



Public Consultation Submissions & Responses

Construction and Demolition Waste Strategy for Malta, 2021-2030 – Managing Construction & Demolition Resources

September 2021

Environment & Resources Authority

CONSULTATION FEEDBACK

Ref No.	Name of Stakeholder / Date	Comments Received	Response / Remarks
1	Martin Bugeja 23/11/2019	<p>Il-Knisja qalet wahda tajba xi zmien ilu. Cioe' la din il-problema nholqot mill-izviluppaturi minhabba l-qima tagħhom lejn l-Alla ta' l-Ewro [bil-barka ta' l-awtoritajiet sintendi], mela ha jsolvuha huma. Ezatt!</p> <p>Mela qed nistaqsi jekk hux possibbli jesportaw dan l-iskart lejn xi pajjiz fil-vicin, bhalma qed isir fil-kaz ta' tipi ta' skart iehor. Inkella wisq nibza' li issa jmiss li nibdew neqirdu l-hajja ta' l-annimali u l-hxejjex li jghixu that il-bahar. Ara fejn wasalna!</p>	<p>Il-kumment tiegħek ġie innutat. L-ewwel għażla għal skart ġġenerat f'Malta għandha tkun li tinstab soluzzjoni ta' trattament lokali.</p> <p>Ta` min wieħed jinnota li aktar minn 60% tal-iskart iġġenerat mil lindustrija tal-kostruzzjon ijiġi rkuprat permezz ta' radam mill-ġdid bil-għan li jerġa' jkun hem restawr ta` spazji vojta għall-istat preċedenti tagħhom. Barra minn hekk, il-maġġoranza l-kbira tal-iskart li jintrema il-baħar joriġina minn operazzjonijiet ta' tħammil fil-portijiet tagħna u bi frazzjoni żgħira ta' skart inert li jispiċċa fil-baħar. Fil-fatt bejn l-2010 u l-2017, madwar 100,000 tunnellata ta' materjal inert ġġenerat mill-attivitajiet ta' skavar ġew mormija il-baħar.</p> <p>Barra minn hekk, frazzjoni żgħira ta' skart tal-kostruzzjoni tiġi esportata għar-riċiklagġ. Din tinkludi prinċipalment metalli mħallta, ħadid u azzar.</p>
2	Vince Zammit 14/12/2019	<p>I wish to advice that all very old quarries which have been excavated by hand (Tal baqqun) most of them are still not being filled because at that time there where not C&D waste. This same quarries now a day are ODZ. Is there any chances that a permit can be issue so all quarries can be fully filed this quarries are between 5 to 10 meters below road level and all together can take millions of tons of C& D waste if they can be fully filed.</p>	<p>Comment noted.</p>

3	<p>Angelo Xuereb AX Group</p> <p>20/12/2019</p>	<p>My comments are based on my 45 years of practical experience in the construction and demolishing industry.</p> <p>The idea to reuse, recycle and reduce (RRR) principally is good and should continue to be encouraged. But, we are referring to huge quantities of around 3 million tons a year. It is difficult to quantify the exact volume of excavation wastes since a number of excavation contractors dispose of this material in their own landfills.</p> <p>The quantities are so huge that it is impossible to achieve 15% being used as recycled material by 2021. My views also applies to your target of 40% to be re-used or recycled by 2021. We need to evaluate the supply and demand principles. We therefore need to create the demand and then tackle the form of supply. Notwithstanding that crushed excavation material is being provided for free, few are making use of it! If the creation of artificial reefs is considered as a “reuse”, as described in my proposal further on in this article, we can achieve more than the 40% target.</p>	<p>Comment noted.</p> <p>One is to note that on average the amount of CDW generated amounts to around 1.8 million tonnes annually with a maximum of 2.2 million tonnes recorded in 2017.</p> <p>Indent 2 of Measure 11 of the Strategy concerning the 15% of construction material used, to be made up of re-used/recycled material, is referring to the percentage of re-used/recycled material to be use for the actual construction of any building. Having said so, kindly note that Malta is achieving an average of 18% recycling rate for the CDW generated.</p> <p>The introduction of these targets aims at creating a demand for such products. Other measures such as Measures 6 and 7 are aimed at addressing the supply side of the market by for example providing a space for offsite CDW separation for eventual re-use and recycling.</p> <p>With reference to artificial reefs, ERA may consider carrying out further studies on its feasibility, particularly in view of International obligations, specifically those arising from the London and Barcelona Convention, regulating such activities. However, the potential installation of artificial reefs can be considered as separate projects but not as part of this draft strategy</p>
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		<p>We cannot compare the C & D Waste with other large EU countries where excavation in rock do not go deep as that in Malta. We have a limited area of land, and due to our density we are excavating deeper and deeper, mainly due to the fact that land value is always on the rise.</p> <p>We must prepare a long-term plan, say for 50 years and beyond. The idea of pressuring owners of disused quarries to be used for landfills is misguided. These very small numbers of available disused quarries will only take about 5 years to fill!! After this very short period of time is up, where shall we dispose of this material? I am sure no one is thinking of creating another mount Maghtab anywhere in our country! We MUST consider and treat the demolishing and excavation waste separately.</p>	<p>Comment noted. The draft strategy makes differentiation between excavation and demolition waste. In addition, ERA has taken on board the numerous comments concerning the time frames of this Strategy and will be amending the years covered by the Strategy.</p> <p>Several measures laid down in the Strategy are aimed at addressing the issues concerning the large amounts of CDW generated, by resorting to other options higher up the waste hierarchy. The main aim of the Strategy itself is to divert waste from being solely backfilled as a recovery operation to being prevented in the first place, re-used and recycled.</p>
		<p>It is right to encourage the separation of the demolishing waste at source and try to make our best to recycle. But again, the demand is low and therefore we still end up with the need of large landfills on land. This clearly demonstrate that the few available disused quarries MUST be retained for the demolishing waste that is contaminated and cannot be recycled.</p>	<p>Comment noted. Relevant stakeholders will be consulted during the implementation of each measure and such discussions will help seek a way forward in this regard.</p> <p>As previously pointed out, there are measures aimed specifically at creating a demand for such products.</p>
		<p>With regards to the bulk of excavation waste, there are a number of practical proposals on how to make use of this clean and inert material in large volumes.</p> <p>In order to not repeat what I have written in my article of the 10/3/19, I am highlighting in the salient points below.</p> <p>Crushed soft stone mixed with hardstone sand should be used as LEAN MIX concrete for NON STRUCTUAL USES. This mix can easily achieve C10 and C15 concrete strength. Some examples for its uses:</p> <ul style="list-style-type: none"> - Filling of Trenches - Concrete Barriers - Large Tetrapots or Quatropots 	<p>Comment has been noted.</p> <p>Each measure identifies the relevant stakeholders and discussions with said entities are envisaged prior to the implementation of the related measure.</p>

		<ul style="list-style-type: none"> - Large blocks to be used for retaining walls - Large blocks for “spending beaches” - The creation of underwater breakwaters which can help reduce the erosion of our sandy beaches - Thick layer of sub-base for new roads constructions. 	
		<p>Over the past three decades, the waste quantities increased exponentially, with almost no recycling. That the problem has escalated to a point that warrants a new and alternative use for this material.</p> <p>I am proposing, to make use of disused tankers of various sizes that are certified clean. Remove all structures above the platform, then strictly fill them with CLEAN, INERT excavation material, then tow them to identified locations and lower them to the sea bed, where they are covered with sand outside our bays or coves. Malta has large sea beds covered with sand and with proper surveys, Engineers can identify the size and type of decommissioned tankers that would be ideal for specific locations.</p> <p>The sides of the submerged tanker can be protected with large boulders of the same material to act as wave breakers. In this case, large boulders of stone would be needed, therefore Government should offer incentives to contactors to cut large boulders, for example, there will be NO dumping fees for over one cubic meters of such boulders.</p> <p>I am attaching some sketches on how we can re-use this inert Excavation waste. The top part of the submerged tanker, should not be higher than 4 metres below the sea level so as to allow sea crafts (not ships) to enter the bays or coves.</p> <p>Over time, this material will consolidate and be covered with sea weed or other type of Flora. This will become a permanent</p>	<p>Comment noted.</p> <p>Such actions can be considered on a case-by-case basis to ensure that they are properly assessed. However, the principal of sinking vessels need not be promoted.</p>

