

Environmental Planning Statement

**Comprehensive development of site B
as per approved Planning Policy for Ta' Masrija Mellieha**

**To construct four apartment blocks to include in total
48 residential units and 48 basement garages, and a public area**

**Outline development for the
construction of maisonettes, apartments, penthouses and underlying garages**

Appendix Nine
Final Reviewers' Comments and Consultants' Responses

30 November 2011

ERSLI

consultants

Environmental *and* Resource Management
Spatial *and* Landscape Planning
Infrastructural Planning

Comments
on the
Environmental Planning Statement
for the
Redevelopment of Ta' Masrija (GF 83/06)
I/o Mellieħa
that includes
PA/02761/06
The comprehensive development of Site B as per approved 'Ta' Masrija Planning Policy'
This includes approximately 300 units with underground parking and tunnel, open spaces, public promenade and neighbourhood centre
PA/01927/06
The construction of four apartment blocks to include in total 48 residential units and 48 basement garages and a public area
PA/01302/06
The outline development for the construction of maisonettes, apartments, penthouses and underlying garages

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MEPA Comments			Responses
Page	Section	Comments of reviewers	Responses
/	/	<p>In accordance with provision 28 of the EIA Regulations, all consultants and contributors employed in the environmental impact assessment shall sign a declaration stating that the particular study (or part thereof) was solely carried out by them. This signed declaration shall be included with each environmental survey report included with the environmental impact statement.</p> <p>The said declarations have not yet been submitted. Kindly provide.</p> <p>In accordance with provision 29 of the EIA Regulations, in the interest of fairness, objectivity and the avoidance of bias, all consultants shall required to sign and abide by a declaration that they have no personal or financial interest in the proposed development.</p> <p>The said declarations in accordance with provision 29(1) have not yet been submitted. Kindly provide.</p>	<p>Will be done.</p> <p>MEPA Responses (23/07/10) Noted. These should have been provided with the 2nd draft.</p> <p>EIA Coordinator's response The declarations were submitted</p> <p>MEPA Responses (26/10/11) Noted.</p>
/	/	<p>In view of the latest discussions with the Planning Directorate on the revised design of the proposal, kindly update EPS in accordance with the latest designs and proposals.</p>	<p>A second draft of the EIS is being submitted with this document.</p> <p>MEPA Responses (23/07/10) Noted.</p>

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/	Ecology	<p>Chapter 4 does not assess the impacts of the proposed development on the ecology described in detail in Chapter 2. Consequently, Chapter 5 does not address any mitigation in this respect either. In spite of the fact that effects on ecology were not included as a separate section in the Terms of Reference, these should have been discussed by the EIA Coordinator in the EPS since the proposed development lies immediately north of the boundary of the Wied il-Mizieb SAC.</p>
		<p>Responses</p> <p>Why does the MEPA issue Terms of Reference? MEPA Responses (23/07/10) EIA Consultant is to refer to Note 2 of the Terms of Reference which refers to MEPA's right to request further information; hence why assessment of impacts was requested. EIA Coordinator's response: It goes without saying that the MEPA should have the power and duty to request information that was not originally requested in the original ToR. However, the MEPA reviewer expected this EIA Coordinator to have the requested information submitted in the first draft of the EPS, without having been asked to in the original ToR. MEPA Responses (26/10/11) Noted.</p>
/	Utilities and Infrastructure	<p>Kindly note that since the application is at outline stage, the architectural details, which have a fundamental bearing on the energy performance of the buildings, are not available. Should the outline application be approved, a detailed Utilities (Energy & Water) Management Plan - according to ToRs provided by MEPA - will need to be submitted with the full development application. The plan will build on the water and energy management measures and recommendations outlined in the EPS and detail the expected energy and water use of the complex and the measures employed (architectural and services) to reduce/offset the intrinsic demand of the development and the pressures on the national infrastructure.</p>
		<p>Responses</p> <p>Agreed The second draft of the EPA shall make this point clear. MEPA Responses (23/07/10) Noted. Response to comment 2 refers.</p>

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Chapter 0 - Introduction			
14	Table 2	It seems that Dr. Louis Cassar in the said table is mentioned twice. Kindly amend. Also, the table fails to mention Mr. Sandro Lanfranco and Dr. Patrick Schembri as consultants for the ecological study. Kindly include, given that they were approved to carry out the study as per email to your goodself dated 2nd March 2007.	This matter will be seen to in the second draft of the EPS. MEPA Responses (23/07/10) Noted in Page 20, Table 2 of the Coordinated Assessment .
Chapter 1 – Description of the proposed development			
19	1.1.1.1	Policy and Design Guidance 2005 was superseded by Policy and Design Guidance 2007. Kindly amend.	The approved <i>Planning Policy for Ta' Masrija Mellieħa</i> (hereinafter, PPM) refers to the Policy and Design Guidance 2005. In this particular page, reference is made to the contents of the PPM. Indeed, earlier in the Technical Report, that is in page 13, footnote 1 states that the 2005 document had since been superseded by the 2007 one.

