

The Executive Chairperson  
Planning Authority  
St. Francis Ravelin,  
Floriana

Date: 06/06/2018  
ERA Ref: EA 00021/18

Dear Sir/Madam,

**Planning Ref.:** PA 02585/18

**Description Proposal:** Proposed new fuel station which includes: fuel pumps, car and truck wash areas, class 4b shop, class 5a including ancillary facilities.

**Location:** Il-Hofra l-Hamra Field, Triq Hal Tarxien, Qasam Industrijali Ta' Bulebel, Żejtun, Malta

### **Environmental Impact Assessment Regulations, 2017 (S.L. 549.46)**

Reference is made to your consultation on the above application which the ERA received on 21<sup>st</sup> March 2018.

ERA's recommendation and representation on the said development proposal are being lodged in its capacity as an external consultee and an interested party in accordance with the Development Planning Act and the Development Planning (Procedure for Applications and their Determination) Regulations, 2016 (Legal Notice 162 of 2016).

#### **1. Outline of proposal**

1.1 PA 2585/18 is an outline application for the construction of a new fuel station in a site contiguous to Triq Hal Tarxien, limits of Żejtun. The proposal will commit a total of 3000sqm of ODZ land to accommodate the following project components:

- An 8 bay car wash facility;
- A parking area accommodating 13 parking spaces;
- An ATM machine;
- A truck wash facility;
- Four sets of fuel dispenser;
- A Truck VRT facility;
- A Class 4B shop; and
- A workshop.



1.2 The proposed development will be constructed on two levels. The underground level will house a Class 5A workshop together with a water reservoir, LPG tank, fuel tanks, forecourt separator/s and cesspits and sump. The rest of the structures will be constructed at ground level and photovoltaic panels will be installed at roof level. The proposed development will have a gross floor area of more than 3000sqm.

## 2. Site context

2.1 The site is an agricultural land parcel known as Il-Hofra il-Hamra (see photos 1-4). A few built structures are present along this side of the road including an existing farmhouse adjacent to the site in question, whereas industrial development is limited to the opposite side within the Bulebel Industrial Estate Area (South Malta Local Plan Map ZN 3). This stretch of road flanks the lower reaches of Wied iż-Żring watercourse which is identified for its ecological and scientific importance by the South Malta Local Plan (Map ZN 5) and governed by Policy SMCO 03. In view of the site's proximity to the Wied iż-Żring watercourse, the site is an important water catchment forming part of a Valley Protection Zone identified by the South Malta Local Plan (Map ZN 5) for which Policy SMCO 07 applies.



Photo 1: 2016 aerial image of site (outlined)  
Source: PA Geoserver



Photo 2: Site photo taken during ERA site visit



Photo 3: Site photo taken during ERA site visit





Photo 4: Site photo taken during ERA site visit

### 3. Type and characteristics of potential impact/s

- 3.1 The construction of a fuel station on this site would introduce a dominant urban development which is incongruous within the rural characteristics of this remnant agricultural area engulfed between the localities of Żejtun, Tarxien and Fgura. This area is identified for its agricultural value in the South Malta Local Plan through policy SMAG 01 and there is a presumption against development which is not related to agriculture so as to mitigate the accelerated loss of this resource and preserve the amenity of the area. Hence, the proposal is in direct conflict with the Local Plan's designation and corresponding policies for the area thereby prejudicing the effectiveness of such zoning as an environmental safeguard. Such type of development should be restricted to designated sub-urban fabric such as Areas of Containment identified in the Local Plan. In addition, the proposed development also runs counter to Thematic Objective 1.10 and to Rural Objective 4 of the Strategic Plan for Environment and Development in that the proposal is not considered legitimate or necessary within the rural area.



3.2 The proposed fuel station and associated facilities in the area is likely to introduce eventual pressures for proliferation and intensification of associated extensive physical development along this side of Triq Ħal Tarxien which is still relatively uncommitted to development. ERA notes that other major development interventions in the surrounding area are in the pipeline and such a project would significantly contribute to further environmental degradation within the area. Furthermore, the site identified for development is located less than 500m from an existing petrol station located along Triq tal-Barrani which is an arterial road running parallel to Triq Ħal Tarxien (see photo 5). In fact, Triq Ħal Tarxien is a secondary road located at a considerable distance from the centre of Żejtun and therefore is not frequently travelled. Other petrol stations also exist in Żejtun. Hence the proposal also runs counter to the Strategic Plan for Environment & Development Rural Objectives 1, 3 and 4 to facilitate sustainable rural development by controlling the location and design of rural development, as well as the cumulative effect of such development. This inherent conflict between the development and its siting cannot be satisfactorily addressed through further studies.