		<p>underwater breakwater that will protect the erosion of sandy beaches and encourage more fauna to breed.</p> <p>The ideal locations for such a construction waste depot would be the end part of the Grand Harbour so that it can be centralized on our Island. This location would be easily accessible by contractors from all around Malta.</p> <p>Such an operation can be considered as a large scale, “re-use concept”. It is important to note that this is NOT to be considered as dumping at sea, but as creation of artificial reefs and safe guarding our sandy beaches.</p>	
		<p>This proposal is very different to large scale land reclamation by the coast. I do not believe such a proposal is feasible due to the following concerns:</p> <ul style="list-style-type: none"> • The depth of our sea by the coast is deep and cannot be compared with other countries like Dubai or Hong Kong. • To hold the material from being scattered along our coastline, a Breakwater having at least 6 metres above sea level (not a sea wall) must be constructed before any material is dumped, otherwise a wind force 8, will spread the material and destroy our flora along the shoreline. • Construction of a Breakwater of a depth of 15/20 metres cost around €70 million per Km. Surely no new project over the reclaimed area would be financially viable. 	<p>Comment noted.</p> <p>This Strategy is proposing to explore the viability for land reclamation. Such viability will be evaluated through the necessary socio-economic, technical and environmental studies.</p>
		<p>Any initiative to introduce reconstituted stone is welcomed, but this comes at more expense than the natural stone and the demand for use of stone is diminishing. Most developments are using concrete blocks and in the near future most of medium and large scale projects shall be constructed in Frame Structures and the internal walls shall be erected with light</p>	<p>Comment noted.</p> <p>The measure related to research and development is aimed at encouraging researchers to find alternatives to the current material being used, such as stones and concrete bricks. The reconstituted stone project is an example of such innovation. In addition, measures related to setting</p>

		<p>weight gypsum partitions or biodegradable blockwork (such as HempB6). Therefore, reconstituted stone should be considered as a competition to the concrete bricks not with the stone. Very small reconstituted stone blocks which can contribute to high insulation values could be an option, but the quantities are very limited.</p>	<p>up of re-use/recycling targets have been proposed in order to encourage the boost the demand for alternative materials which in turn may reduce costs of such products. Furthermore, the Strategy is also proposing to establish standards for the constructions industry particularly those related to having standardised apertures in dwellings. Similar standards related to the actual structure of the building may be considered following discussions with relevant authorities and proper assessment.</p>
		<p>With regards to the re-cycling of demolishing waste, one must take note that in the past concrete slabs were in general of inferior quality to those of European countries. All measures for the reuse of this material are welcome, but again, let's see if we can create the demand for it. It is worth keeping in mind that all increases in construction cost will have to be borne by the end user and not by the contractors or developers. The dumping fees are already very high, and a truck load of construction waste almost compares to the same cost as a truck load of new concrete building bricks. In conclusion, my recommendation is to avoid increasing costs without first offering practical and sustainable solutions to create the demand. The supply is an ever growing problem now. We must act now before it gets out of hand. We must embark on a short medium and long term plan in order to achieve a sustainable solutions for the benefit of all concerned.</p>	<p>Comment noted. One of the main aims of the Strategy is to divert CDW from being backfilled in void spaces. The introduction of the measures proposed will lessen the need for such activity by promoting alternative solutions. For example, the setting up of storage depots, which will store waste for eventual re-use and/or recycling, is aimed at reducing the demand for backfilling.</p>

4	<p>Michael Briguglio</p> <p>10/01/2020</p>	<p>I am hereby proposing that this policy process incorporates Social Impact Assessments.</p> <p>A social impact assessment reviews the social effects of development and social change, both intended and not.</p> <p>The International Association for Impact Assessment defines an SIA as the process of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions and any social change processes invoked by those interventions.</p> <p>Such changes may range from natural disasters to population growth and from policy interventions to singular development projects. Consequently, SIAs investigate the effects on people's everyday lives in terms of culture, politics, community, health, well-being, aspirations, needs, rights and responsibilities, to name a few. They provide data for policymaking, which is based on evidence.</p> <p>Social impacts under assessment should include all those things relevant to people's everyday life. This may include one's culture, community, political context, environment, health, well-being, personal and property rights as well as fears and aspirations.</p> <p>Social impact assessments can help verify the consequences and impacts of development proposals in relation to the communities involved. Hence, a basic starting point for such assessments should be the compilation of a community profile.</p> <p>A social impact assessment that does not understand the society in question is practically worthless.</p> <p>This can help bring about genuine processes of engagement between communities, developers and authorities as well as identify and implement mitigation measures and compensation mechanisms. As things stand in Malta, various developers do quite the opposite, often causing huge inconvenience to</p>	<p>Comment noted. The document is a strategy document and further details for each measure are to be elaborated, including the potential need for an SIA.</p>
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		<p>residents and leaving a mess behind in surrounding infrastructure.</p> <p>Various methods, both quantitative and qualitative could be used within social impact assessments. The former refers to generalisable data especially through numbers, while the latter produce in-depth data on matters.</p> <p>Research methods in SIAs may therefore include surveys of concerned populations who are asked questions on their perceptions of the change in question. Ethnographic methods may involve a deeper look into everyday practices of people, while elite interviews may verify the advice, concerns and interpretations of persons who are experts or who have experience in the respective field under analysis.</p> <p>Methods may also involve the analysis of discourse on the subject in question, for example by looking at what is being pronounced in the public sphere, whether by the public, civil society, political actors, the media and the like.</p> <p>SIAs should involve the participation of different stakeholders, ideally through mixed research methods.</p> <p>Some other factors which should be included in social impact assessments include the consideration of reasonable alternatives to development proposals as well as comparative analysis of similar development proposals and related good or bad practices.</p> <p>Analytic indicators should be provided and the entire process should be subject to peer review by independent experts in the field.</p> <p>Social impact assessments should not be one-off exercises which are rubber-stamped by authorities without any sense of critical engagement. To the contrary, they should be ongoing processes which engage with various stakeholders and which report back so as to ensure effective policy processes. They</p>	
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		<p>should also use complementary research methods so as to ensure reliable and valid data.</p> <p>Recommendations and mitigation measures could therefore be in place, and these would be based on social-scientific evidence. It is also important that SIAs are peer-reviewed. This means that if a study is being carried out by a team of social scientists, this should be scrutinised by other independent social scientists. This could help identify shortcomings, conflicts and possible improvements to the same SIA.</p>	
5	<p>Scott Brewster Brewster Bros. Recycled Aggregates</p>	<p>For me, the missing link in the list of proposed list of measures of the document is an aggregates tax on the extraction of primary materials. A tax to make recycled aggregates more competitive would incentivise their use with construction contractors. In the UK the rate is £2/tonne and the tax has seen great success in promoting the use of recycled aggregates, which normally have a higher cost of production than the virgin minerals they replace. An alternative would be some sort of tax credit to the construction contractor for using recycled products with this would most likely be more difficult to administer. I also note proposed measure 11 that will demand 25% of aggregates consumed on any construction project be recycled, or no planning certificate will be issued.</p>	<p>Comment noted. The document is a strategy document and further details for each measure are to be elaborated at the implementation stage.</p>
	<p>21/01/20</p>	<p>Investment in the latest technology is also required to extract the maximum value from this waste. Our business employs washing technology from CDE Global that grades all the waste into useable fractions and most importantly removes/washes the sub 63 micron content from the coarser fractions. This is demanded by European construction standards for use in higher value applications such as concrete production. The sub 63 micron material can then be mixed with compost to form nutritious soils for agriculture and landscaping etc. The main constraints for installation of this kind of plant are land (circa 2 Hectares physical space for such a plant with waste and product</p>	<p>Comment noted and consideration of financial factors will be taken into account in the implementation of this measure.</p>