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22	1.1.1.11	<p>The text states that 'the proposed development will seek to improve the residential quality of the Ta' Masrija area, through the provision of public spaces, which may serve as a recreational purpose...' With an afforested area such as Mizieb in close proximity to the Ta' Masrija area, such justification is not deemed relevant. Kindly address.</p>
		<p>Responses</p> <p>The statement which is referred to in the reviewer's comment is based on statements in the PPMM such as the one quoted below: A quality, residential neighbourhood, with its distinctive character and identity, which supports the formation of a community can be achieved by including the appropriate number (around 500) and mix (terraced houses, maisonettes and apartments) of dwelling units, supporting facilities such as shops, offices, leisure uses, and a kindergarten focused around a neighbourhood centre and a public plaza, car-parking facilities, and amenity open and play spaces for passive recreation. The thresholds for residential floor space and public open space/play spaces indicated by this policy have been derived by taking into account the amount of floor space which would have been achieved had the current TPS been implemented under current policy guidance in Policy and Design Guidance 2005 and the need to compensate land owners for loss of developable land towards highway improvements.</p> <p>Given that under the Development Planning Act, Development Plans and Planning Policies are Government Policies, this EIA Consultant fails to understand how a public officer questions approved Government Policy.</p> <p>This being said, it is well known that urban recreational areas are as important for urban communities as recreational areas located in the countryside. Indeed, the former are more useful than the latter because they can be accessed by more people without much difficulty (mainly because of their proximity to residential areas).</p> <p>Furthermore, such areas serve to reduce pressures on countryside recreational areas.</p> <p>Finally, in the place of the mentioned recreational areas, one can consider three options:</p> <p style="text-align: right;"><u>continued in next row</u></p>
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Page	Section	Comments of reviewers
		<p>Responses</p> <ol style="list-style-type: none"> 1. the replacement of the recreational areas by buildings. 2. the zero-option, which would leave the Site in its current state. 3. the compulsory purchase by the Government of the Site in order to transform it into a Green Area. One cannot expect the private sector to develop property which has been earmarked for development for at least 20 years, through a project that is not commercially viable. <p>The first two options are evidently unacceptable, whereas the third one would be costly for the tax-payer.</p> <p>Ultimately the responsibility, under the Development Planning Act, for the making of such optional proposals lies with the MEPA not with this EIA Coordinator.</p> <p>MEPA Responses (23/07/10)</p> <p>Noted. However, reference is made to the following text: Given that under the Development Planning Act, Development Plans and Planning Policies are Government Policies, this EIA Consultant fails to understand how a public officer questions approved Government Policy.</p> <p>This is an unfair comment, as comment was a legitimate request related to a cross-reference to a superseded policy. <u>continued in next row</u></p>
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9		<p>EIA Coordinator's response</p> <p>The reviewer's statement that "such justification is not deemed relevant" implies that the objectives of a statutory public policy document (i.e. the PPMM) which was approved as specified in the then Development Planning Act (and currently in the Environment and Development Planning Act), is deemed irrelevant by a directorate or unit which forms an integral part of a public agency (i.e. the MEPA) which</p> <p>(a) had both approved and proposed the endorsement of the PPMM by the Minister responsible for development planning, who, in turn agreed to approve the same PPMM (as was then required under Article 27(2) of the above-mentioned Development Planning Act), and</p> <p>(b) is obliged to implement the approved/endorsed PPMM.</p> <p>Re the 'superseded policy' issue: This EIA Coordinator was always aware that Policy and Design Guidance 2005 (DC2005) had been superseded by Policy and Design Guidance 2007 (DC2007) by the time that the EIA was prepared; this is made clear in the above-mentioned footnote 1 of the first draft of the Coordinated Assessment Report.</p> <p>The official replacement of the DC2005 by DC2007 a few months following the issue of the PPMM did not simply render the former 'irrelevant'. It basically meant that once DC2007 was approved by the Minister responsible for development planning, it automatically replaced DC2005 wherever mention of the latter was made in policy such as the PPMM, which had not been implemented.</p> <p><i>continued in next row</i></p>

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		<p>Responses</p> <p>Indeed, para E1 of the 2007 document states: As with other planning policy documents, the Policies set out below must be considered and applied within the context provided by other policies, particularly those set out in the Structure Plan; in adopted Local Plans; and in other adopted policy documents (a list of these is set out in Part 18 - for the full text of these policies, see the Official Manual on the Authority's website at http://www.mepa.org.mt/). The policies in this document do not supersede these other policies, but are supplementary to them, and provide more detailed guidance where this is absent from these other policy documents. Should there be a conflict between the guidance in this document and a specific policy in a Local Plan or other adopted policy document, then the latter takes precedence (pages 2 and 3)</p> <p>The PPM is listed in Part 18 (on page 118) of DC2007 as one of the Planning Policy documents in question.</p> <p>MEPA Responses (26/10/11) Noted.</p>
24	1.2.1.3	<p>The text refers to a master plan that was formulated on the basis of the approved Policy. Was this master plan ever submitted to MEPA? Kindly clarify.</p> <p>MEPA Responses (23/07/10) Noted.</p>

