

ERA Ref.: EA/00013/25

Description of Proposal: To demolish an existing construction yard and built structures, proposed oversite excavation to accommodate the construction of a commercial car park, supermarket, a mixed use outlet village (consisting of class 2A medical, class 3C sport centre, class 4A offices, class 4B retail, class 4C coffee shops, class 4D restaurants, bank) and three-stars Hotel having 120 rooms.

Location: Site at Elbros Concrete Ltd., Triq l-Industrija c/w, Triq il-Madonna Tad-Dawl, Kirkop

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

Consultation Period: 15/10/2025 - 14/11/2025

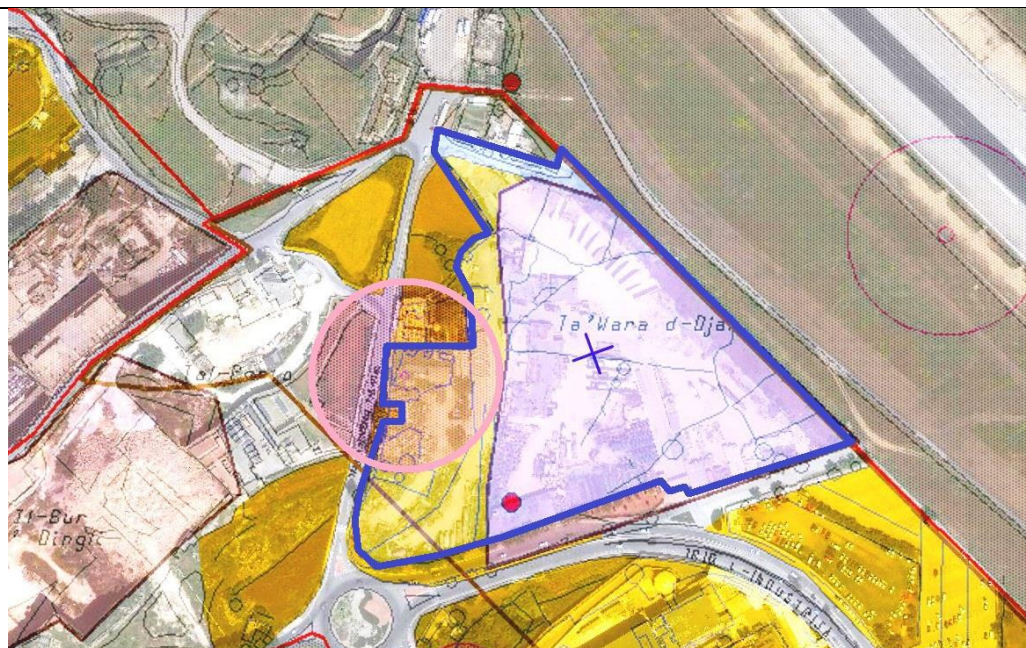
Ref No.	From	Comment
1.	Occupational Health & Safety Authority (OHSA) (email dated 29/10/2025)	<p>With reference to the public consultation in relation to the Terms of Reference for an Environmental Impact Assessment for PA/02825/25 pls. find OHSA's comments:</p> <p>The employer at this site shall ensure that:</p> <ol style="list-style-type: none"> 1. All work activities at this place of work comply with the requirements of Act XXXIII of 2024 and all relevant OHS regulations. 2. One or more persons having the necessary aptitude, capabilities, competence and training shall be designated to assist the employer in undertaking the measures which are required to be taken in relation to the protection of occupational health and safety and the prevention and control of occupational risks, as per LN 36 / 2003. 3. ALL work activities falling under one's responsibilities are covered by a suitable, sufficient and systematic risk assessment carried out as per LN 36 / 2003 and other relevant OHS regulations. Without prejudice to the legal obligations of an employer, this risk assessment shall, inter alia, refer to: <ol style="list-style-type: none"> a) The measures to be taken against risks from manual handling of loads as per LN 35/2003. b) Protection against exposure to chemical agents including carcinogens at work as per LN 227/2003 and LN 122/2003 including but not limited to measures against inhalable dusts and metals. c) The measures to protect workers from risks from exposure to the sun. d) The required emergency prevention, preparedness and response arrangements including first aid and firefighting measures. e) Protection against physical agents at work including but not limited to risks from noise and vibration.