		<p>stockholding capacity), water (the washing process can use up to 40m³ per hour) and power (600 kVA required).</p> <p>I have spoken with Malta Enterprise to investigate grants/subsidies that may be available for helping with the above investment and constraints. We would be interested in discussing any opportunities that involved exporting this technology and Brewster Bros.' experience in implementing it into Malta.</p>	
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6	Raymond Sammut 22/01/2020	<p>Legal Notice 209 of 2018, as amended by Legal Notice 47 of 2019, being Tax Credit (Construction Waste Recycling) Rules dated 28th June 2018 was a step in the right direction creating initiatives to encourage recycling of construction waste material. However, this is not enough.</p> <p>Hereunder are suggestions of further motivations for recycling construction waste:-</p> <p>One or Two Quarries (depending on the volume of demand) to be Set up for Recycling of Construction Waste</p> <p>Rather than being used as fill in, quarries can be utilized for beneficial purposes such as public gardens, construction projects and for recycling construction waste materials.</p> <p>Since government subsidies are not allowed according to EU directives however partial EU funding could be obtained for such projects. Quarries can be converted in recycling locations for the so-called contaminated construction waste whereby with the appropriate machinery, and labour force, such material can be converted to reusable construction material.</p> <p>Malta stone slabs can have impurities such as paint, removed from it surfaces rendering it as good as new and thus reusable. Thereon it could be sold at reduced prices after consideration of the costs involved in rehabilitating it. Iron bars, of reinforced concrete slabs of construction waste can be extracted from residual waste material, brushed clean, applied with an anti-rust application, and sold back to the general public. Remaining material from broken down concrete slaps can be reused in other concrete works so long as the tested samples prove to be strength worthy for required project works.</p> <p>University of Malta have conducted studies and developed methods on reclamation of construction waste, and it would be useful to utilize their services in this respect.</p>	Comments have been noted. More elaborate actions are to be compiled at the implementation stage of each measure.
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		<p>Reclamation of Land from Sea could also prove to be a viable project if all the precautions are taken to limit damage to marine life. Marine biologists, Constructions Engineers, Geologists, and possibly NGO's should be involved in such projects to enable acquisition of land from shallower sea water areas. Foreign Specialists & Consultants should be engaged especially from countries who have succeeded to achieve such projects (e.g. Holland).</p>	<p>Comment noted. The list of Enablers indicated in the strategy is a non-exhaustive list. However, the list for the measure on the exploration of the viability of land reclamation will be amended to also include such specialists.</p>
		<p>Construction Waste from Underground Tunnels Consideration should also be taken to waste material extracted from underground tunnelling projects on which studies have been made and are in the offing. This would obviously depend on geological studies already made, and on further testing of extracted materials.</p>	<p>Comment noted. Such material falls within the scope of this draft strategy.</p>
7	<p>Adrian Mallia En-Sure Ltd 22/01/2020</p>	<p>En-Sure Ltd regularly provides environmental support to companies generating and managing C&D wastes, and as a result is fully supportive of the need for a holistic strategy to address the difficulties encountered in the management of such wastes, particularly in light of local constraints. Moreover, we welcome the intention to increase the reuse and recycling of waste generated from C&D activities, including the objective to 'innovate and incentivise the recycling industry' (Implementation Programme, section 3.1 of the consultation document).</p>	<p>Comment noted. Discussions among relevant authorities/entities will be organised prior to the implementation of each measure.</p>
		<p>We are aware that ERA has also been working on a National Strategy for the Environment, which sets out a long-term vision (up to the year 2050) for various environmental aspects, including waste management. It is unclear how the Strategy currently under consultation, which covers the period to the year 2025, fits with this long-term vision. Ideally the 2020-2025 Strategy would be the vehicle that implements the long-term objectives of the National Strategy, with specific deadlines for various objectives to be achieved within the 2020-2025 period</p>	<p>Comment noted. The timeframe for the implantation of the Strategy will be amended to cover a longer period.</p>

		<p>with a focus on reduction and reuse. Furthermore, the Strategy should also guide development planning policies and permitting procedures.</p>	
		<p>We also consider that the 2020-2025 Strategy should place more emphasis on reduction of construction waste, and reuse where reduction is not possible. For instance, we consider that the current practice of disposal of stone in a quarry (although technically classed as a recovery operation) should not be allowed to continue indiscriminately, as it encourages a wasteful attitude towards what is in reality a precious resource. Options that may be considered to encourage and incentivise the reuse and recycling of stone could include setting quotas for extraction, establishing a tax on extracted stone, increasing the price of limestone blocks to also include the environmental cost (thus giving the resource a higher value, potentially leading to less wastage and more re-use), and / or a requirement for large construction / demolition projects to set out how established reuse / recycling targets will be reached before a development planning permit is granted.</p>	<p>Comment noted. The draft strategy lays out measures to prevent the generation of such waste and an increase in reuse. In addition, various incentives may be considered at the implementation phase of the different measures.</p>
		<p>Additionally, we consider that promoting the reuse and recycling of waste requires a reduction in the administrative burden associated with diverting such waste towards reuse / recycling. In our experience, there is a clear need for the permitting of reuse / recycling activities to be simplified, especially when compared to the disposal option, in order to encourage reuse / recycling as the options of first choice. As examples, the consultation document mentions that ERA authorisation is required whenever waste treatment is carried out (as per the Waste Regulations, S.L.549.63), and whenever stone is excavated on a development site (measure 9). In the case of the first example, we propose that the permitting process for treatment of C&D waste (including the end-of-</p>	<p>Comment noted. Detailed implementing actions plans are to be elaborated to actualise measures.</p>

		<p>waste application process, where applicable) should be simplified, particularly when recovery / reuse options are proposed. This could be done by adopting a registration (GBR)-type permitting process, in a way that ensures environmental protection and quality requirements are also met. Permitting timeframes should also be kept as short as possible and communicated upfront to applicants. These simplified procedures should also apply to innovative solutions, as set out in the objectives set by the Implementation Programme of the draft Strategy (section 3.1). In the case of the second example (excavating stone on a development site), we propose that the requirement for ERA authorisation may be removed altogether, as the environmental benefit of requiring ERA authorisation is unclear and may even act as a disincentive.</p>	
		<p>With regard to section 3.2 (Proposed Measures), we note that most of these measures are not time-bound. We propose that in order to ensure effective implementation of the Strategy, each measure should include a timeframe by when it will be in place.</p>	<p>Comment noted.</p>
		<p>Lastly, we note that measure 6 ('Improve Waste Classification and Source Separation') requires pre-demolition audits for high-density residential developments. In our experience, such audits would require the contribution of both architects and environmental experts, since it is the latter who have the required expertise to facilitate the identification of any hazardous waste, and the correct waste treatment options.</p>	<p>Comment noted. Environmental Consultants will be added to the list of Enablers and the text amended accordingly.</p>
		<p>In conclusion, we welcome ERA's intention to increase the reuse and recycling of C&D waste, and the opportunity to be involved in the consultation process. We consider that the Strategy under consultation should be the vehicle that implements the long-term objectives of the National Strategy for the Environment, with specific deadlines for various objectives to be achieved within the 2020-2025 period. We also</p>	<p>Comment noted.</p>

		consider that the Strategy should place more emphasis on reduction and reuse of construction waste, particularly local stone. In order to incentivise the divergence of C&D waste towards more sustainable waste management options, the Strategy should disincentivise the indiscriminate disposal of stone in quarries, and incentivise solutions that move waste up the hierarchy, including by streamlining the permitting process.	
8	Michelle Borg Planning Authority 24/01/2020	<p>1. Introduction</p> <p>The feedback being provided by the Planning Authority is based on the existing regulatory and policy context through which spatial planning is applied in Malta. The proposed C&D Waste Strategy for Malta has been reviewed accordingly, with a view to identify:</p> <ul style="list-style-type: none"> (i) whether the proposed measures are in conformity with the functions of the Planning Authority as set out by the DPA (Cap 552); and (ii) potential conflicts and synergies with existing planning policy. <p>This exercise has been done in order to determine which actions can be taken to support national efforts for a long-term solution on C&D waste in Malta.</p> <p>This brief report provides the general and specific comments on the proposed strategy which are then followed by a set of recommendations.</p>	Comment noted.
		<p>2. General Comments</p> <p>The role of policies in C&D waste management, including prevention</p> <p>In general, the proposed measures seem to be biased towards the regulatory framework with very little, if any, reference at all to the existing policy framework and related administrative procedures that can support C&D waste management.</p>	Comment noted.

