

Comments on the Environmental Impact Assessment Report

PA/01123/20 (EA/00021/20)

Construction of St. Albert the Great Community College, Class 2C; consisting of three blocks above ground: Child care/Kinder/Administration block, Early and Middle school block and Senior school block, including also external sports facilities and educational horticultural spaces (retained agricultural land), and underlying car parking (two levels), auditorium, indoor sport facilities, and water reservoirs.

Site at, Dawret Hal Ghaxaq c/w Triq il-Hareb c/w Unnamed Alley, Il-Hareb, Ghaxaq

1. Consultees' Comments on the EIA Report (2 January 2023 – 31 January 2023):

No.:	From	Comments
1	Malta Resources Authority Dated 05/01/2023	<p>The MRA has no comments in so far as the functions under its immediate remit.</p> <p>This assessment is based primarily on the information provided as on the date of the assessment. The Authority made its assessment on a good faith basis and reserves the right to review its position and, or to take action against the authors of the documentation and, or the applicant if information relevant to its assessment (particularly the prior use of the site where the development is proposed) is 'buried' or concealed (including through the submission of documentation that is not text searchable).</p> <p>This, and any other response in writing by the MRA to the application submitted for consultation or to any other documentation, should not in any way be deemed as approving or endorsing the application in any form or of condoning any matter that falls beyond the MRA's immediate remit as established under the Malta Resources Authority Act and as in force on the date of the relevant response. In particular, you are reminded that with the coming into force of the Act No. XXV of 2015 establishing the Regulator for Energy and Water Services, the Water Policy Framework Regulations and the Protection of Groundwater against Pollution and Deterioration Regulations have been excluded from the remit of Malta Resources Authority and as such the MRA has no authority to take a position on matters regulated by these regulations or indeed any other matter that does not fall within its remit. While this response may be published, any response by the MRA may not be publicly used or mentioned as a general or partial approval by the MRA of the matter referred to for consultation.</p>
2	Environmental Health Directorate Dated 27/01/2023	<p>With reference to environmental impact assessment dated January 2023 regarding subject indicated in caption, please be informed that this Directorate (Environmental Health Directorate-EHD) would like to submit the following comments/recommendations regarding this proposal:</p> <p>Should this proposal be accepted, the applicant is to adopt the best methods and practices during the construction phase to ensure compliance with Environmental Management Construction Site Regulations. Moreover, the applicant is to implement the proposed mitigation measures to minimise any adverse air (from dust dispersal and emissions from vehicles and machinery), noise, vibration and other nuisances which may affect sensitive receptors in the Area of Influence. Hence, it is important to draw up and implement a Construction Management Plan to ensure adherence to proper site management to mitigate other adverse construction impacts, including construction traffic impacts and to ensure safety measures. Monitoring of construction works is also highly recommended to ensure implementation of all necessary mitigation measures and adherence to work practices throughout all the phases of the project.</p>

No.:	From	Comments
		<p>Safe and proper handling of raw materials on site should also be carried out to reduce the risk of spillage that might lead to contamination of underground water. Good practice and adequate preventive measures are to be taken for any accidental spillage from construction material and/or excavation waste, hazardous fluids, fuel and lubricants which are also to be well managed and adequately stored.</p> <p>Collected rainwater MUST NOT be used for human consumption since this water is considered to be of second-class quality and can be used for irrigation. If this water will be used for flushing apparatus it should be treated before. The overflow of rainwater reservoir MUST NOT be connected to the drainage system but connected to the street.</p> <p>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 caution to prevent any contaminated water ending into the street. Adopted mitigation measures shall include control measures to ensure that: surface run-off water used for dust control, water used for wheel washing and general cleaning is maintained during the construction and operational phase.</p> <p>Not mentioning the dangers associated with the St Joseph Fire Work Factory which is situated in the area of influence of the scheme, the EHD is also concerned with the emission of gases, particulate matter and other pollutants arising from the substances used by the firework factory.</p> <p>All the necessary mitigation measures during the demolition, excavation, construction and operation phase, are to be implemented to prevent and/or reduce the level of noise pollution in the surrounding area.</p> <p>Waste management strategy should be adopted and implemented during the excavation/ 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. Adherence to regulatory codes, procedures and due diligence is important in view of any public health issues and any adverse impacts on nearby sensitive receptors with regards to the removal and disposal of any hazardous waste. Pest control treatment is to be carried out during the excavation/construction and operational phase. Generated wastes, cleaning chemicals, etc. from any temporary sanitary facilities for on-site workers should be properly disposed of.</p> <p>Every restroom present in 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 water. The wash hand basin must be connected to a wastewater pipe that discharge on a gully trap situated in an open area and connected to regular drains.</p> <p>Mitigation measures with regards to light pollution and its effects on the neighbouring environment are to be taken.</p> <p>It is recommended that construction traffic follows established specific routes and adequate site management. Any transportation of creed sand and other loose building materials in containers should be provided with suitable covers to effectively prevent dispersal of dust. 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.</p>