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29	1.3.1.1	It seems that the impacts of this newly proposed road were not assessed in the EPS. Kindly clarify.	<p>In the opinion of this EIA Coordinator, this road would have undermined the quality of the proposed development as a pedestrian friendly neighbourhood.</p> <p>Indeed, this road has been removed from the scheme which shall be considered in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted.</p>
29, 34, 38	1.3.2.1, 1.3.3.2, 1.3.4.2	Will these permits for alignment obtained through separate planning applications? Kindly clarify.	<p>Alignments will be issued following the issue of full development permissions, in the event that the applied for outline development permissions are issued.</p> <p>Decisions on how alignments are issued are within the domain of the MEPA. The EIA Coordinator has nothing to do with the making of such decisions.</p> <p>MEPA Responses (23/07/10) Noted.</p>
30	1.3.2.5	The geological baseline study in this EPS states that the rock formations preserved in the AoS are: Upper Coralline Limestone, Greensand and Blue Clay. Why will excavation techniques include those used for 'stable globigerina conditions'? Kindly clarify.	<p>The geology study also states that the geo-technical examination of the cores extracted from the Site are very weak. In other words, the approach to excavation to which this EPS refers is correct. Pneumatic excavators are used for rock, which are much harder than what shall be excavated.</p> <p>In order to avoid unnecessary confusion, the reference to globigerina limestone will be removed in the second draft.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to the paragraphs immediately following the sub-section title 'Excavation works' on pages 41, 47, and 51 of the Second Draft of the Coordinated Assessment Report.</p>

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31	1.3.2.9	Kindly amend numbering for this paragraph.	Agreed MEPA Responses (23/07/10) Noted.	15
32	1.3.2.14	What is meant by RC?	Reinforced Concrete. This terms should have been included in the glossary. MEPA Responses (23/07/10) Noted.	16
60	1.6.2	Text refers to Plan 13 (Landscaping Scheme) which is missing from Appendix 3. Kindly provide.	In the second draft reference will only be made to general principles rather than a drawing. Given that the Applicants have applied for outline development permissions, the architectural drawings do not include sufficient detail regarding the overall layout. MEPA Responses (23/07/10) Noted.	17
60	1.6.2	Kindly include common names for the species listed in this section.	Agreed. MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out. EIA Consultant's response Please refer to Section 1.5.2 on pages 71 to 73 of the Second Draft of the Coordinated Assessment Report.	18

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66	1.7.2.19	<p>The white water (rainwater) reservoir is to double up as a reservoir for treated second class water during the summer months. Shall the overflow be discharged into the valley (as shall be the case with rain water during the winter months)?</p> <p>Will surface <u>road</u> runoff from the site be collected and discharged in this way as well? Kindly clarify.</p>
		<p>Responses</p> <p>Please find the following extract from the EPS regarding the discharge of the grey water and grey water permeate for your perusal</p> <p>Any overflow of the grey water shall be discharged in to the main sewer.</p> <p>In view of the fact that the grey water would have been discharged into the main sewer anyway if it had not been treated, this method of disposing excess grey water permeate is acceptable. No grey water permeate shall be discharged outside the development such that it could find its way into the valley.</p> <p>Separate reservoirs shall be constructed for the storing of white water as well as grey water permeate such that these shall not be mixed. In this way overflow from the white water reservoir shall be discharged as per policy design guidelines 2007 and the excess grey water permeate shall be discharged to the sewers.</p> <p>(<u>Camilleri & Cuschieri</u>)</p> <p>At the moment there are no plans to collect storm water from the roads. Under the Code of Police Laws (Cap 10) the management of rainwater in public areas is the responsibility of the Government. (<u>EIA Coordinator</u>)</p> <p>MEPA Responses (23/07/10) Noted.</p>
70	1.7.3.7	<p>Shall the BMS control these systems in public/common areas, or shall it be more expensive?</p>
		<p>Responses</p> <p>The BMS shall be used in the public/common areas.</p> <p>MEPA Responses (23/07/10) Noted.</p>

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76	1.8	With reference to section B (1.8.2.3) page 89 of the WMP and Section 1.4.2 of the TORs namely that concerning Site Clearance and Demolition, has not been addressed and the information requested there under is still pending.	<p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to page 90 of the Second Draft of the Coordinated Assessment Report, which includes a generic statement, and to the sections under EWC 16 01, 17 01, and 17 05 of the waste analysis document in Appendix Four of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>
76	1.8.1	Last bullet point. Disposal of waste in the appropriate waste facilities is to be approved by MEPA and not by WasteServ Malta Ltd. Kindly note.	<p>Point taken.</p> <p>MEPA Responses (23/07/10) Noted.</p>
76	1.8.2	As stated in the TORs, information for the Demolition phase, the Excavation phase, the Construction phase and the Operational phase, had to be given separately and not as presented under section 1.8.2. Kindly resubmit the information in the format requested in the Terms of Reference.	<p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to Appendix Four of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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77	Table 11	<p>Kindly submit information requested in the TORs for EWC 17 01 02: Details of waste management facilities and waste contractors/operators proposed shall be provided.</p>
		<p>Responses</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to pages 88 to 97 of the Second Draft of the Coordinated Assessment Report, and Appendix Three B and Appendix Four of the Second Draft of the EPS. Please note that specific details regarding waste contractors cannot be provided at this stage as none have been appointed yet. Such contractors would normally be appointed after Applicants obtain the applied-for development permissions. The appointed contractors will however have to be Registered Brokers/Registered Carriers under LN184/11 and LN106/07.</p> <p>MEPA Responses (26/10/11) Noted.</p>
78	Table 11	<p>At present, Sant' Antnin is not accepting any wastes due to refurbishment works. Please identify other permitted sites where the waste can be managed.</p>
		<p>Responses</p> <p>The Sant' Antnin facility is now operational. At the time of the writing up of the first draft of this EPS, it was realistically assumed that in the event that the applied-for permissions are issued, the Sant' Antnin facility would be operational by the time that it was to be needed for the disposal of wastes generated in this development. The same thinking is now applied to the Għallis hazardous waste facility. The proposed developments will be operational when this facility is completed. If not, the hazardous wastes generated during operations will have to be exported or incinerated.</p> <p>MEPA Responses (23/07/10) Noted.</p>

