

Environmental Impact Assessment

Screening according to Schedule III of S.L. 549.46

ERA Reference no.: EA 00007/21

PA Reference no.: PA 05152/20

Project Title: Outline development application to set building height parameters and uses of an AOC site.

Location: AOC Site, Triq tal-Barrani, Għaxaq

Screening date: 15 September 2023

I. BACKGROUND

1. Outline of Proposal

- 1.1. The proposal seeks to build a large-scale commercial development within an Area of Containment (AOC), whilst establishing the height parameters of the site, along Triq tal-Barrani, Għaxaq. This is an outline development application.
- 1.2. The proposal is for multiple commercial outlets, parking, landscaping scheme and service roads servicing the site.
- 1.3. The proposal will cover a total site area of circa. 17,500 sq.m with a total Gross Floor Area (GFA) of circa 32,000 sq.m which will be roughly divided as per Table 1 below.

Table 1: Gross Floor Area (Source: Further information provided on 24th March 2023).

Land Use	Gross Floor Area (sq.m)
Supermarket	1500
Offices	7000
Retail	7000
Food	1500
650 Parking Spaces	15000
Total	32000

2. Site context

2.1 The site is located along Triq tal-Barrani, Għaxaq.

2.2 The proposal falls within Policy SMCM 05 - Areas of Containment as indicated in the South Malta Local Plan (SMLP, 2006) and illustrated in Map AC 4 – Areas of Containment (Industrial Commercial). The area is also designated as a Valley Protection Zone (SMCO 07). In addition, part of the site falls within an Aquifer Protection Zone (SMCO 08), is adjacent to an Archaeologically Sensitive Area (SMCO 04) and surrounded by agricultural areas (SMAG 01) as illustrated in Map GH3 of the SMLP, 2006.

2.3 To the south-west and eastern part of the site, there are other industrial buildings, commercial retail, whereas the remaining areas are mainly agricultural.

2.4 The majority of the site is currently a scrapyards used to scrap both large and small scale vehicles, whereas the remaining part of the site is in a derelict state.



Figure 1: Aerial ortho-photo (2018) showing the location of the site (*Source: PA Geoserver*).



Figure 2: Close-up aerial ortho-photo (2018) showing the location of the site. (Source: PA Geoserver).

