 as amended by LN 135 of 2008, Swimming Pool Regulations pools must be carried out. It is being recommended that the applicant should discuss the plan for distribution of water systems of the proposed project and pool with the EHD at the initial stage of the project.</p> <p>Conclusion</p> <p>Moreover, any other unpredicted impacts and nuisances which may arise from this development and that may have a significant adverse effect on public health are to be immediately addressed by the applicant and the necessary mitigation measures taken.</p> <p>Complaints lodged by the public regarding any adverse impacts/nuisances should be immediately addressed by the applicant. All complaints lodged and actions taken are to be recorded and such records are to be readily available to the Competent Authorities when requested.</p> <p>A pollution incident control plan should also be in place. Records of all pollution incidents, especially regarding potential pollution of the surrounding environment, are also to be kept and reported to the respective authorities accordingly.</p> <p>Regarding any future plans for Scheme decommissioning, a full decommissioning plan should be prepared for approval by the relevant competent authorities.</p>
2	<p>Superintendent of Cultural Heritage</p> <p>Dated 19/04/2021</p>	<p>Review of results identified in the Environment Impact Assessment</p> <p>The Superintendence has assessed the data gathered and compiled in the reports entitled <i>Non-Technical Summary, Coordinated Assessment</i> and the Technical Studies <i>Archaeological, Historical and Cultural Heritage and Related Material Assets</i> and <i>Visual Amenity</i>.</p> <p>Proposal</p> <p>The proposed works involve the construction of two swimming pools as well as ancillary and commercial facilities. The proposal also includes significant land reclamation works, including the construction of a concrete platform bordered by a new seawall and jetty.</p> <p>Cultural Heritage Context</p> <p>As indicated in the Superintendence's initial reply to the application (eApps doc. 61a), the proposed works will partly bear onto the scheduled seawall to the south of the site (G.N 576/94). This feature is located within the site as indicated in <i>Coordinated Assessment Report Figure 1</i>. The Superintendence has requested clarification on the proposed treatment of the scheduled seawall as well as a Works Method Statement which includes measures to ensure its safeguard. This information has not yet been provided.</p> <p>While relatively little archaeology is recorded both on land and underwater, numerous cultural heritage features are present within the proposal's Area of Influence (<i>Coordinated Assessment Report Figure 1</i>). This includes <i>Palazzina Vincenti</i>, proposed for scheduling by the Superintendence) as well as two nearby buildings also proposed for scheduling. These assets have not been included in the features identified within the reports.</p> <p>Notwithstanding, numerous scheduled features within the general area are identified at 5.8.2 On-Shore Existing Archaeology, Historical and Cultural Heritage of the <i>Coordinated Assessment Report</i>. This includes Villa Leoni, Villa Priuli, Balluta Buildings, Villa Blanche, Villa Cassar Torregiani and St. Julian's Entrenchment.</p> <p>Report on Archaeological, Historical and Cultural Heritage and Related Material Assets</p> <p>As mentioned above, the site includes the scheduled seawall, which appears to be directly impacted by the proposed works. This consideration was not included in the EIA and the relevant reports will require updating to address this omission.</p> <p>With regards to the archaeological study, the Superintendence notes that 7 of the 15 transects are areas covered with sand/sediment and Posidonia. The material lying within or below this is unknown. The Superintendence therefore recommends the following to further assess the archaeological sensitivity of the area.</p> <p>Stage 1:</p> <p>- 4 to 6 trenches are to be made with barge/grabber to a depth of 1 to 1.5 meters before piling or other works take place</p>

		<p>- Material is to be brought up by grabber and should be inspected; constant monitoring would be required</p> <p>Stage 2:</p> <p>- Sediment is to settle and after a minimum of 24 hours underwater teams must inspect over a 2–3 day period.</p> <p>Stage 3:</p> <p>- Should cultural heritage material be found, further exploration would take place by the SCH team and works must be stopped</p> <p>- If nothing is found in Stage 2, works can continue with the provision that works are stopped if something is found when piling takes place at which point the site would be further investigated.</p> <p>All costs for the connected with the above are to be borne by the applicant.</p> <p>Report on Visual Amenity</p> <p>The Superintendence notes and endorses the conclusion within the Visual Amenity reports stating that the proposal shall be most visible at viewpoints 1, 2, 4 and 5 leading to adverse impacts of major significance. The Superintendence further considers that the proposed mitigation measures, such as finishing the concrete structures in neutral colours are unlikely to significantly lessen the impact.</p> <p>The Superintendence further notes that Balluta Bay, to date, retains an iconic quality being framed by architecturally striking buildings which give it an identifiable character as a cultural landscape of significance. This will inevitably be impacted by the development as currently proposed.</p> <p>Conclusion and Recommendations</p> <p>The Superintendence notes that the section on <i>Cultural Heritage and Related Material Assets</i> cannot be considered as comprehensive and is to be updated to address the omissions highlighted above. The further archaeological study outlined above is also to be initiated in order to adequately assess the risk to archaeological features that may be present within the scheme area.</p> <p>With regards to the visual impact, the Superintendence endorses the study's conclusion that the proposed development will have a major adverse visual impact and recommends that alternative mitigation measures such as redesign or downscaling of the project are fully investigated as opposed to the relatively limited proposed mitigation measures suggested by the authors.</p> <p>The Superintendence will comment further on receipt of updated reports addressing the above issues.</p>
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2. Public comments on the EIA Report (21 March 2022 – 19 April 2022):

No comments from the public were received.