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79	Table 11	Kindly submit the actual percentages of the volumes of inert waste to be used as backfill and to be sent for disposal. Please note that other reuse or recycling options should be explored, other than disposal of the inert waste which cannot be used as backfill on site.	<p>26</p> <p>The material does not have any use except for backfill. There is nothing to be explored.</p> <p>Given that it is not wise to store dust laden material on site, this EIA coordinator submits that all the excavated material should be re-moved from the Site, as the excavated material will have to be stored on site for too long.</p> <p>This being said, at the outline development permissions stage it is impossible for the requested proportions to be calculated accurately. At best such figures would be arbitrary estimations.</p> <p>MEPA Responses (23/07/10) Noted.</p>
80	Table 11	<p>Kindly note that with respect to EWC 13 02 04, 13 02 05 and 13 02 06, waste oil storage infrastructure, should be marked on block plans requested in the TORs.</p> <p>Kindly note that with respect to EWC 13 05 01, sludge cannot be disposed of at the Ghallis landfill as per Landfill Regulations requirements; kindly clarify.</p>	<p>27</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to Appendix Three B and Appendix Four of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>
82	Table 11	With respect to wastes falling under Category EWC 15 01 as stated under page 81 of the WMP, please note that Sant' Antnin is currently not accepting any wastes due to refurbish-ment works. Please identify other permitted site where the waste can be managed.	<p>28</p> <p>The Sant' Antnin facility is now operational.</p> <p>MEPA Responses (23/07/10) Noted.</p>
83	Table 11	With respect to the containers of paints and varnishes, haz-ardous waste disposed of at the Ghallis Hazardous waste cell should comply with the criteria set under Council Decision 33/2003/EC. Kindly note.	<p>29</p> <p>Point taken</p> <p>MEPA Responses (23/07/10) Noted.</p>

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84	Table 11	With respect to EWC 15 02 02, movement and disposal of hazardous waste requires a permit form the Waste Management Team, MEPA and should follow the Hazardous Waste Consignment note system. Kindly note.
85	Table 11	With respect to EWC 17 01 02, the information as requested in the TORs is to be submitted for the details of waste management facilities and waste contractors/operators proposed should be provided. Kindly note.
		<p>Responses</p> <p>Point taken.</p> <p>MEPA Responses (23/07/10) Noted.</p> <p>This matter will be discussed in the second draft of the EPS. It should be noted that it is not ethical to submit the names of waste contractors/operators at this stage. The Applicants should be permitted to keep their options open.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to pages 88 to 97 of the Second Draft of the Coordinated Assessment Report, and Appendix Three B and Appendix Four of the Second Draft of the EPS.</p> <p>Please note that specific details regarding waste contractors cannot be provided at this stage as none have been appointed yet. Such contractors would normally be appointed after Applicants for development permissions obtain MEPA approval.</p> <p>The appointed contractors will however have to be Registered Brokers/Registered Carriers under LN184/11 and LN106/07.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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86	Table 11	<p>With respect to EWC 17 01 03: Information as requested in the TORs are to be submitted for namely: Details of waste management facilities and waste contractors/operators proposed shall be provided.</p> <p>With respect to EWC 17 02 03 please note that Sant' Antnin is currently not accepting any wastes due to refurbishment works. Please identify other permitted site where the waste can be managed.</p>	<p>It is not ethical to submit the names of waste contractors/operators at this stage. The Applicants should be permitted to keep their options open.</p> <p>The Sant' Antnin facility is now operational.</p> <p>MEPA Responses (23/07/10) Noted.</p>	32
87	Table 11	<p>With respect to EWC 17 03 01, hazardous waste disposed of at the Ghallis Hazardous waste cell should comply with the criteria set under Council Decision 33/2003/EC. Kindly note.</p> <p>With respect to EWC 17 04 11, kindly note that Sant' Antnin is currently not accepting any wastes due to refurbishment works. Please identify other permitted sites where the waste can be managed.</p>	<p>Point taken</p> <p>The Sant' Antnin facility is now operational.</p> <p>MEPA Responses (23/07/10) Noted.</p>	33
88	Table 11	<p>With respect to EWC 20 03 01, please note that Sant Antnin is currently no accepting any wastes due to currently refurbishment works. Kindly identify other permitted sites where the waste can be managed.</p> <p>Non-recyclable municipal solid waste is to be disposed of at the Ghallis landfill. Kindly note.</p>	<p>The Sant' Antnin facility is now operational.</p> <p>MEPA Responses (23/07/10) Noted.</p>	34