		<ul style="list-style-type: none"> f) Traffic management. g) Protection of workers from risks of electrocution as required by LN 44/2002. h) Personal protective clothing / equipment to be used by workers. i) Suitable welfare facilities to be made available for staff. j) The required health and, or safety signs and. k) Training and competence of workers to perform the assigned tasks. <p>This risk assessment shall also make reference to the necessary health surveillance that is required wherever there is revealed an identifiable occupational disease or adverse health condition related to the work involved OR the likelihood that a disease or condition may occur under the particular conditions of work, as per LN 36 / 2003 and other applicable OHS regulations.</p> <ul style="list-style-type: none"> 4. All work equipment complies with the relevant provisions of LN 293 / 2016, including where applicable, by ensuring that work equipment is duly examined by a competent person and a report of such examination is kept by the employer and (where applicable) also sent to OHSA and. 5. Any intended construction related works comply with the relevant provisions of LN 52/2025 in particular: <ul style="list-style-type: none"> ○ Ensuring that a competent project supervisor is appointed for both the design and execution stages. ○ The preparation and implementation of a Construction Phase Health and Safety Plan prior to commencement of works. ○ The coordination of health and safety measures among all contractors and workers on site. ○ The provision of adequate welfare facilities, safe access and egress, and protection against falls and other site hazards. ○ The notification of the construction project to the OHSA as required by the regulations.
2.	Environmental Health Directorate (email dated 10/11/2025)	<p>With reference to your email dated 15th October regarding the subject in caption, and following the review of the Project Description Statement, please be informed that the Environmental Health Directorate would like to comment on the following public health-related issues to be included in the Terms of Reference for this proposed development:</p> <ul style="list-style-type: none"> 1. Air pollution impact assessment, including the necessary monitoring and mitigation measures on the surrounding area, shall be clearly stated for: <ul style="list-style-type: none"> ○ Demolition, excavation, and construction activities ○ Emissions from heavy vehicles during the construction and operational phases

		<ul style="list-style-type: none"> ○ Emissions from the operational phase ○ Construction and operational traffic <ol style="list-style-type: none"> 2. Assessment of noise and vibration impacts, which shall include construction activities, operational traffic, and other operational activities. Monitoring and mitigation measures must also be clearly stated. 3. Traffic Impact Assessment regarding the consequences of this project in the area of influence. Mitigation measures are to be clearly stated. 4. Light pollution assessment, including mitigation measures. 5. A Waste Management Plan shall be implemented. This should include impacts from waste generated during both the construction phase (e.g., excavated and construction materials) and the operational phase. It is important that a Construction and Waste Management Plan, enforced by the site project manager, is provided in detail. Details of monitoring and feedback mechanisms must be clearly stated and adhered to. 6. Adverse impacts caused by heavy machinery used for this project shall be identified. Necessary monitoring and mitigation measures are to be clearly stated and adhered to. These should include the method used for refueling such machinery. 7. Adverse impacts caused by unsafe or inadequate storage, and improper handling of raw materials on site, including potential accidental spillage of hazardous fluids, fuel, and lubricants, shall be identified. 8. A full evaluation report on the increased volume of sewage to be disposed of in the public sewerage system during the operational phase. The study shall clearly state whether the present sewerage system is adequate to cope with this increase in volume and confirm that it would not cause any overflows and/or blockages, which may pose a health hazard or nuisance to nearby residents, commercial premises, and the general public. 9. A hydrology assessment should be made available. Such assessment must include: <ul style="list-style-type: none"> ○ Details of rainwater collection, storage, overflow, and usage ○ Details regarding the use of second-class water. ○ Details of the collection from each building and use of grey water. 10. Details of the proposed sanitary facilities for workers must be provided. 11. The provisions of L.N. 5 of 2006 regarding Legionella Control are to be taken into consideration in view of potable water systems within the entire project. 12. An explanation of what entails to have a “Room Energy Management System”. 13. If the premises will have pools, these are to be registered with the Environmental Health Directorate as per the Swimming Pools Regulations, 2005 (L.N. 129 of 2005), as amended by L.N. 135 of 2008.
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3.	Energy and Water Agency (email dated 11/11/2025)	<p>The following are comments for The Energy and Water Agency divided by considerations which relate to specifically and solely to energy and water management.</p> <p>Energy: EWA commends them on the various initiatives being taken to reduce their energy consumption wherever possible and to use renewable technologies. EWA does however suggest that due to the low share of RES in proportion to the estimated energy demand (just 2%), it is important that all viable rooftops are used for the installation of PV.</p> <p>Water: Given that the proposed site lies within the Groundwater Protection Zone, as it falls inside the 200 m buffer of an existing groundwater abstraction borehole forming part of the Malta Mean Sea Level Aquifer, particular attention should be given to safeguarding groundwater quality and ensuring the efficient use of water resources.</p> <p>Further consultation with the Water Services Corporation (WSC) is strongly recommended at the detailed design stage to confirm the appropriate arrangements for water supply and sewer connections, and to ensure that no risks are posed to the groundwater system due to the proposed installations and activities.</p> <p>EWA notes that the Applicant intends to install an on-site greywater treatment system allowing for the reuse of treated water for landscape irrigation and toilet flushing, as well as a dual plumbing system capable of utilising either treated greywater or harvested rainwater. EWA agrees with and supports these proposals, as they promote sustainable water management and reduce reliance on the public water supply network.</p>