		<p>The Planning Authority believes that there is scope to look at the issue of Construction and Demolition Waste Management more comprehensively and at a strategic level by:</p> <ul style="list-style-type: none"> - determining the factors that influence the generation of C&D waste in Malta (policy direction, economic, social); - the spatial implications and associated impacts of existing trends and proposed measures; - assessing the performance and effectiveness of two key policy instruments (Waste Management Plan for the Maltese Islands A Resource Management Approach 2014-2020, and the Strategic Plan for Environment and Development) that are already in place, and lay out the direction for the prevention and management of C&D in Malta and how this is to be mainstreamed through the planning process. 	
		<p><u>Waste Management Plan (2014)</u></p> <p>It is acknowledged that the proposed strategy seeks to implement the two aims identified in the current Waste Management Plan, i.e. (i) to minimise C&D waste through re-use activities and to promote the recycling and recovery and (ii) to recover 70% of C&D waste by 2020. However, the same policy includes a Waste Prevention Plan that recognises the includes specific measures concerning C&D waste and sees the planning process as a natural ally to help prevent C&D waste generation in the first place. Given that C&D waste generation is intrinsically tied with the development permitting process, the plan proposed the following measures with regards to the PA's roles:</p> <ul style="list-style-type: none"> - to study the possibility of excavation of large sites being undertaken in a manner that permits the reuse of the excavated stone e.g. through quarrying rather than excavation, 	<p>Comment noted.</p>

		<ul style="list-style-type: none"> - to include measures to separate C&D waste at the site of generation and to include recycling targets for major projects in their development permit, - allocation of storage areas for re-usable C&D material dismantled during demolition works. <p>It also proposed two monitoring indicators to enable policy makers review performance:</p> <ul style="list-style-type: none"> - number of redevelopments undertaken not involving demolition; - volumes of inert waste generated 	
		<p><u>Strategic Plan for Environment and Development (2015)</u> The way C&D waste management has been mainstreamed within strategic spatial planning policy is through the SPED’s policies under Thematic Objective 7. Through this policy framework the SPED seeks to promote the efficient use of resources including local stone, and manage waste in a manner that safeguards natural processes, and minimises impacts on cultural heritage, landscape and human health by,</p> <ul style="list-style-type: none"> - Ensuring phased extraction of minerals and restoration of quarries (SPED Policy TO7.2) - Supporting the implementation of the National Waste Management Plan (SPED Policy TO7.8) - Controlling demolition of buildings and structures and excavations of sites (SPED Policy TO7.9) - Reviewing the policy on dumping of inert waste at sea (SPED Policy TO 7.10) <p>SPED Policy UO4.3 promotes the reduction of waste through design of buildings and infrastructure. The Strategic Environment Assessment carried out for the SPED identified that the significant amounts of waste, particularly C&D would be expected to be generated since the SPED</p>	<p>Comment noted. Noting the amount of waste from the construction industry albeit existing policies a strategic document focusing on these topics may synergise existing efforts of the mentioned policy documents.</p>

		<p>promotes further development including redevelopment. The implementation of SPED policies TO7 and UO4 was expected to reduce the quantity of C&D waste generated.</p> <p>In essence the policy framework set out in the SPED dovetails with that of the National Waste Management Plan and supports certain measures proposed by the Draft C&D Waste Management Strategy.</p>	
		<p>3. Specific Comments</p> <p><u>Measure 1: Establish Standards for the Construction Industry</u></p> <p>The PA believes that this is a measure that falls squarely within the BRO functions.</p> <p>For development permission particularly those concerning the rehabilitation of built fabric within UCAs, the PA already imposes conditions limiting demolition and requires the re-use of deconstructed material (such as globigerina limestone blocks and slabs). In cases where demolition is allowed, the imposition of conditions for careful dismantling in order to ensure the possibility of re-use of material can be considered. Such conditions are most likely to be contested and potentially breached unless tied to substantial bank guarantees.</p> <p>Excavation works already need to be carried out in a careful manner to safeguard adjoining third-party property.</p> <p>Aperture dimensions can be included as one of the standard conditions or as part of the pending Building regulations. The advantages resulting from potential re-use of standard sized apertures are not expected to be immediate.</p>	<p>Comment noted.</p> <p>Whilst noting that there are already guidelines/requirements in place for particular developments (i.e. developments within UCA), ERA believes that further requirements need to put in place, particularly targeting other developments, where guidelines are lacking. Furthermore, discussions with relevant authorities are foreseen, prior to the implementation of the measure.</p> <p>One is to not that this is a strategic document and detailed action plans would be required to proceed with actualisation.</p>
		<p><u>Measure 3: Introduce a new regulatory framework directed at the management of C&D waste</u></p> <p>The management of C&D waste involves multiple regulatory stakeholders. There is a need to clarify the respective and complementary role of each stakeholder.</p>	<p>Comment noted.</p> <p>ERA agrees that the management of CDW involves several regulatory stakeholders and these will be identified during the drafting of the said legal framework.</p> <p>Discussions with relevant authorities and private stakeholders are foreseen in order to ensure that</p>

		<p>In addition the private sector also needs to be encouraged to participate since implementation will require proper and thorough project management.</p> <p>Construction Management Plans requested through the development application process and set as supporting documents in the development permit can be a useful tool for C&D waste management. However technical TORs need to be drawn up and the regulatory body assessing, approving and monitoring such CMPs identified.</p>	<p>all involved entities are working towards the same objective.</p>
		<p><u>Measure 5: Encourage Home Restoration Projects</u></p> <p>The PA already has schemes that encourage restoration through financial grants and exemptions from development permit fees.</p> <p>The proposed measure refers to abandoned dwellings that have been not lived in for at least 10 years in full: this requires a detailed survey on dwelling stock to determine the scale of impact resulting from this measure.</p>	<p>Comment noted.</p> <p>ERA considers that there should be a proper assessment to determine the number of abandoned dwellings. Discussions with the relevant stakeholders will be carried out during the implementation phase of the measures.</p>
		<p><u>Measure 6: Improve Waste Classification and Source Separation</u></p> <p>The concept of a pre-demolition audit is positive. There may be need for further discussions with the PA on how this is to be linked with the development permit process and for which development types.</p> <p>It may be opportune to include in such a report a justification for the need for demolition in the first place.</p>	<p>Comment noted.</p> <p>ERA agrees with the proposed inclusion and will amend the text accordingly.</p>
		<p><u>Measure 7: Recognise the need for Resource Recovery and Storage Depots</u></p> <p>These facilities will be subject to development permission. The policy framework will need to be updated to enable assessment and decisions of such applications. Ideally such facilities can be accommodated in areas designated for industrial, warehousing, open storage and areas of containment.</p>	<p>Comment noted.</p> <p>Discussions on how to implement such measure with relevant authorities and private stakeholders are foreseen.</p>