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89	1.8.2.7	Kindly indicate the flow of waste water and the settling ponds on a block plan (to scale) as requested in the TORs.
		<p>Responses</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to pages 88 to 97 of the Second Draft of the Coordinated Assessment Report, and Appendix Three B of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>
92	Sections 1.8.2.31, 1.8.2.32, 1.8.2.33 and Table 12	Kindly show on a block plan and a cross-section (to scale) the areas to be used to store hazardous waste (including the sealable containers) and the Municipal Waste (including the receptacles) as requested in the TORs.
		<p>Responses</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. Can the EIA Coordinator indicate where these changes have been carried out?</p> <p>EIA Consultant's response Please refer to Appendix Three B of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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MEPA Comments		
Page	Section	Comments of reviewers
96	Table 13	<p>The WMP is stating that a number of waste streams listed in Table 13 will be stored on site of the scheme, therefore Block Plans for the design of the project have to include areas designated for this waste storage (the area of which should be worked upon the waste figures provided for waste storage at any one time).</p> <p>Kindly provide clarification as to whether quantities provided are based on a yearly basis or waste storage at any one time.</p>
99	Table 13	<p>With respect to EWC 20 01 08, the WMP states that biodegradable waste is to be stored in a cold room prior to its importation to a waste management facility. The cold room should be clearly indicated on block plan and included into the design of the project.</p>
		<p>Responses</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to pages 88 to 97 of the Second Draft of the Coordinated Assessment Report, and Appendix Three B and Appendix Four of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>
		<p>Responses</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to pages 88 to 97 of the Second Draft of the Coordinated Assessment Report, and Appendix Three of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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MEPA Comments		
Page	Section	Comments of reviewers
100	Table 13	Solvents cannot be disposed of at the Ghallis Landfill. Kindly clarify.
	Table 13	This section of the WMP states that the complex will provide an appropriate collection system for hazardous waste, and that it will have a cold room as well as a waste storage area. The complex will also apply for permits for the disposal of hazardous waste. Kindly provide a clarification on who would be responsible for the collection system, the management of the waste storage area as well as the cold room as well as for applying for the necessary disposal permits. Please note that Sant' Antnin Plant is currently not accepting any wastes due to refurbishment works. Therefore for waste which the WMP states that it will be transported to the Sant' Antnin Plant, consultant is requested to identify other permitted sites where the waste can be managed.
		<p>In the case of hazardous materials, each single material to be treated has to undergo a waste acceptance procedure which involves the physical and chemical analyses of the waste. Once results are issued, it will be determined whether the waste can be incinerated at the Marsa Thermal Plant. If the waste is not acceptable at the plant, then the contractors may consider export of the said waste.</p> <p>MEPA Responses (23/07/10) Noted.</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to pages 88 to 97 of the Second Draft of the Coordinated Assessment Report, and Appendix Three B and Appendix Four of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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MEPA Comments		
Page	Section	Comments of reviewers
126	1.9.2	<p>The section discussing the alternative layouts for the proposed development should discuss in more detail the alternative as proposed in the Planning Policy for Ta' Masrija, Melliha (MEPA, 2006). Given that the two proposals differ significantly in terms of building heights, due to the adoption and implementation of the FAR for the current proposal, these should be discussed in detail and the justification for the adoption of the current layout and structure of the proposal discussed at this stage. Furthermore, any other alternative layouts and designs, with particular reference to building heights, should also be discussed.</p>
		<p>Responses</p> <p>There is absolutely no difference between the building heights limitations in the PPM and the proposals. The PPM promotes the application of the FAR principle. Ultimately, the issue that needs to be resolved refers to the manner in which the FAR is implemented.</p> <p>One may disagree with the manner in which the principle has been applied but one cannot argue that its application is a departure from policy.</p> <p>It should be noted that a comparison between the low-rise and the FAR options of the PPM was presented in the first draft of the EPS in the Shadow Study of the Technical Report and discussed in the sections of the same report concerned with social impact.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response The reader is referred to Section 4.9 of the Coordinated Assessment Report.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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MEPA Comments			Responses
Page	Section	Comments of reviewers	
Chapter 2: Description of Proposed Site and Surroundings			
136	2.1.4.2	The general ecological evaluation in the EPS states that “the AoS overlooks the ecologically significant Wied tal-Mistra and includes a small tributary valley, Il-Wied tal-Mizieb, which is probably the most ecologically important feature within the AoS.” Given this statement and given that the social impact study has revealed that one of the concerns is the adverse impact on the valley ecology, the impacts of the proposal on the ecology are to be assessed.	<p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant’s response Please refer to Section 4.2 of the Second Draft of the Coordinated Assessment Report.</p> <p>MEPA Responses (26/10/11) Noted.</p>
157	2.4.7.10	It must be ensured that no surface water run-off reaches the valley during construction works since such water may be dust-laden or contaminated and may thus have negative impacts on the vegetation communities of the valley system (also through scouring). Therefore it must be ensured that during construction works any surface run-off through the site is intercepted prior to reaching Wied tal-Mistra and Wied Il-Mizieb. On the other hand, the ecological implications of such interception should also be assessed. Kindly address.	<p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant’s response Construction Site Management issues(which include control over emissions and discharged into the environment) are described in detail in Chapter 1 of both the First and Second Draft of the Coordinated Assessment Report, and therefore before Chapter 2 of the same document. The reader is also referred to Appendix Three B of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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MEPA Comments			
Page	Section	Comments of reviewers	Responses
164	2.5.3.10	The criteria used to assess the landscape value are not clear. Kindly clarify.	Criteria used in character assessments and aesthetics can never be tangible; hence the apparent lack of clarity. MEPA Responses (23/07/10) Noted.
172	2.7.1.3	What is the justification for the inclusion of an additional sampling point from those agreed to with MEPA? Kindly provide.	There is no particular reason, except a communication issue. This EIA Coordinator has checked this matter with Dr Peplow who could not recall the reason for the decision. MEPA Responses (23/07/10) Noted. For future reference, any changes to the approved sampling points should be forwarded to MEPA for the necessary approvals. EIA Consultant's response Noted.
184	2.7.5.6, 2.7.5.12	The text states that in the case of SO _x and NO _x 'further tests would be needed to determine whether the ambient air quality falls within the accepted levels for ecosystem protection'. Kindly clarify what these tests are.	The text referred to annual accepted levels for ecosystem protection. It therefore follows that the further tests of the same type would be ones over a longer period of time to give these values. In other words, the term 'further tests' refers to long term monitoring. MEPA Responses (23/07/10) Noted.
185	2.7.5.18	The text states that in the case of PM ₁₀ 'further tests would be required for firm conclusions' on the allowed annual limits. Kindly clarify what these tests are.	Ditto MEPA Responses (23/07/10) Noted as above.
Chapter 3: Policy and Legislative Context			
192	3.1.2.13	The text makes reference to an EIS. Kindly amend to EPS.	Noted MEPA Responses (23/07/10) Noted.