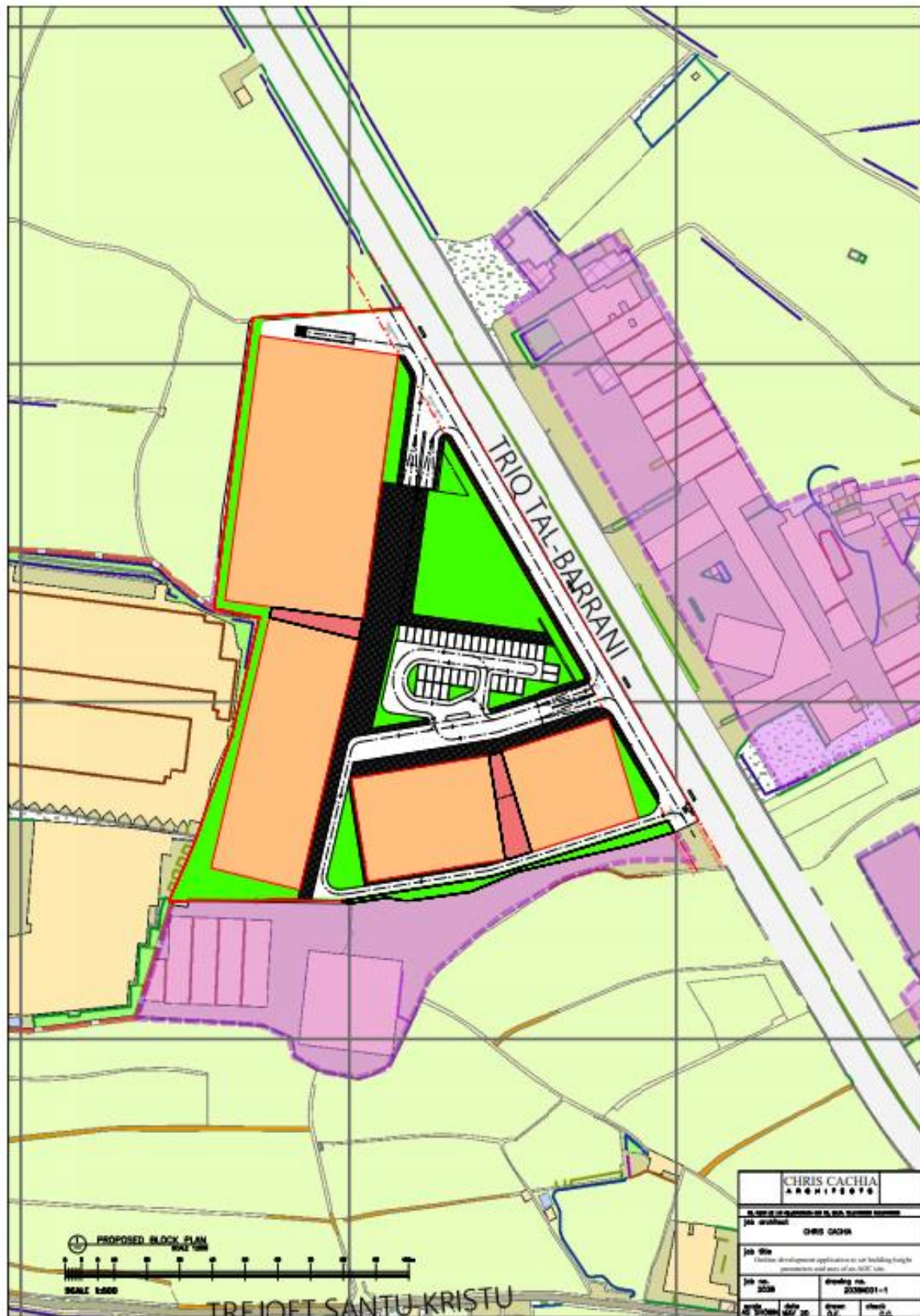


Figure 3: The proposed Block Plan. (Source: E-apps PA/05152/20/1g)

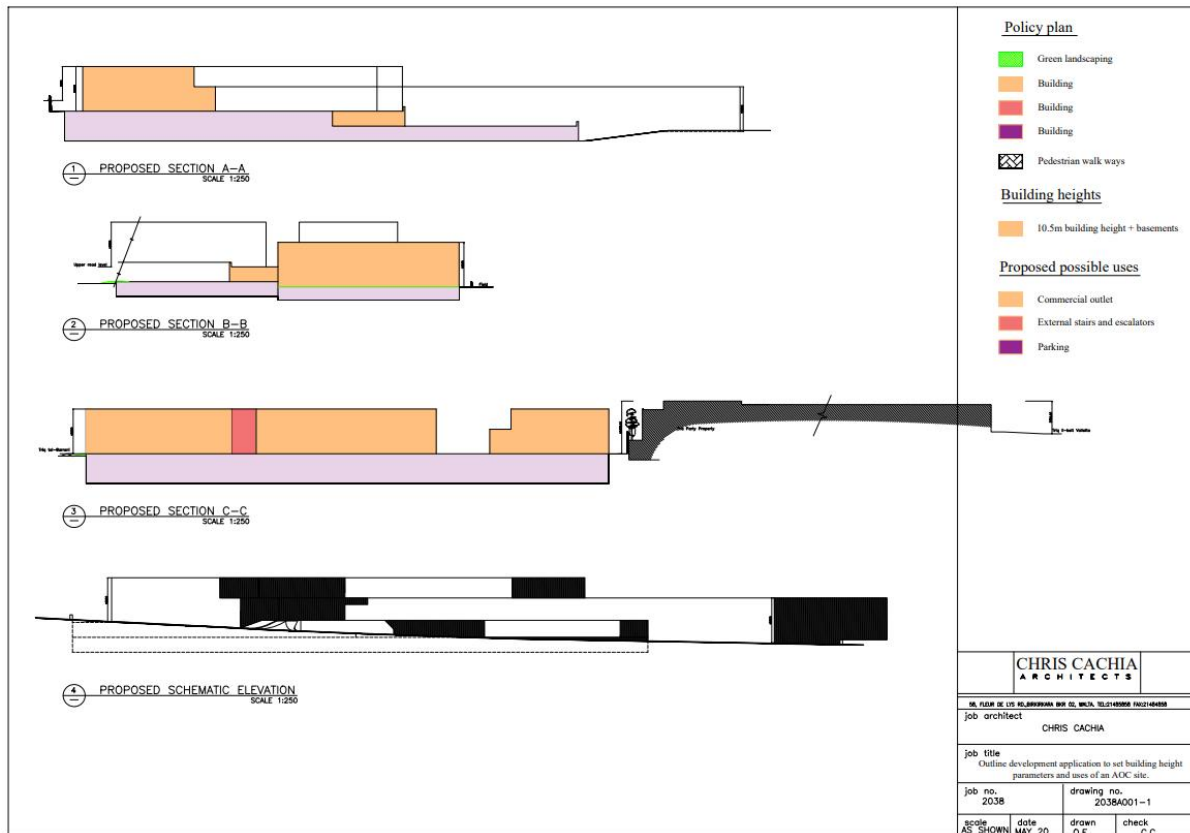


Figure 4: Proposed Sections and Elevations (Source: E-apps PA/05152/20/72a).