		<p><u>Measure 8: Explore ways of introducing the Polluter Pays Principle</u> The proposed strategy excludes the possibility of utilising the planning system as an additional means to implement the PPP, particularly through the development permitting process.</p>	<p>Comment noted. The Strategy does not specify any means on how to implement this measure at this stage. Discussions with relevant authorities will be carried out to determine the best way to implement this measure. .</p>
		<p><u>Measure 9: Extraction of Resources at Development Sites</u> Should the PA impose additional conditions pertaining to the re-use of excavated material, it is necessary to know the potential quality of the material (whether it could be used as aggregate for concrete mix, infill/insulation (torba) or else cut into franka stone blocks. The latter would explicitly give rise to implications related to time-frames, cost and dust generation.</p>	<p>Comment noted.</p>
		<p><u>Measure 10 Promoting markets for secondary raw materials</u> This measure should be considered in depth after a strategic decision is taken on the efforts Malta is to first take to prevent the generation of C&D waste. In parallel this measure would also need to be based on data on the amount, type and source of C&D waste being generated.</p>	<p>Comment noted.</p>
		<p><u>Measure 11: Set Re-use and Recycling Targets for any Development</u> Attention is needed to ensure that such measures are adequately administered so as not to become perverse incentives for unauthorised demolition of buildings meriting conservation. Documentation and record keeping of decisions taken is important. The role of the Building and Construction Agency needs to be considered, since it requires method statements related to demolition and excavation works to be submitted prior to commencement of works. Tying up the compliance certificate issued by the PA with matters that go beyond what is included in the development permit is not possible unless ERA, as statutory consultee in the</p>	<p>Comment noted. ERA will discuss with PA and other authorities the implementation of this measure.</p>

		<p>development permitting process introduces conditions which it can eventually monitor and give clearance to architect before compliance certificate can be issued.</p> <p>It may be opportune (in the spirit of preventing C&D waste generation) to focus on the scale of required/justified excavation and demolition within the design of the project, rather than pushing on compliance, particularly when it is common knowledge that enforcement is a national challenge.</p>	
		<p><u>Measure 12: Enforce Recovery through Restoration of Void Spaces</u></p> <p>This measure must not prejudice the Solar Farms Policy which identifies quarries for potential solar farms to support Malta's targets for renewable energy and climate action. As it stands it runs counter to existing policy.</p>	<p>Comment noted. Not all quarries are intended to be used for restoration of their void space. However, restoration of void spaces may still allow the development of solar farms once the quarry is filled up.</p>
		<p><u>Measure 14: Assess the Characteristics of the Offshore Spoil Ground</u></p> <p>Whilst it is acknowledged that the environmental status and implications related to the spoil ground fall within the parameters of the EPA, the effective designation of the spatial extent for such use involves other stakeholders that regulate development at sea (PA), safety of navigation (TM) and use of the continental shelf CSD).</p>	<p>Comment noted.</p> <p>The list of enablers for this measure will be updated to include the said stakeholder, amongst others. If the study indicates that the extent of the spoil ground needs to be extended, the relevant stakeholders would be consulted.</p> <p>Note: This measure was eventually removed from the list of measures included in the Strategy.</p>
		<p><u>Measure 15: Explore the viability for land reclamation</u></p> <p>The option for land reclamation depends on the national strategic direction based on an assessment of development projections and a more proactive approach to prevent the generation of C&D waste.</p> <p>Whilst it is acknowledged that ERA has a significant role to provide input for selection criteria to potential land reclamation areas, particularly to safeguard the quality of the marine environment, the criteria for establishing such uses at sea remain within the Planning Authority's functions as the</p>	<p>Comment noted. Discussions with relevant authorities and private stakeholders are foreseen. This is a strategic document and detailed action plans would be required to proceed with actualisation.</p> <p>Note: Following the removal of one of the measures, this measure is now presented in the Strategy document as Measure 14.</p>

		<p>designated national entity to implement spatial planning on land and sea.</p> <p>Land reclamation does not solely pertain to the placement of material at sea. The after use of the reclaimed territory will need to be consistent with and part of the national strategic spatial planning policy.</p>	
		<p><u>4. Recommendations</u></p> <p>The proposed C&D Waste Management Strategy should seek to address waste prevention more proactively. If the 70% recycling target is to be retained or increased, for a small island state like Malta where land space is already under pressure for use by other activities, it may be opportune to consider reduction of C&D waste generation so that the ultimate volume for recycling is also significantly reduced, leaving less pressure on limited terrestrial space and the sea.</p> <p>Following a more comprehensive assessment of the factors influencing the current state of play related to the management of C&D waste, there is scope to identify how proposed measures are linked and prioritised. This would provide clarity for governance and investment alike.</p> <p>Activities that generate C&D waste are still ongoing. Considering the time required to deliver proposed measures since they would require legal, fiscal and policy changes based on discussions with stakeholders, it is recommended that tangible short- and medium-term measures are identified in the interim stage to address the current situation within the present context.</p> <p>The proposed measures need to reflect the approved Solar Farms Policy (2017).</p> <p>The proposed C&D Waste Management Strategy should be developed in synergy with and without prejudice to the spatial</p>	<p>Comment noted</p> <p>ERA would like to point out that the current target established under the Waste Framework Directive relates to the recovery of C&D waste. Having said so, the Strategy aims to move higher up the waste hierarchy by re-using and recycling material rather than backfill it, and preventing waste from being generated in the first place through the various measures being proposed.</p> <p>Furthermore, the timeframe for the Strategy will be extended to cover a longer-time frame thus allowing for long-term measures proposed in this Strategy to be implemented.</p>

		<p>planning functions and processes of the Planning Authority as regulated by the Development Planning Act, 2016 (Cap 552) and its subsidiary legislation.</p> <p>The PA remains open to consultations with ERA to deliver an effective long-term national strategy on C&D waste management.</p>	
9	<p>Simone Vella Lenicker Kamra tal-Periti 29/01/2020</p>	<p><u>1. THE STRATEGY</u></p> <p>In 2007, the Kamra tal-Periti had published “The Urban Challenge – Our Quality of Life and the Built Environment”. In this seminal publication, the Kamra had stated:</p> <p><i>We have yet to move away from the traditional idea of the flow of materials from raw resource to products, consumption, and on to landfill as waste. To do this we need to promote further the polluter pays principle, to encourage the reuse of building waste and to make the industry responsible for the products they introduce to the country once they become waste.</i></p> <p>...</p> <p><i>Acknowledging that the construction industry causes a level of inconvenience to society through continual disturbance, pollution and the generation of waste, better site management and project administration are critical in order to minimize the impacts of development sites on their immediate neighbourhood.</i></p> <p>The Strategy issued for public consultation mirrors, to some extent, these principles. In particular it adds an important dimension, namely that the measures “<i>should not just be introduced as legislation but should be followed up by further discussions with the relevant stakeholders, and accompanied by standards and adequate training, in order to ensure that a</i></p>	<p>Comment noted with thanks.</p>

		<p><i>positive change is brought about. Providing only a change in legislation does not ensure compliance and will not bring about the essential behavioural change to yield positive results."</i></p> <p>This is a commendable approach and one which the Kamra supports.</p>	
		<p>The current Waste Management Plan for the Maltese Islands proposed a strategy for the period 2014-2020. Measures outlined therein have been, or are in the process of being, implemented. Others, however, exist only on paper. Indeed, nearly all the proposals in Section 3.3 of the current plan are repeated in this current draft Strategy, signifying a complete failure to address this issue in a comprehensive way. The Ministry and the ERA must show a clear commitment to implement any proposed Strategy, and must endeavour to ensure cooperation across the industry in achieving the targets set. In this sense, the Kamra assures Government of its full co-operation to achieve a paradigm shift in the manner in which Construction and Demolition (C&D) Waste is treated in Malta.</p>	<p>Comment noted. It is expected that all measures laid out in the Strategy will be implemented, taking into consideration any new situations that may arise in the future.</p>
		<p>The new Strategy must take into account the realities of our current economy, population, consumption patterns, infrastructure stresses and waste disposal sites before we reach a critical point that will take its toll on the quality of life of our citizens. It is therefore important that the ERA and the Ministry have embarked on this consultation process to propose a new Strategy, albeit possibly being too late.</p>	<p>Comment noted.</p>