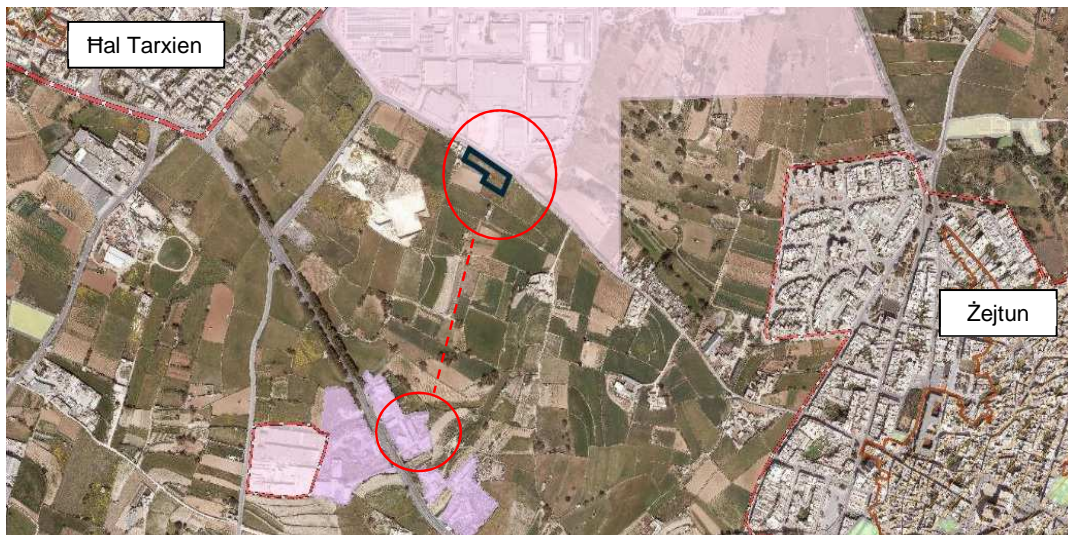
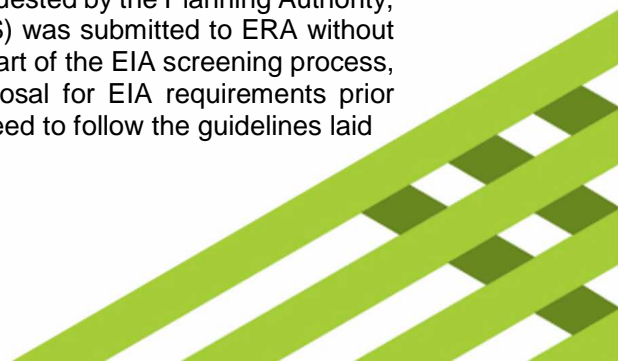


Photo 5: 2016 Aerial photo showing distance of site (outlined and encircled) from nearest fuel station (encircled) located on Triq Tal-Barrani and surrounding localities.

#### 4. EIA Screening (*citations refer to S.L. 549.46, except where otherwise specified*).

4.1 With reference to Section 3 above, whilst reiterating that the proposal is objectionable in principle in view of the impacts on the environment, it has been noted that a Project Description Report was requested by the Planning Authority, however a Project Description Statement (PDS) was submitted to ERA without any prior consultation. Given that the PDS is part of the EIA screening process, the ERA would need to first screen the proposal for EIA requirements prior requesting such document which would then need to follow the guidelines laid



out in the EIA Regulations 2017.

4.2 Without prejudice to ERA's final position on this application, the PDS has been reviewed and it has been determined that the proposed development would qualify for an EIA as per Schedule I, Category II Section 10.0.2.4 of the EIA Regulations, 2017 (S.L. 549.46). The EIA would need to address the following environmental issues:

- Impacts on land use, visual amenity, and the rural landscape;
- Impacts on the amenity of the nearby residential areas vis-à-vis the establishment of an industrial activity in vicinity to a residential area/building;
- Effects of the proposal on air quality and noise, including the effects on human populations and public health;
- Effects on Wied iż-Żrinġ associated with leakages from fuel tanks;
- Impacts on the cultural heritage in view of the immediate area's susceptibility to archaeological findings;
- Impacts due to the increased traffic flows on Triq Ħal Tarxien;
- Risks to the environment given the storage and retail of hazardous substances; and
- Cumulative impacts on the surrounding area of influence.

4.3 It is further reiterated that, although the proposal qualifies for further EIA studies, this requirement is secondary to ERA's overriding objection to the development which encroaches beyond the development zone boundary onto a rural area which de facto acts as a strategic open gap between Bulebel industrial estate and its surroundings. ERA considers that there is no valid justification for the further loss of undeveloped rural land and associated environmental impacts to accommodate even further development of petrol stations. There is also concern regarding the cumulative environmental impact cause by the numerous ad hoc proposals for petrol stations currently being proposed on ODZ land. An *ad hoc* EIA for this proposal *per se* would still leave this strategic-level environmental concern unresolved.

## 5. Operational Requirements

Without prejudice to the significant environmental concerns raised above, if the proposal is considered further, the petrol station and ancillary facilities would also need to be covered by an environmental permit. Some of the Environmental Permitting requirements would need to be addressed as part of the project design in order to ensure that fuel stations have the potential to meet particular environmental standards related to their operation.



Yours faithfully,

Stephanie Farrugia  
Senior Officer  
f/Director Environment & Resources

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***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.*