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		<p>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 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. Land use requirements during construction, including the use of roads which can lead to traffic build up and road safety issues in such a busy road should be included in the Environment Planning Statement.</p> <p>Any storage of fuel must be placed in sealed and leak proof containers to minimise the risk of contamination through leakages into the ground. Where possible the site should be sealed and covered with an impermeable layer of concrete to cover all the scheme.</p> <p>A risk assessment manual based on ECDC Legionella Guidelines as per LN 5 of 2006 (Control of Legionella Regulations) as amended by LN 262 of 2006, must be carried out prior the operational phase starts. It is being recommended that the applicant should discuss the plan for the distribution of water systems with the EHD at the initial stage of the project. Furthermore, any water that will be used during the construction phase to control air pollution must be first class water and treated with a biocide to prevent the risk of Legionaries Diseases.</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>Consultation with the Health Certification Consultation Unit within the EHD regarding the operation of any food and beverage commercial facilities, is to be carried out prior opening.</p> <p>A pollution incident control plan during construction should also be in place. Records of all pollution incidents, especially those affecting 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>
3	<p>Superintendent of Cultural Heritage</p> <p>Dated 27/01/2023</p>	<p>Review of results identified in the Environment Impact Assessment:</p> <p>The Superintendence of Cultural Heritage has assessed the data gathered and compiled in the technical reports entitled Annex I, EIA Terms of Reference (FINAL), Overview table with Feedback from the Public, the Project Description Statement, the Coordinated Assessment, and the Technical Appendices.</p> <p>Proposal:</p> <p>As described by the architect, the proposal is for the construction of St. Albert the Great Community College, Class 2C; consisting of four blocks above ground: Kinder/Administration block, Early and Middle school block, Senior school block and Childcare block, including also external</p>

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		<p>sports facilities and educational horticultural spaces, and underlying car parking (two levels), auditorium, indoor sport facilities, and water reservoirs.</p> <p>Cultural Heritage Context: The site in question is a large plot of agricultural land at the edge of the Outside Development Zone of Ghaxaq, with a residential area towards the northwest of the site and agricultural area to the southeast of the site. This stretch of agricultural land stretches towards Marsaxlokk's Outside Development Zone. The site is characterised by a number of rubble walls, whose footprint is shown as occupied on the 1914 Ordnance Survey Sheets. Several structures which are scattered towards the centre of the site are not shown on the official 1968 survey sheet.</p> <p>The nearest known archaeological feature is that of a dolmen around 250m south of the site and a funerary tomb located 620m away, west of the site.</p> <p>Current Proposal and Mitigation Measures: The Superintendence of Cultural Heritage notes the improved proposal when compared with the previous withdrawn application PA 06738/06, particularly the downscaling of the project, as well as mitigation measures for certain features including rubble walls and certain field patterns around the area, (as intended by the application) two well heads, and a reservoir.</p> <p>The proposal was also amended to retain two country tracks, together with their rubble walls, two adjoining field rooms and a well within the yard, a feature with evidence of surface quarrying, and a Mutagħla (dry-rubble ramp).</p> <p>A number of field rooms are being proposed for retention and restoration, while removing later accretions.</p> <p>This office further notes the intent to screen the proposed school blocks around Dawret Hal Ghaxaq and Triq il-Hareb, while open areas are being proposed to be located on the side of the Outside Development Zone.</p> <p>Conclusions: Without prejudice to the final decision of the Superintendence regarding this application, the documentation as submitted indicates no evident direct impact on specific cultural heritage features, such as the known archaeological discoveries and rubble walls to be retained and integrated. Whilst noting the considerable improvements of the current proposal with regards to the safeguard of Cultural Heritage Features as indicated above, the Superintendence is in agreement with the conclusions of the EIA.</p> <p>Without prejudice, at this stage, the Superintendence is not identifying any further necessary mitigation measures.</p> <p>This office reserves any further comments and a complete assessment of the proposal at full application stage and will submit its final recommendations upon official consultation from the Planning Authority regarding this development proposal (PA/01123/20).</p>
4	The Energy and Water Agency	The following are comments for The Energy and Water Agency divided by considerations which relate to specifically and solely to energy and water management.