		<p><u>2. CIRCULAR ECONOMY</u></p> <p>The draft Strategy states that it is underpinned by the principles of circular economy.</p> <p>The below is an extract from the Statement of the Architect’s Council of Europe (ACE) titled “Designing for a Circular Economy”, and which can be perused here.</p> <p><i>Like many others, the construction and building sectors operate largely within a linear economy model of “take, make and waste”, assuming that resources are abundant and that we can dispose of them without consequences. Yet, there is growing awareness of the finite nature of natural resources and fragility of our environment, and thereby of the urgent need to develop more sustainable and regenerative economic models, which allow resources to flow in a circular way within the economy for as long as possible and avoid the production of waste. The construction and building sector have huge potential in terms of resource savings and waste reduction. In 2017, the construction and operation of buildings accounted for 36% of global final energy use and nearly 40% of energy-related carbon dioxide (CO2) emissions. In the European Union, the construction and use of buildings account for about half of all our extracted materials and the sector generates about one third of all waste. Action must be taken urgently to apply circular economy principles in these sectors – and architecture has a crucial role to play here.</i></p> <p>The Kamra tal-Periti, which is affiliated with ACE, subscribes fully to this Statement, and will endorse any measures which are in line with the strategies outlined therein.</p>	<p>Comment noted</p>
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		<p>3. CURTAILING WASTE GENERATION</p> <p>The proposed Strategy identifies four priority areas, namely:</p> <ul style="list-style-type: none"> (i) Planning and Design, targeting the construction industry, with specific measures aimed at tackling the problem at source by demolishing or constructing in a sustainable manner; (ii) Waste Management, listing specific measures to improve waste logistics both at the development site as well as off-site; (iii) Quality Management, focussing on measures associated with increasing the confidence in C&D waste management practices as well as improving the quality of C&D recycled materials; and (iv) Policy and Regulatory Framework, dealing with improvements in policy and framework conditions in order to break the link between development and waste generation. <p>C&D Waste accounts for 80% of the waste generated annually in the Maltese Islands. As stated in the draft, “this percentage share is considered as significantly high, particularly when compared to the EU average, which accounts to approximately 25% to 30% of all waste generated in the EU.” Figure 4 is significant in this sense since it clearly indicates that a slowdown in the economy and in the construction industry in the years 2009 – 2012 was coupled with a significant reduction in the amount of waste generated. The control of construction activity is therefore key to the solution, but is not mentioned as one of the measures of the Strategy.</p>	<p>Comment noted. The direct control of the construction industry in terms of development may not be within the scope of this Strategy but the measures do seek to control how the construction industry disposes of waste including the better planning at the building stage to facilitate recycling.</p>
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		<p>Moreover, the document states that 58% of all C&D Waste is generated by excavation activities, however the Strategy does not include any proposed measures to curb such waste generation. It is indeed very weak in this regard, and seems to take the approach that the generation of excavation waste is something we cannot do without, and that therefore the Strategy should focus on what to do with the waste once it is generated. This is an inherently flawed approach, and we cannot hope to address the problems our country is currently facing if this is not addressed.</p>	<p>Comment noted. The management of excavated waste is addressed by a number of measures. However, the minimisation of such waste may require details at a later stage with the direct involvement of relevant authorities that regulate development control process.</p>
		<p>Reference is here made to the Kamra’s position regarding the imposition by the Planning Authority of parking requirements in new projects and the increase in CPPS contributions, which can be viewed here. The Kamra stated that “The extraordinary increase in CPPS fees will not reduce private vehicular traffic, neither will it promote green transport practices. It will certainly encourage developers to construct ever larger under-ground car-parking facilities, involving deeper excavations, more generation of waste, and more consumption of energy to maintain adequate environmental conditions in these facilities.”</p> <p>It is therefore imperative that we rethink our approach to parking requirements, and if necessary ban underground parking altogether in certain areas and certain projects, coupled with a concerted effort to improve accessibility and to ensure a modal shift in transportation. Comprehensive development should also be encouraged, thus reducing the amount of excavation required to accommodate minimal parking requirements where these are necessary, improving on street parking availability due to the reduction of access points to underground garages, and increased safety through the reduction of excavation depths.</p>	<p>Comment noted and will be brought to the relevant competent authority.</p>

		If this matter is not addressed in a holistic manner we will continue to dig enormous holes in the ground, and then frantically search for other holes in the ground into which to deposit the waste generated from this futile exercise.	
		<p><u>4. PROPOSED MEASURES</u> The proposed measures in Section 3.2 of the document are generally positive, however it is unclear how, in practice, they are going to achieve effective results. The Strategy is not accompanied by KPIs and clear targets, and therefore risks becoming yet another set of lofty ideals which will not, in practice, serve to address the critical situation we are facing in this sector.</p>	Comment noted. KPIs will be introduced at the action plan stage.
		<p>Some of the proposals are, in the Kamra's view, objectionable, namely: Dimensions of internal and external apertures of residential dwellings aimed at encouraging the re-use of fittings as well as reduce diversification bringing about economies of scale: While acknowledging that no detail is provided at this stage, it is to be noted that the sizing of external apertures is a design aspect which is also dependent of various factors such as context, orientation, and site constraints. The imposition of standard sizes would be detrimental to the quality of the built environment, and would potentially result in failure to comply with the requirements of Technical Guidance F – Conservation of Fuel, Energy and Natural Resources (Minimum requirements on the energy performance of buildings regulations, 2006).</p>	Comment noted. The draft Strategy will be reviewed accordingly.
		Owners of abandoned dwellings that sell their property shall benefit from a tax credit equivalent to a percentage of the transfer value of the property. Moreover, a percentage	Comment noted and measure amended.

		<p>reduction in the development permit application (DPA) fee will be granted to owners or buyers of abandoned dwellings who intend to redevelop the building without carrying out major alterations to the abandoned structure: It is unclear why owners of abandoned properties should benefit from the sale of their property unless this is coupled with an obligation for a restoration and rehabilitation program to be undertaken by the purchaser, in which case it should be the latter than benefits from any incentives. It is to be noted that not all abandoned buildings are worthy of preservation, and this must be taken into account in any proposed measure. It is also noted that a significant incentive already exists for the transfer of properties within UCA (even if these are not abandoned) in the form of a reduction of stamp duty, as well as a reduction of the tax on transfer in cases where the property is restored and/or rehabilitated – it is understood that Government intends to renew this scheme for 2020. Furthermore, it is to be noted that the term “redevelop” in the proposed measure seems to be incorrect – redevelopment by definition implies major alterations, including complete demolition; restoration and/or rehabilitation on the other hand seem to be more consonant with the intent of this measure. Finally it is to be noted that no amount of incentives will encourage property owners to restore and/or rehabilitate if current planning policy continues to permit the wholesale destruction of our built heritage – this needs to be addressed without delay. It is therefore recommended that the Ministry and ERA consider this measure carefully and clearly establish what it is trying to achieve other than encouraging the trading of property.</p>	<p>Comments noted. The aim of this measure is to encourage owners of abandoned dwellings to sell their property rather than allowing them to deteriorate. Furthermore, this measure does not solely relate to dwellings within UCA but also those outside UCA.</p> <p>The implementation of this measure will need to be assessed and discussed with the relevant stakeholders.</p>
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		<p>The submission of pre-demolition audits (PDA) shall be made mandatory for high-density residential developments serving 16 or more units: While this is a good measure, the Kamra contends that it must be extended to all types of development, not ones of a residential nature only.</p>	<p>Comment noted and will be considered.</p>
		<p>By 2021, a minimum of 40% of excavated material shall be re-used or recycled. This shall be enforced through the compliance certificate issued pursuant to the Development Planning Act (CAP 552), whereby no such certificate shall be issued unless proof on the use of such materials is provided: The Strategy proposes that this requirement is extended from applying solely to projects procured by Government to residential projects of 16 units or more. Again it is objectionable that residential projects are being singled out. Moreover this will merely encourage the further fragmentation of projects into smaller portions to avoid compliance with the requirements. It is also noted that 2021 is practically tomorrow, and such requirements cannot be brought into force unless opportunities for re-use and recycling are brought into effect immediately.</p>	<p>Comment noted and other major developments will also be taken into consideration. In addition, the timeframes for the Strategy will be extended and revised accordingly.</p>
		<p>By 2021, a minimum of 15% of construction material shall be made up of re-used material or materials recycled locally with a possibility of further re-use or recycling at the building's end of life. This shall be enforced through the compliance certificate issued pursuant to the Development Planning Act (CAP 552), whereby no such certificate shall be issued unless proof on the use of such materials is provided: This is impossible to implement if the Construction Products Regulations are not enforced. The Construction Products (Implementation) Regulations, 2011 transposed European Regulation 205/2011 governing the safety of construction products in the European Market. Despite these regulations, there appears to be negligible oversight and enforcement of</p>	<p>Comment noted. The relevant competent authorities are to be approached with regards to certification. Measures proposed in this Strategy are linked. The supply of recycling material is addressed by several measures which aim to increase the supply of recycled construction material, for example the amended measure 7.</p>