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MEPA Comments		
Page	Section	Comments of reviewers
211	3.1.3.12, 3.1.3.13	<p>EPD does not agree with the argument in the EPS supporting the application of the FAR on this site. The site is located on a ridge; hence the proposal would run counter the FAR policy. The provision of more public space can be achieved without resorting to the construction of tall buildings.</p> <p>Furthermore the construction of a building which may constitute a landmark in the future would not apply in all locations throughout the Maltese Islands, particularly since this site is located on a ridge.</p> <p>Therefore these particular reasons put forward by the EPS for applying the FAR on this site are not necessarily applicable to the site in question, especially when compared to the visual impact that the proposal will have on the surroundings.</p>
		<p>Responses</p> <p>The FAR is an integral part of the PPMM, which is a Government approved document under the Development Planning Act.</p> <p>MEPA Responses (23/07/10) Noted.</p> <p>EIA Consultant's response It should be noted that the FAR is an instrument, which is, among other things, meant to render skylines which would otherwise be boringly flat, visually interesting without increasing the density of development.</p> <p>As is suggested in the PPMM, the existing highly unattractive Ta' Masrija neighbourhood composed of an agglomeration of poorly designed buildings, requires a development in the sites under consideration, which leads to the aesthetic upgrading of the neighbourhood. The application of the FAR has substantial potential to contribute towards such an upgrading. It would however be imperative for the quality of the architectural and landscape design to be high.</p> <p>MEPA Responses (26/10/11) Noted. No further comments.</p>
215	3.2.1.7	<p>The EPS should also refer to Article 6 of the Habitats Directive which requires the assessment of impacts of plans/projects on SACs. Kindly include.</p> <p>It should be noted that the location of the development does not matter. Therefore any development, even if located outside SACs, but that may affect the habitats and species within, should be assessed in terms of Article 6 of the Habitats Directive. The proposal can affect the SAC through (i) changes in the hydrodynamics of the valley system; (ii) the generation of dust during construction works; (iii) increase in anthropogenic disturbance. All these aspects should be assessed.</p>
		<p>Responses</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted.</p>

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MEPA Comments				
Page	Section	Comments of reviewers	Responses	
215	/	The Trees and Woodlands (Protection) Regulations, 2001 - Legal Notice 12 of 2001 – do not transpose Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna [Habitats Directive]. Reference beneath the heading should be removed.	Agreed MEPA Responses (23/07/10) Noted.	51
233	3.2.3.12	The text makes reference to an EIS. Kindly amend to EPS.	Will do MEPA Responses (23/07/10) Noted.	52
Chapter 4: Assessment of Environmental Impacts and Risks of the Proposed Development				
237	4.1.1	The effects on ecology were not mentioned in this section in spite of the fact that a detailed ecological study was carried out. Impacts on the nearby ecology should be assessed.	This matter will be discussed in the second draft of the EPS MEPA Responses (23/07/10) Noted.	53
250	4.4.3.2 – 4.4.3.4	The possible decline or increase in runoff should be assessed in terms of its ecological impacts on Wied il-Mizieb. Kindly assess.	This matter will be discussed in the second draft of the EPS MEPA Responses (23/07/10) Noted.	54

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MEPA Comments		
Page	Section	Comments of reviewers
250	4.4.3.4	<p>The authors recommend that the proposed measure of directing overspill from the reservoirs to the valley be evaluated in detail due to potential impacts on valley ecology. However, the authors indicate that the likelihood of such overspill occurring, as well as the amounts of water involved, should be established at the full development permission stage. This is not agreed since once outline permission is granted there would already be approval in principle, despite potential adverse and irreversible impacts on the valley ecology.</p>
		<p>Responses</p> <p>The recommendation was not made by the a member of the EIA Team but by the consultant building services engineer who is responsible for the design of the mechanical and electrical engineering systems of the proposed developments.</p> <p>This EIA Coordinator notes the Code of Police Laws (Cap 10) specifies that overflows from the cisterns in which rain water is harvested cannot be disposed of in a sewage treatment plant or in the municipal sewerage network (see Article 97(1)(f)(i)). In other words, this would have to be disposed into a public road or a municipal storm water drainage system.</p> <p>This is confirmed in the Government-approved Policy and Design Guidance 2007 document. This document establishes in Policy 13.4 that such overflows shall be led to the streets or the nearest storm water drain.</p> <p>In other words, the responsibility for the management of storm water shifts from the household to the Government once such overflow reaches the street or the drains.</p> <p>In the case of this project, the Government decided that this Site was to be developed at least 20 years ago when the Temporary Provisions Schemes (TPSs) were approved in the House of Representatives. Through the Parliamentary decision which approved the TPSs, the Government assumed responsibility for the management of the run-off from the Ta' Masrija area including the developments on the sites under consideration.</p> <p>Given the changes in the requirements of the Terms of Reference regarding the assessment of impacts on the ecology, this matter will be discussed in the second draft of this EPS.</p> <p>MEPA Responses (23/07/10) Noted.</p>
		55