3. Case history

3.1 The site was previously subject to the following relevant Planning Applications and Enforcement Notice:

- PA/00806/93 - To erect 3 stores. *Application was refused. The applicant appealed against such refusal but the EPRT confirmed the PA's decision.*
- EC/01356/97 - Construction of sheds and stores without permit. *Case closed, permission to sanction illegality.*
- PA/00256/01 - To sanction stores below existing street level. *Application was refused by the PA. There was an appeal by the applicant but the former was abandoned and as such the original decision stands.*
- PA/01165/01 - To construct site boundary entrance to Tal-Barrani Road and relocate existing trees in front of boundary. *Application was refused by the PA. There was an appeal by the applicant but the former was abandoned and as such the original decision stands.*
- PA/04816/04 - The creation of a hardstanding area (boatyard) including the construction of offices and store, the reconstruction of boundary walls and the landscaping of the perimeter area. *Case status is not available. The ERA had screened the proposal in 2017 as per the EIA Regulation and had concluded that there were no significant impacts to the point of warranting an EIA as long as various measures were duly incorporated.*
- PA/04710/06 - To upgrade existing scrap yard and ancillary facilities as well as to sanction existing building and additional use of workshop. *Application was approved.*

- PA/04845/06 - To construct 7 garages and 10 warehouses and ancillary facilities. *Application was withdrawn by the applicant.*
- PA/02228/18 - To propose the installation of photovoltaic panels within a scrapyard approved by PA/04710/06. *Application was approved.*
- PA/03854/18 - Extension to approved / licensed scrapyard, relocation of recycle compartments, construction of a garage for the parking of heavy vehicles, relocation of parking area and proposed concrete ground slab as shown in conventional colours in an approved AOC site. Proposal is also to include the construction of a substation. *Application was approved.*

3.2 A site visit was held in February 2021.

3.3 A meeting between the project proponents and ERA officials to discuss pending submissions and fate of the existing use was held on 5th June 2023.

4. Screening Criteria

4.1 EIA Screening (citations refer to S.L. 549.46, except where otherwise specified):

The proposed development falls within the scope of the Environmental Impact Assessment Regulations (S.L. 549.46), notably in terms of the following Category II criteria in Schedule I:

- 7.1.2.1 (iii) a gross floor area of 10,000 sq.m or more for commercial use, including shops, shopping centres, offices or other business; and
- 7.1.2.3 Car-parks with a gross floor area of 15,000m² or more, or 600 parking spaces or more.

Therefore, the proposal was screened in terms of the EIA Regulations.

5. Documents used for screening

- Project Description Statement (PDS) which was referred to ERA on 27/11/2020 (PA/05152/20/32a);
- Plans, Site Plans, Sections and other relevant documents at docs. 1a, 1g, 14b, 66a-f, 72a, 84b-e and 85a;
- ERA reply at doc. 74a;
- Land Contamination Report v1.2.1 referred in September 2021; and
- Further information referred directly to ERA on 24/03/2023.

II. ASSESSMENT OF PROPOSAL

6. Assessment of Impacts and Ancillary Considerations

(Screening in terms of Schedule III of the EIA Regulations, S.L. 549.46)

Land use

- 6.1 The proposed site, lying within an Area of Containment (AOC) is mainly divided into two areas: the southern area, which is currently occupied by the scrapyards; and the northern area, which is in a derelict state. The proposal seeks to change the land use from a scrapyards and open land into a commercial site with parking. Given the nature of the proposal and noting that this site is an AOC, the environmental impact of the proposal is not considered significant.
- 6.2 The PDS states that the said industrial activities shall be relocated to an alternative site to accommodate the proposal. In this regard, the displacement of such use would be subject to environmental assessment by the ERA on its own merits and should not be construed as an in principle commitment for any site.
- 6.3 It is assumed that the trees present within the area, will be uprooted. In this regard, this adverse impact is to be mitigated with compensatory planting. All the necessary permits are to be sought from ERA to uproot/transplant any protected species.