No.:	From	Comments
	Dated 30/01/2023	<p data-bbox="416 140 510 169">Energy:</p> <ul data-bbox="465 177 1196 209" style="list-style-type: none"><li data-bbox="465 177 1196 209">• No comments or suggestions from an energy perspective. <p data-bbox="416 217 510 245">Water:</p> <ul data-bbox="465 253 2101 424" style="list-style-type: none"><li data-bbox="465 253 2101 352">• It is recommended that water efficient fittings and appliances are used. These should include water efficient toilet flushing, hand motion sensor or timed handwash basin water faucets for bathrooms and timed shower mixers if showers are included as part of the sports facility;<li data-bbox="465 360 2101 424">• It is recommended that during the design of the building the use of greywater recycling should be considered to contribute to the deficit in 2nd class water available for the use in toilet flushing and also extended to landscape irrigation.

2. Public comments on the EIA Report (2 January 2023 – 31 January 2023):

No.:	From	Comments
1	<p>Member of the public</p> <p>Dated 03/01/2023</p>	<p>I have just learned of this project through the media and wish to state my objection. We cannot continue nibbling at ODZ, especially agricultural land. When - not if - international crises happen, we would not be able to eat concrete, buildings, education or any other excuse used to justify the continuous assault on agricultural land.</p> <p>The local Church is very vociferous in some environmental matters but hypocritically silent on projects such as these.</p> <p>Should this project go ahead, please make sure the least possible amount of land is taken up. We cannot continue with full scale development of football grounds etc, such facilities should be shared with other schools, not take up more agricultural land. And three floors should be the minimum allowed, which would of course include lifts, as well as underground facilities.</p> <p>Finally, this will still be an eyesore incompatible with agricultural surroundings.</p>
2	<p>Member of the public.</p> <p>Dated 06/01/2023</p>	<p>This project is an ecological disaster, wasting too much ODZ land, mostly farmed land. First of all, buildings should be 3 floors so as to reduce the footprint. The facades should include balconies and corridors full of green features like trees and hanging walls so as to create green visual barriers. This coupled with green roofs will ensure that the area taken up by buildings retains the existing space currently taken up by flora and fauna.</p> <p>Also there appears to be too much paved areas. Paved areas should be afforested as much as possible with trees planted into the ground (not in pots) and plans amended to include existing trees.</p> <p>The EIA mentions water capture a lot. I believe all water from the site should be captured so it can be utilised in the landscaping needed to shield the development from the neighbourhood.</p>
3	<p>Member of the public.</p> <p>Dated 09/01/2023</p>	<p>Reference is made to a large area proposed for the development of St' Albert the great college at Ghaxaq. I would like to express my disagreement and deep concern in destroying this huge agricultural land which is one of the few remaining areas in the South of Malta which also includes a big number of protected species like carob trees. This project would also generate significant air pollution to the area.</p> <p>I am sure that other alternatives exist within the existing Development zones and I sincerely hope that the authorities re-considers this issue seriously in order to safeguard this natural environment in order to be enjoyed by everyone.</p> <p>I would be interested to be notified of any developments if possible please.</p>
4	<p>Din l-Art Helwa</p> <p>Dated 31/01/2023</p>	<p><u>Take up of Agricultural Land - Need for updated Alternative Site Assessment</u></p> <p>The proposed development will take up circa 28,150sqm of agricultural land that although noted as being designated for educational facilities in the Local Plan is still considered to be good agricultural land.</p>

