

ERA Ref.: EA/00044/20

PA Ref: PA/08809/19

Description Proposal: Upgrading of the existing Marsa Racecourse to an International standard Racecourse, including demolition of existing grandstand and structures; restoration of the MRC building; upgrade and extension of the racetrack; upgrade of polo pitch; construction of Grandstand; construction of Class 4C and 4D outlets; construction of 2 club houses; construction of stables and paddocks; construction of equestrian arena with grandstand; construction of an additional 4 floors of car parking over the Marsa Park and Ride; construction of bridge between car park and race track; construction of childcare centre; construction of commercial development including Classes 4A and 4B; and other ancillary facilities to the racecourse.

Location: Il-Korsa taz-Zwiemel u l-Marsa Park and Ride, Triq it-Tigrija c/w Triq l-Iljun, Triq Aldo Moro, Marsa

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

Consultation period: 22 December 2020 – 31 January 2021

No.	From	Comment
1	Superintendence of Cultural Heritage (email dated 5 January 2021)	<p>1.0 Preamble</p> <p>The site in question consists of a large tract of land including the Marsa Park and Ride, the Marsa Racecourse and other areas on the outer limits of the Marsa Sports Club.</p> <p>The site proposed for development is located in an area of high archaeological sensitivity.</p> <p>The proposed project would involve development over an extensive area and may lead to intensification of activity over a larger area. Potential impacts may occur within the footprint of the project, in the immediate environs, and along access routes to the site. Potential impacts may include direct and immediate material impacts, as well as subsequent impacts that might arise from the modification of the existing situation.</p> <p>2.0 Scope and Definitions of the EIA</p>

		<p>For the purposes of this document, cultural heritage is defined by Article 2 of the Cultural Heritage Act (2019). This includes movable or immovable objects of artistic, architectural, historical, archaeological, ethnographic, palaeontological and geological importance.</p> <p>2.1 The study area shall include the total footprint of the proposed development.</p> <p>2.2 In the context of this particular application, cultural heritage considerations consist of:</p> <ul style="list-style-type: none"> • The MRC Building located within the site; • Three shaft tombs with chamber, quarry marks and cart ruts recorded within the site; • Ancient structural remains recorded within the site; • A cluster of ancient tombs recorded within the site; • Ceramic remains recorded within the site; • A British period rainwater drainage system consisting of terracotta piping and graded fills underlying the Marsa Polo Pitch; • The Turkish Cemetery scheduled at Grade 1 by the Planning Authority (G.N. 835 of 2013); • The Jewish Cemetery scheduled at Grade 1 by the Planning Authority (G.N. 835 of 2013); • Structural remains recorded in Triq is-Serkin; • Cart ruts and a rock-cut tomb recorded in Triq it-Tigrija; • Tombs and other rock-cut features recorded in Triq Aldo Moro. <p>The above cultural heritage definitions and considerations are not to be considered as exclusive. The EIA must consider all other forms of cultural heritage, both known and unknown.</p> <p>2.3 The Environmental Impact assessment will: -</p> <ul style="list-style-type: none"> • Describe the Cultural Heritage assets within the study area; • Analyse the cultural heritage features within the context of the cultural landscape; • Assess the physical, spatial and visual impacts of the proposed development on the cultural heritage assets; • Propose corrective measures for the protection of the cultural resources. <p>3.0 Methodology</p> <p>In quantifying the cultural heritage assets within the study area, and assessing the impacts of the proposed development, the EIA will undertake:</p> <ul style="list-style-type: none"> • Description and assessment of the property; • Desktop and archival research limited to the study area; • Fieldwork and research, including “field walking”, topographic survey and remote sensing as may be necessary within the site. All fieldwork has to be authorised by the Superintendence of Cultural Heritage as defined below under point 4;
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2	Malta Resource Authority (email dated 5 January 2021)	<p>MRA reserves its position pending a statement by the promoters that no groundwater will be extracted from the site and used for any purposes.</p> <p>Otherwise it has no other comments in so far as the functions under its immediate remit. However, if the proposed development includes excavation works that reach partially or totally within the saturated zone, then the developer should submit an application in writing to the MRA including the details specified in regulation 5(1) of the Borehole drilling and excavation works within the saturated zone regulations (SL423.32).</p> <p>This assessment is based primarily on the documentation that was published on the weblink provided as on the date of the assessment. The Authority made its assessment on a good faith basis and reserves the right to review its position and, or to take action against the authors of the documentation and, or the applicant if information relevant to its assessment (particularly the prior use of the site where the development is proposed) is 'buried' or concealed (including through the submission of documentation that is not text searchable). 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</p>