		<p>Furthermore, EWA suggests the following considerations in regard to water conservation and good practices.</p> <ul style="list-style-type: none"> • The installation of water-efficient fixtures (sports and medical centres, hotel, retail, and sanitary areas) to minimize water demand on the public supply network. • Landscaping to make use of low-water-demand species, preferably native or typical of Mediterranean climates, and to include the use of efficient irrigation systems such as drip irrigation to reduce water consumption. • The use of permeable surfaces where possible, to help reduce flooding risk and increase natural groundwater percolation. • The inclusion of stormwater management measures, such as oil/grit separators and filtration systems, especially for car parks and service areas, before any runoff enters the reservoirs.
4.	<p>Superintendent of Cultural Heritage (email dated 14/11/2025)</p>	<p>Proposal Proposed construction of a mixed-use commercial complex on the site of the Elbros Construction Yard.</p> <p>Correspondence: In response to your email of the 15th of October 2025, please find recommended Terms of Reference for a Cultural Heritage Assessment in relation to the Environmental Impact Assessment (EIA).</p> <p>Preamble The EIA (EA/00013/25) in question is to cover the planning application, proposing the construction of a mixed-use commercial complex on the site of the Elbros Construction Yard, on Triq L-Industrija, Kirkop.</p> <p>The proposal involves a large-scale development within an area that is characterised by its archaeological sensitivity and partly overlapping with an archaeological constraint as designated in the South Malta Local Plan. Other cultural heritage features are located in the vicinity and surroundings of the site in question.</p> <p>The EIA is to explore potential impacts that may occur within the project’s site footprint and beyond, including direct impacts on the known archaeology in the area.</p>



The site in question marked in blue, in relation to the archaeological constraint in the South Malta Local Plan marked in pink.

Scope and Definitions of the EIA

For the purposes of this document, cultural heritage is defined by **Article 2** of the **Cultural Heritage Act 2002 (as amended) (CAP 445)** This includes movable or immovable objects of artistic, architectural, historical, archaeological, ethnographic, palaeontological, and geological importance.

The **Cultural Heritage Act (Art. 2)** specifically includes the landscape within the definition of cultural heritage.

The study area shall include:

The development site and its immediate surroundings, with particular attention to the already mentioned archaeologically sensitive areas.

		<p>In the context of this application, cultural heritage considerations may include known and potential archaeological features of importance within the site footprint and in the surrounding area.</p> <p>The above cultural heritage definitions and considerations are not to be considered as exhaustive. The EIA must consider all other forms of cultural heritage, both known and unknown.</p> <p><i>The Environmental Impact assessment will:</i> Identify and determine whether the proposed development is likely to cause any adverse effects on the already mentioned recorded and potential archaeological features.</p> <p>Methodology</p> <p>In quantifying the cultural heritage assets within the study area, and assessing the impacts of the proposed development, the EIA will undertake:</p> <ul style="list-style-type: none">• A study of the possible negative effects of the proposed interventions on archaeological features in the area.• Proposals for mitigation measures, including Archaeological investigations and Archaeological monitoring of works. <p>Authorisation by the Superintendence of Cultural Heritage As per Cultural Heritage Act 2002 (as amended) (CAP 445), any form of investigation or prospection required for the identification of cultural heritage (including excavation, field walking, topographic surveys and remote sensing) may only be undertaken by the Superintendence of Cultural Heritage or with its written approval.</p>
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