Construction Phase Impacts

- 6.4 A land contamination investigation and site clearance report was submitted to ERA in September 2021, for which a reply to ERA review comments is still pending. In this regard, the assessment of the identified impacts/hazards will be made once a revised report is submitted.
- 6.5 The site lies within a Valley Protection Zone as per SMCO 07 (SMLP, 2006) and an Aquifer Protection Zone as per SMCO 08 (SMLP, 2006). In this regard, a minor adverse impact on the geo-environment, particularly on the hydrology/hydrogeology of the site is envisaged. The necessary geo-technical investigations are to be carried out to assess the quality of the excavated rock and its suitability for re-use.
- 6.6 Moreover, any soil that will be cleared from site is to be reused in any landscaped areas within the same site of the proposal. Any surplus soil is to be reused offsite in accordance with the relevant legislation.
- 6.7 The proposal will generate dust, noise, vibration and light emissions during the construction phase. Such impacts are short-term and can be minimised at source in line with the Environmental Management Construction Site Regulations (S.L. 552.09). Additionally, mitigation measures including the use of a dust misting lance; power

washing HGVs wheels; hoarding as a means to contain dust and debris, also serving as a noise barrier, should be implemented to further reduce the significance of said impacts.

Operation Phase Impacts

- 6.8 In view that the requested AADT is still pending, the impacts on air quality during operation are unknown. In this regard, further assessment is required once the AADT is submitted.
- 6.9 The reported peak hourly traffic flows (in the 'Further information referred directly to ERA on 24/03/2023') show that there is no substantial increase in traffic noise levels, thus no significant impacts are envisaged. Similarly, no significant light emissions are being envisaged, in view of the site context and the proposed uses.
- 6.10 The municipal waste which will be generated during operations, is not considered significant as long as all the waste is managed in accordance with the Waste Management Regulations (S.L. 549.63), and efforts are done to recycle and reduce waste generation at source.
- 6.11 Even though the proposal will be visible from the main road, the impact on the environment is not likely to be significant given that the site is self-contained and surrounded by other industrial developments. Nevertheless, as stated in the PDS, an adequate landscaping scheme that screens the parts of the site abutting the rural area and the main road is to be implemented.

Energy and Water Use (recommendations)

- 6.12 The ERA recommends that to mitigate impacts on resource use during operation, noting the scale of the proposal, the design of the development should take into consideration sustainable measures such as:
- Skylights and large apertures, to provide additional natural light;
 - Roof gardens and green walls, to provide additional shading as well as improving air quality by serving as a green area;
 - Double/Triple-glazed apertures and exterior facade/aperture shading; and
 - Ventilated cladding system and efficient air conditioning systems.
- 6.13 Sustainable or green architecture will also inevitably cut down costs relating mostly to reduced energy use which in principle should serve as an incentive for the developer to implement such measures. Moreover, the '*Malta's Sustainable Development Vision for 2050*' aims for low-carbon, carbon-neutral or carbon-positive, green, resilient and affordable construction solutions. In this regard, ERA recommends that landscaping is an integral part of the proposed development.

6.14 In general, ERA recommends the installation of energy-efficient luminaries/lighting systems as well as renewable energy. In this regard, plans to install Building Applied Photovoltaics (BAPVs) on roofs of the proposed building or any other renewable energy installations, are highly encouraged. Such measures are also in line with 'Malta's Sustainable Development Vision for 2050' objective to transition towards low-carbon energy.

6.15 The ERA promotes the local application of EU projects such as the E2STORMED project which deals with the challenge of capturing and reusing storm-water runoff before it flows as surface water, by exploring Sustainable Drainage Systems (SuDS), with the end goal of increasing energy efficiency. The information document published by ERA, 'Investing in the Multi-Functionality of Green Infrastructure (GI)' lists many other sustainable measures and projects. In this regard, it is highly recommended to adopt any relevant sustainable measures to the project.

Other

6.16 The ERA recommends that the Superintendence of Cultural Heritage (SCH) is to be consulted.

III. ERA CONCLUSION AND RECOMMENDED WAY FORWARD

ERA's conclusion and recommended way forward will be communicated once the requested information vis-à-vis AADT, as mentioned in Section 6, is submitted and reviewed satisfactorily by ERA.

ERA's screening conclusion and recommended way forward will be communicated once the requested information vis-à-vis AADT, as mentioned in Section 6, is duly submitted.

At this stage, the pending land contamination investigation and site clearance report can be left as a reserved matter to be addressed through development permit conditions along with other case-specific considerations.

The above should not be construed as an in principle commitment for any other site to accommodate the currently existing use displaced by the proposal in question.

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.