		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.
3	Marsa Local Council (email dated 28 January 2021)	<p>The following elements should be included in the Terms of Reference (TORs) for the EIA.</p> <ul style="list-style-type: none"> • A detailed Traffic Management Scheme is to be an essential element in the EIA . Projects of this nature generate a substantial increase in traffic counts. The Council is also proposing widening of Triq Tigrija (on course side) easing flow in the area. Average daily counts, peak hour traffic and estimated (predicted peak hour counts) must be clearly identified • Valuations of properties in the area. The effect on market value to residential dwellings in the area. • Sound and air pollution measures during construction works and estimated values when race course and ancillary facilities are in operation. • Similar projects overseas usually include a small incinerator for the disposal of waste. The Council will oppose such incinerators irrelevant of the size proposed. In this regard the EAI must identify waste disposal timings / routes /amounts for this project. • Waste management / storage and disposal including potentially contaminated materials and waste discharge to the main sewer system must be clearly identified. Rain water collection must be kept separate at all times. Details of reservoirs and catchments for both types of storage must be clearly identified WSC clearance in this regard must be obtained). • Restoration / Preservation / Conservation of Cultural Heritage. The Council agrees with the proposals and instructions laid out to date by the Superintendence of Cultural Heritage dated 10.09.20 (document 99a on eApps). Restoration Method statements must be clearly identified and updated as works are implemented. Monitoring of the relevant authorities is a must. • EIA must also identify a concrete planning and management proposal including upkeeping of the surrounding area to be borne by the developers, the obligation to include a traffic management plan on race course days including the use of law enforcement on site directing traffic in the area. • The use of Landscaping (soft and hard) must be an element included in the EIA. Replanting of existing trees must also be included. • Resident parking in the area must be included and identified in the plans. Residents must not be hindered by the expected increase in traffic generation. • The proposed parking should be included at ground floor and basement levels not at higher levels (visual pollution). Ground floor parking must be heavily landscaped. • The impact of the construction and finishing phases of the project on the neighbourhood must be analysed. Programme of works, detailed phasing and traffic management schemes must be presented beforehand so as to aid

		<p>the Council in informing the residents in the affected areas. The Council must be consulted constantly on this element.</p> <ul style="list-style-type: none"> • Due to the projected increase in traffic and the overloading of roads in the area, the developer must present clear surveys of existing conditions and must be bound to carry out resurfacing works on damaged roads in the area. • The Environment - A number of trees (also included protected ones) may be effected by the project. Detailed surveys including photographic must be included in the project together with a plan of action (uprooting, relocation, replanting....) • The Council expects the Authority to impose a Development Fund contribution on this project to upgrade the locality. <p>The Council is favourably considering this project however the above conditions must be taken into consideration when implementing the EIA. We reserve the right to make further representations in the future.</p>
4	Department of Health Regulation (dated 1 February 2021)	<p>With reference to your e-mail dated 22nd January 2020 regarding subject in caption and following review of the Project Description Statement, please be informed that we would like to have the following issues related to public health included in the terms of reference for this proposed development:</p> <ol style="list-style-type: none"> 1. Air pollution impacts assessment <ul style="list-style-type: none"> • For demolishing, excavation, and construction • Emissions from heavy vehicles • Transports, storage, and handling of construction materials • Operational traffic including mitigation of foul smells from stables, paddocks, and collection of manure. • And their effects on the surrounding area. • Necessary monitoring and mitigating measures must be clearly stated. 2. Noise and vibration impacts including construction activities, operational traffic and from other operational activities. Required monitoring and mitigating measures must be clearly stated. 3. Traffic Impact Study and Assessment regarding the consequence of this project that area of influence. Mitigation measures are to be clearly stated. 4. Light pollution impact and mitigation measures. 5. A Waste Management Plan shall be implanted which should include the impacts from waste generated both during the construction (demolishing, excavated and construction material) and operation phase. Hence the importance of a detailed

		<p>Construction and Waste Management Plan, which should be enforced by the site project manager. Details of monitoring and feedback mechanisms must be clearly stated and adhered to.</p> <p>6. Adverse impacts caused by unsafe, inadequate storage and improper handling of raw materials on site and from potential accidental spillage of hazardous fluids, fuel, and lubricants.</p> <p>7. The overall cumulative impacts of the development on the public.</p> <p>8. Details of measures proposed to be taken to prevent nuisances at all stages of the project on the Area of Influence.</p> <p>9. A hydrology assessment should be made available. Such assessment must include details for the supply, distribution, and storage of potable water. Furthermore, it must include details of collection, storage, overflow and use of rainwater. Ground water and surface water in terms of water quality including run-off management.</p> <p>10. Further details on the use and operation of pools both cold and heated and jacuzzi for horses.</p> <p>11. Identify the way manure, in stables, paddocks and racecourse will be treated. The necessary mitigation measures are to be clearly stated.</p> <p>12. If any manure clamp is to be constructed, it should have a cesspit that must be registered with the Superintendent of Public Health.</p> <p>13. Identify any health risks the stables, paddocks, and manure collection and/or incinerator might have on the employees, staff, and children for the proposed childcare centre.</p> <p>14. Details of proposed sanitary facilities for workers</p> <p>15. Pest control management on site and the surroundings.</p> <p>The EIA should also include a detailed description of the measures envisaged to prevent, minimise and where possible offset any significant temporary or permanent adverse health effects and nuisances on the Area of Influence and the public. This should include details regarding monitoring programmes that may be proposed. The EIA should also identify, describe, and discuss in detail the possible health effects of any residual impacts that cannot be mitigated.</p>
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