		<p>construction products manufactured locally. Indeed, virtually no products, whether masonry blocks, hollow concrete bricks, concrete precast products, wood shuttering, window apertures, timber products, asphalt mixes, aggregate, steel reinforcement, etc., are ever sold with the obligatory certification. Also, imposing the used of “re-used material or materials recycled locally” is useless if these materials are not available in the quantities they are required to sustain the current rate of construction.</p>	
		<p>By 2021, at least 25% of the granular material used for construction shall be made up of aggregates recycled locally in order to decrease the dependency on virgin aggregates. The percentage share of recycled aggregates used shall contribute towards attaining the 15% target for re-use and recycled materials as highlighted in indent (1). This shall also be enforced through the compliance certificate issued pursuant to the Development Planning Act (CAP 552), whereby no such certificate shall be issued unless proof on the use of such materials is provided: Once again, this measure will be impossible to implement unless the Construction Products Regulations are enforced. Contractors and suppliers must be able to certify the materials they are using and to confirm compliance with the specifications of the designer.</p>	<p>Comment noted. The relevant competent authorities are to be approached with regard to certificates.</p>
		<p>The ERA will develop location selection criteria for potential areas for land reclamation, followed by an evaluation of the socio-economic, technical and environmental impacts associated with the feasibility and viability of land reclamation: Land reclamation should never be seen as a solution to the waste problem. Land reclamation is a highly expensive and sensitive operation, and should only be resorted to when and where absolutely necessary to achieve specific targets such as infrastructure requirements, etc.</p>	<p>Comment noted. This Strategy is proposing to explore the viability for land reclamation. Such viability will be evaluated through the necessary socio-economic, technical and environmental studies. Should land reclamation be determined as viable, the use of CDW would be considered as opposed to making use of virgin material.</p>

		<p>Apart from the above, the Kamra is in agreement with the other proposed measures, although it does note its concern that they may be inadequate to tackle the acute problems faced at this moment in time.</p> <p>In particular it notes that its proposals for a Modern Building and Construction Regulation Framework for Malta has been positively received by all the relevant stakeholders, and the Kamra is in discussion with Government on the implementation of its proposals. The establishment of regulations related to waste generation and disposal forms part of this framework. It is further noted that one of the basic principles of the Kamra's proposed framework is the complete separation of the planning process from the building and construction process. Thus the measures outlined in the Strategy that are proposed to be regulated through the compliance process currently administered by the Planning Authority should be administered by the Building and Construction Authority which is in the process of being established by Government.</p>	<p>Comment noted. Both the PA and the BCA will be consulted in the implementation phase of the Strategy.</p>
		<p><u>5. CONCLUDING REMARKS</u></p> <p>While the formulation and implementation of a Strategy is important, it is felt that the proposed period of 2020 to 2025 is much too short to be effective. A Strategy up to 2050 is required and this must be accompanied by detailed plans to implement such Strategy in the short, medium and long term.</p> <p>It is also noted that the Strategy seems to rely on historical data related to waste generation, but does not include any projections for future generation. This is important if we are to effectively cater for future waste streams, and must be coupled with the economic vision for our country.</p> <p>In this sense, the Kamra reiterates its position that the Strategic Plan for the Environment and Development requires a major review, and that unless this is carried out in a holistic manner</p>	<p>Comment noted. ERA has taken on board the numerous comments concerning the time frames of this Strategy and will be amending the years covered by the Strategy.</p>

		<p>which involves all sectors of society it will once again fail to achieve any of its lofty objectives.</p> <p>Finally, the Kamra tal-Periti acknowledges the efforts being done by the ERA and the Ministry, and remains available to discuss its position in detail as required.</p>	
Submissions Received During Consultation Meeting held on 2/12/2019			
1	Anglu Xuereb 02/12/2019	<p>Due to the large quantities of C&D waste generated, a long-term master plan is necessary. If there are a few quarries, these will be filled up within a few years. Excavation waste, which is clean and inert, needs to be distinguished from demolition waste. The latter is contaminated and cannot be dumped at sea, so solutions on land are necessary. While it is good to carry out separation and recycling of waste, the quantity of the waste is too great.</p>	<p>With reference to the duration of the strategy, ERA agrees that long term planning is necessary and are considering extending the timeframe of the plan.</p>
		<p>I suggest to create artificial reefs in the sea, rather than simply dumping the waste at sea. This will benefit marine flora and fauna. Large tankers, which are usually used for scrap, can be used. The waste can be stored in a depot in the Grand Harbour area, following which the tankers can transport the waste to be deposited in bays with bare sandy bottoms. Contractors should be incentivised to produce boulders, to avoid paying dumping fees. This will contribute to the creation of habitats and also reduce sand erosion.</p>	<p>With reference to artificial reefs, ERA may consider carrying out further studies on its feasibility, particularly in view of International obligations, specifically those arising from the London and Barcelona Convention, regulating such activities.</p>
		<p>Another proposal is to use globigerina limestone gravel to fill trenches in roads. Globigerina limestone should also be used for barriers. This is 50% stronger than the normally used concrete.</p>	<p>ERA agrees with the need to increase use of secondary raw materials, and this is addressed by Measure 10 of the strategy.</p>

2	Sandro Chetcuti Malta Developers Association 02/12/2019	Although the goals of the strategy are agreed to, there are certain challenges which need to be tackled. For example storage depots are a necessity. Currently it seems that there is an urgency to backfill quarries. This is a short-term solution, since quarries can easily be used as recycling depots.	The suitability of quarries for different reasons need to be assessed on a case-by-case basis. Certain quarries are best suited to be reclaimed to their original state while some quarries are in sensitive areas. Restoration and reclamation of quarries are environmentally beneficial. Others may be suitable for acting as strategically located recycling depots. Storage depots are needed in strategic locations around Malta, and need to be considered on their own merits.
		Effort and coordination with engineers and contractors is needed to develop specifications using locally produced materials. By using specifications which can only be met by using imported materials, we are exacerbating the issue.	ERA is promoting the creation of markets for such materials derived from local products. Other policies, such as those related to Green Public Procurement, can assist to create a demand for such products.
		These are objective comments which, by addressing them, the process will be initiated to reach our targets. Artificial reefs and land reclamation should be pursued. All materials can be recycled, including demolition waste. Affordability also needs to be taken into consideration, since adding too many burdens for development will increase the price of property.	ERA agrees that demolition waste can also be recycled. The strategy includes measures to improve separation of waste, which is needed for reuse and recycling of demolition waste. This is why storage depots are mentioned, as these are areas where separation can occur. For major projects, separation on site can be stipulated.
3	Anonymous 02/12/2019	The strategy does not seem to address those who generate small amounts of C&D waste, such as those activities that require hiring of a skip for home refurbishments. Solutions have never existed for this issue. Quarries often do not accept such waste, since it is often mixed. Malta has never had a reclamation facility for such C&D waste.	The proposed depots are envisaged to accept all types of C&D waste, including small quantities of demolition waste. Such depots will be regulated by ERA and will be obligated to accept all volumes of waste.
4	Mario Agius 02/12/2019	I am a contractor who works on roads. We are currently in a crisis situation, and this is crisis management. ERA needs to invite the involved people to speak to them to discuss the situations and problems they are facing.	This session is being organised by ERA and we are aware of the current circumstances where current disposal options are limited. Currently there are high rates of generation and limited disposal