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		<p>It is being noted that the decision to reserve this site for such a use in 2006 was not finalised through the inclusion of the site within scheme. Furthermore, since the Local Plans were drawn in 2006, an alarming amount of agricultural land has been lost to development, which development was never envisaged when the Local Plans were drawn. It is therefore being held that an updated Alternative Site Assessment be carried out, which assessment should aim to identify sites <i>within</i> scheme, to ensure the safeguarding and protection of the increasingly limited agricultural land from development.</p> <p>Din l-Art Helwa trusts that the above will be duly considered by the Authority and reflect in its decision.</p>
5	BirdLife Malta Dated 31/01/2023	<p>BirdLife Malta has attended to a consultation session held by the EIA appointed consultants, as well as has read through the EIA Reports published online by ERA as part of the public consultation process.</p> <p>While we understand that the current college setup is restricted in space and scope, the applicant plans to reinstate the college elsewhere, in an area which is Outside Development Zone at Ghaxaq, and which shall occupy no less than 35,857 square meters of otherwise mostly undeveloped land of agricultural value, with a number of features of some cultural value.</p> <p>The uptake of such a large portion of land which has primarily agricultural value, is not a small project but rather a large uptake of land which though not necessarily utilising the entirety of the 35,857 square metres, shall nonetheless commit this area to an educational development permanently and irrevocably.</p> <p>While we have tried to deduce the understanding and rationale how this section of land has been targeted for this proposal, both the PDS as well as the EIA lack substantially and convincingly any alternative site assessment exercise. This is clearly not in line with what has been requested by ERA's own Terms of Reference as set out as scoping stage of the EIA process. The only inferences of some site selection exercise refer to some kind of approach made to then Malta Environment and Planning Authority (MEPA) 23 years ago, where it is said that the applicant had approached MEPA with such a need, and for which MEPA identified some 12 site locations in the south of Malta. The next available reference is the 2006 South Malta Local Plan, published 17 years ago, which somewhat had established that no suitable land was available for such a development within development zone boundaries.</p> <p>While the above site selection exercises remain largely in mystery, the EIA does not convincingly present any credible effort by the applicant at finding any alternatives to the uptake of this amount of undeveloped land. One might question whether in this day and age, the loss of such a vast amount of agricultural land which impacts Malta's food security, environmental and social well-being is even justifiable, at a time when current government policies are opting to create more open spaces and urban greening. In such a scenario, this tract of undeveloped land which has added agricultural value is priceless, and possibly of a high amenity value to Ghaxaq residents, being an area abutting a relatively dense agglomeration of habitations on two flanks of the proposed site.</p> <p>Using the measures by which the alternative site assessment is being practically wavered (i.e., a 23-year-old MEPA exercise, and a 17-year-old local plan), the same 2006 South Local Plan had still identified the site as a designated agricultural area. Therefore, the 2006 South Local Plan cannot be interpreted as something having sealed the fate for the proposed site.</p>

No.:	From	Comments
		<p data-bbox="398 177 1420 204">In conclusion, after having seen the details of the proposed development and the EIA:</p> <ul data-bbox="421 248 2096 815" style="list-style-type: none"> <li data-bbox="421 248 2029 347">• We find the site selection exercise as a non-transparent exercise, and surely not satisfying the requirements of the EIA as set by the terms of reference. We invite the applicant to openly share how such a site selection exercise with the then MEPA was carried out including which sites were deemed as possible back then and why such sites are unsuitable today (if such is still the case). <li data-bbox="421 392 2096 563">• Given the context of MEPA’s exercise of 23 years ago, and the scenarios prevalent at the time of the 2006 South Malta Local Plan, such an alternative site assessment should be adequately revised and updated to reflect the realities of Malta in its current state, which has seen the expansion of development zones and an increase in height of urban agglomerations. Malta’s current demands (or rather needs) to have open green spaces and the need to ensure local food security via arable land cannot be measured with the same scale as that of two decades ago. <li data-bbox="421 608 2096 815">• We invite the applicant as well as ERA to consciously and truly consider all possible venues and locations that avoid the uptake of undeveloped land for the purposes of building an educational facility. A reconsideration of the design and needs of this development, with the aid of modern technology can surely result in a configuration which could possibly fit within other committed sites and possibly over multiple sites in proximity to each other if an area as large as 36,000 square meters is not wholly available. It is rather unconceivable that, to secure the education of future generations such a development seeks to deprive an open green space of agricultural value to same future generations. <p data-bbox="398 863 2018 922">BirdLife Malta reserves its right to make further comments, recommendations, and observations during the EIA process, and at planning application vetting stage of the proposed development</p>