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MEPA Comments		
Page	Section	Comments of reviewers
252	4.6.1.2	<p>Reference is made to the viewpoints chosen for the proposed development. It is understood that the EA Team was never involved in the discussions between the architects and MEPA, and thus communication sent to your good selves on the matter (emails dated 27th and 28th March 2007) still stands, requesting the short-distance viewpoints for the proposed development.</p> <p>Also, please note that the viewpoint locations presented in Figure 51 do not tally with the ones presented in the said email communications and approved by MEPA. Kindly clarify both issues.</p>
		<p>Responses</p> <p>The level of detail available at the outline development-permission level is not sufficient for the preparation of close-ups (i.e. short-distance views). This is because such close-ups require the definition of the architectural detailing which is not available at this stage in the design development.</p> <p>A close-up of a building based on massing only (i.e. blocks) serves to provide an inaccurate depiction of the proposed development, which can only misinform the public and the decision-makers.</p> <p>In order for such views to be made available, the MEPA should ask the architects to prepare and submit drawings which are normally submitted in applications for full-development permissions.</p> <p>Accurate photomontages showing short-distance views will then be worked out on the basis of these detailed drawings.</p> <p>Otherwise, the MEPA could establish that the assessment of close-ups be considered a reserved matter in the event that the applied for outline development permissions are issued.</p> <p>MEPA Responses (23/07/10) Noted, however MEPA reserves the right to disagree with the EIA Coordinator's position.</p> <p>EIA Consultant's response This goes without saying.</p> <p>MEPA Responses (26/10/11) Noted.</p>
		56

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MEPA Comments		
Page	Section	Comments of reviewers
253	Viewpoints	Kindly provide Viewpoints and Photomontages in A3 format. Furthermore, kindly note that the said photomontages should reflect the latest designs discussed with the Planning Directorate. In this regard, kindly provide revised photomontages.
253-260	Figures 52 – 59	Kindly include a description of each of the photomontages presented, together with a discussion of the impact significance.
		<p>Responses</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to Appendix Three D of the Second Draft of the EPS.</p> <p>MEPA Responses (26/10/11) Noted.</p>
		<p>Responses</p> <p>This matter will be discussed in the second draft of the EPS.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to Section 4.6 of the Second Draft of the Coordinated Assessment Report</p> <p>MEPA Responses (26/10/11) Noted.</p>

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MEPA Comments		
Page	Section	Comments of reviewers
261	4.6.3.2	<p>The text states that 'the short-distance changes in the landscape and visual scene occurring due to the proposed development will be substantial. This is especially the case given that the site is at present not built up, and given that the development will obstruct the views from a number of residences.' Given that EPS states that the changes in the landscape from a short-distance will be substantial, it is important that these viewpoints are included in the visual assessment.</p>
		<p>Responses</p> <p>The residents in the Ta' Masrija area do not enjoy any legal rights for the views.</p> <p>There is no need for short-distance views to be drawn up in order for one to conclude that the short-distance views of a large development will appear to be of high significance, once this is established in the medium distance views.</p> <p>Please refer to the response in Row 56</p> <p>MEPA Responses (23/07/10) Noted; however MEPA reserves the right to disagree with the EIA Coordinator's position.</p> <p>EIA Consultant's response Evidently. This goes without saying.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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MEPA Comments		
Page	Section	Comments of reviewers
261	/	<p>The text states that 'The site is located on the perimeter of the urban area and will hence make the development visible from surrounding rural areas. However, its location within an urban area will also serve to make it blend in better, particularly from a distance'.</p> <p>It should be noted that blending also depends on the height of the building when compared to adjacent buildings. The proposal is much higher than adjacent buildings; hence the structure itself does not blend with the existing urban area. To the contrary, it creates a very prominent building that dominates the adjacent urban area and towers over the surrounding rural area. This should be taken into consideration in the landscape assessment.</p> <p>With respect to the creation of a landmark feature, this is not deemed to apply for this location: the location of the site on a ridge is not deemed appropriate for a tall landmark building that would be visible from various locations.</p>
		<p>Responses</p> <p>The reviewer is mistaken – 'blending' is not simply a function of scale; it has much more to do with what receptors are used to and how much change they are prepared to accept (for whatever reason). The dome of the Carmelite Church in Valletta, for example, was a highly controversial issue in the 1960s (when it was being constructed) and many heritage-protection activists opposed it. The current generations of Maltese who were not exposed to the debate, accept this dome unquestioningly as an integral part of the landscape; even though the tutored student of architectural history would argue that this dome has nothing to do with the domes of the earlier Baroque Churches of Valletta. On paper, therefore this dome should have been refused because it undermined the Baroque character of Valletta. The same can be said for the equally controversial (but much older) spire of the Anglican Cathedral. Nowadays, these two structures appear in the majority of photographs of the Valletta skyline.</p> <p>As the aspect highlighted by the reviewer (i.e. height of the building) is shown in the photomontages, it has been taken into consideration in the landscape assessment. The photomontages are an integral part of the assessment and they speak for themselves. Graphic communications are as valid as words (in certain cases, more). In any case, the second draft of the EPS shall present a verbal discussion of the montages.</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response Please refer to Section 4.6 of the Second Draft of the Coordinated Assessment Report.</p> <p>MEPA Responses (26/10/11) Noted.</p>