		<p>We are using imported concrete for filling trenches, at a high cost of €100 per ton, while wasting local resources and paying for its disposal. Contractors pay large amounts of money to dispose of waste. In the past, we have been shown how to use such local materials, however the architects in the local authorities who develop the specifications stipulate that concrete has to be used.</p> <p>I have a recycling plant, which ERA ordered to return part which I use for stockpiling back to agriculture.</p>	<p>options. Some of the included measures aim to stop the current deadlock, and create more spaces for waste management. ERA welcomes requests for meetings. The scope of this meeting is to hear the opinions of the stakeholders, in the early stages of developing the strategy. Specific cases need to be assessed on an individual basis, taking into consideration all environmental aspects.</p>
5	<p>Mary Gaerty 02/12/2019</p>	<p>Current specifications are not adequate and contributing to the current crisis. A similar issue arose in the past with glass. It was attempted to reuse glass as a construction material, however it had not been accepted to use glass as a filler in roads. The architects' specifications are not adapted to local materials. Research is needed to pursue this further.</p>	<p>ERA is in agreement, and such concerns are addressed through strategy by establishing standards for the construction industry and promoting innovation through research and development. ERA will be collaborating with other stakeholders, we are aiming to improve the standards and utilise materials better.</p>
6	<p>Simone Vella Lenicker Chamber of Architects 02/12/2019</p>	<p>It is important that research is carried out to ensure that any changes to specifications are adapted to the exigencies of the material.</p> <p>It is agreed that longer term planning is needed. Planning on a 5-year basis has never worked, and it is already late to be talking about a strategy today which we should have been discussing before we ended up in the current situation.</p> <p>Although the measures proposed in the strategy are all positive, the actual generation of C&D waste is not being addressed. It is now time to revise certain planning policies, such as that on underground car parks, need to be revised in collaboration with the Planning Authority. We are currently excavating large holes for underground car parks then looking for other holes where to dump the excavated material. The SPED has now practically</p>	<p>The strategy lists enablers for each measure, all of who have to be on board for the effective fulfilment of those measures. ERA acknowledges that this strategy needs to be dovetailed with other policies and strategies. This public consultation is the starting point, further consultations will be held with key stakeholders. The plan departed during a crisis period. It has already been felt that the strategy should have a longer timeframe than 5 years.</p> <p>ERA has consulted with the University of Malta and the BICC. ERA has discussed with BICC vis-à-vis skill cards for workers carrying out demolition works. ERA will be discussing further with the University and with the KTP, who are involved with the design</p>

		expired and no one is talking about it. ERA needs to collaborate with the PA to reduce generation of excavation and construction waste. Current planning policies promote unsustainable development and therefore more generation of C&D waste. Such a strategic plan needs to have all ministries and entities on board.	of buildings, to plan for the demolition of buildings before their development. ERA welcomes comments. Stakeholders should not see the strategy as an additional burden on the industry, and can be profitable for the industry.
7	Andre Fenech Chamber of Commerce 02/12/2019	With reference to the mention of regulatory framework, and the revision of existing legislation on construction. I assume that this task should be carried out by the Building and Construction Authority, which shall be consolidated of the roles of the BRO, BRB and BICC.	ERA is the competent authority for those aspects which are directly related to the environment, including overall waste management. Other aspects are consulted with the relevant entities.
		Clarification is also being requested how it is planned that the Polluter Pays Principal (PPP) will be implemented in this sector.	At this stage, we are still on a strategic level but the principle is that the waste generator should pay for the ultimate disposal or management of the waste. This principle is deeply enshrined in international legislation, and ERA shall be working to move towards situations where it can be implemented in this sector.
		Assistance schemes can also be considered, such as those announced in the last budget for contractors. Is ERA considering assistance schemes, such as for more research and innovation?	Measure 2 aims at introducing National Research and Development Schemes to increase knowledge related to the placing on the market of recyclable construction products and the piloting of new approaches towards resource recovery and use of C&D waste.
8	Ruben Borg 02/12/2019	Regarding construction materials, the starting point should be what the material is needed for and the durability targets of the structures, rather than what is locally available. Through appropriate research, interesting solutions can be found.	There is a need to set out targets where we want to go with the material specifications. A balance between using local products and developing good quality standards. ERA is promoting to increase research in this regard.

		<p>If deconstruction is going to be given importance, planning and design should also be given due consideration. New buildings and structures have to be developed in such a way to be able to be reused. Buildings which are more sensitive for their end-of-life should be given high importance in the strategy.</p>	<p>Planning and design are already given due consideration in the strategy. We may need to elaborate further on these aspects in the strategy, as it is currently a strategic measure in nature. The strategy is also proposing to tackle waste generation at source in major projects, by proposing measures that the excavated material, especially globigerina limestone, needs to be extracted in such a way that it can be re-used.</p>
9	<p>Vince Zammit Sier & Sons 02/12/2019</p>	<p>Is ERA consulting with Infrastructure Malta and Transport Malta, to ensure that any new policies are agreed to by all relevant entities?</p>	<p>Discussions are ongoing with these entities. ERA will be consulting with all relevant authorities, to develop appropriate standards for road construction, based on appropriate research.</p>
10	<p>Vince Vassallo 02/12/2019</p>	<p>When dismantling old buildings, I have to dispose of the bricks because if a farmer requests old stone for building a room in a field, I have to tell him that I do not have anywhere where to store the stone, and if I put the stone on site the authorities will say that the work has begun and will not grant a permit. Before, we used to stockpile the stone on an area of garrigue.</p>	<p>All environmental aspects have to be taken into consideration. The establishment of storage depots for these materials will be a positive measure in this regard. However, this does not mean that small scale storages are not acceptable, and may be permitted on a case-by-case basis.</p>
11	<p>Anglu Xuereb 02/12/2019</p>	<p>I can imagine that there is EU pressure on this subject for Malta. I sat on a committee between the EU and Malta on C&D waste. The EU was comparing the waste generated in Malta to the EU member states, however they were unaware that most C&D waste in Malta originates from quarrying and excavation.</p> <p>Excavation will continue to increase, due to the ongoing increase in the cost of land and the increase of cars, requiring more underground car parks.</p>	<p>There is no pressure from the EU on C&D waste, since we are in line with the stipulated recovery targets by the reclamation of quarries. The pressure is more on a national level, since the current situation cannot persist.</p>

		The costs to dispose of material are increasing, which also contributes to the ultimate cost of property.	
12	Mary Gaerty 02/12/2019	Demolition often involves not only stone, but also other materials. We had a recent meeting with MCCA regarding disposal of AC units, which often results in the emissions of gases. It is important that decommissioning of buildings needs to be planned properly.	Comment agreed to.
13	Nicky Vella Malta Industrial Parks 02/12/2019	MIP together with the University is currently undergoing a project to develop reconstituted stone. Although it is true that such stone is 10-15% more expensive than normal globigerina blocks, technology has resulted there are numerous benefits of using this stone since it is stronger and therefore can be cut thinner. MIP, as part of its drive towards a circular economy, is proposing that a certain amount of recycled material is used to develop this reconstituted stone and used in industrial areas. Apart from the end-of-waste criteria for stone, I suggest that the strategy also looks at the establishing of end-of-waste criteria for other materials such as glass and metal, to facilitate research to develop usable materials.	Comment noted. End of Waste criteria for glass cullet and certain metal scraps, particularly iron, copper, aluminium and steel already exist at European level and are to be used within Member States as adopted.
14	Denise Xuereb Malta Developers Association 02/12/2019	Meetings such as this are useful to bring everyone together and listen to the problems in the sector and the realities we are facing. I suggest that a follow up meeting with ERA, PA, MDA and KTP representatives is held with MDA members to answer the questions which have been put forward.	Comment noted and further specific stakeholder meetings will be held.

15	Sandro Chetcuti Malta Developers Association 02/12/2019	A lot of the people present work in excavation. We need to look at how to pair this business, where the capital will be coming from and there has to be the right incentives. For many people involved in the industry, recycling will not be easy to carry out, as they do not have the financial means. It would be beneficial to organise a meeting with people who have experience to discuss the right incentives for this practice.	Such a meeting is in the pipeline and you will be contacted in the coming days.
16	Brian Cardona Recyclers Association 02/12/2019	Recycling facilities need to be included in any discussions.	Agreed. This is an important point, especially vis-à-vis the other materials apart from stone.