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MEPA Comments		
Page	Section	Comments of reviewers
261	/	As indicated by the photomontages (Figures 52 – 55), the proposal is significantly increasing the massing of the urban area on the plateau of a ridge. In this regard, the proposal is dominating the view of the ridge. This is considered to be a significant change. Statement is not agreed with.
265,266	/	The EPS does not give a clear conclusion with respect to the visual impact of the proposed development. As quoted on page 167, detracting features within the landscape of the area include ' <i>...the development along the Mellieħa bypass</i> ' which ' <i>is visible for kilometers from the nearby ridges. Together with other development in the background, it imparts a negative scenic construction to the Mellieħa skyline, especially when viewed from the south</i> '. Given that the proposal will increase the height and massing of the existing built-up area, it is detracting further from the landscape value of the area. In view of this significant impact on landscape (refer to Table 43 on page 262), suitable mitigation measures should be proposed including a decrease in the proposed height of the building. Kindly provide.
273	4.7.4.2	The title of this scenario as described in the text is misleading as this is not the existing situation at the site. This should be termed again in relation to the Planning Policy for Ta' Masrija Mellieħa.
Responses		
		This is the problem with judgments on character and aesthetics assessments; different observers have different opinions regarding the same building[s]. MEPA Responses (23/07/10) Noted.
		Given that judgments on aesthetics are often debatable this EIA Coordinator prefers to avoid playing god and make categorical statements about the visual impact of the proposed developments. The EPS should serve as one route through which both NGOs and the public make their views heard about such matters. As such reactions are an integral part of the EIA process, and are integrated into the EPS, the decision maker (MEPA) will have available the widest range of opinions possible when they determine the applications. MEPA Responses (23/07/10) Noted.
		The title is not misleading at all and will not be changed. The application of the FAR is clearly encouraged in the PPM, which as is stated in previous responses is approved Government policy. MEPA Responses (23/07/10) Noted.

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MEPA Comments		
Page	Section	Comments of reviewers
286	Point L	Kindly note that in its correspondence with the EIA Coordinator (emails dated 27 th and 28 th March 2007), MEPA requested two short distance viewpoints for the visual assessment for the Ta' Masrija EPS. As stated in the visual assessment in this EPS, these were not discussed in this EPS. Kindly provide a detailed justification on the issue and provide viewpoints.
298	4.10.3.6	If the applicant is proposing such a system, shouldn't its impacts be assessed as part of the EPS? Why should MEPA engage its own specialist to make the assessment? Kindly clarify.
		Responses
		<p>Please refer to the response in Row 56 (on page 26)</p> <p>MEPA Responses (23/07/10) Noted; however MEPA reserves the right to disagree with the EIA Coordinator's position.</p> <p>EIA Consultant's response This goes without saying.</p> <p>MEPA Responses (26/10/11) Noted.</p>
		64
		<p>Please refer to the EIA Coordinator's response in Row 55 (on page 25)</p> <p>It is the clearly Government's responsibility to seek advice regarding the management of run-off (or white water overflows) and to implement the said advice, The responsibility of the property owner/occupier is to ensure that the property complies to the Code of Police Laws and Policy and Design Guidance 2007.</p> <p>MEPA Responses (23/07/10) Noted.</p>
		65

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MEPA Comments		
Page	Section	Comments of reviewers
Chapter 5 – Design of mitigation measures and monitoring programmes		
303	5.1.1	<p>The text states that: “Surfaced and unsurfaced site access roads and stockpiles should be regularly sprayed with water.” It must be ensured that no contaminated water or dust-laden water reaches Wied il-Mizieb during construction phase. Water should be preferably intercepted during construction phase prior to reaching the valley. On the other hand, the ecological implications of such interception should also be assessed.</p> <p>The text also state that: “Wind speed and direction should be observed prior to conducting dust-generating activities, to determine the potential for dust nuisance to occur, avoiding potentially dust-generating activities during periods when wind direction may carry dust to sensitive areas and avoiding operations during periods of high wind. How will this be ensured?”</p>
		<p>This is evidently a must. However, this is not simply about establishing a requirement to this effect in EIAs and CMPs. The project Monitor should be expected to be vigilant. Furthermore, should the MEPA decide to approve the project proposals, the valley could be protected, as it were, against a bank guarantee.</p> <p>Such a guarantee could also serve as an incentive for the projects (especially the Site B one) to be completed before the six years indicated by the architect.</p> <p>MEPA Responses (23/07/10) Noted.</p>
		(c)

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MEPA Comments		
Page	Section	Comments of reviewers
305	5.1.5.1	<p>Given the height of the proposed buildings, the implementation of a landscaping scheme is not considered to be an effective mitigation measure for the visual and landscape impact of the development. Such mitigation measures should be much more concrete and should entail the decrease in the height and/or massing of the building.</p>
		<p>Responses</p> <p>Landscape design/architecture should not be considered an activity which is mitigates adverse visual impacts of a development. Landscaping schemes are meant to complement the architect's work in an integrated manner. In other words, a good architect should be capable of producing high quality buildings with or without soft landscaping.</p> <p>Indeed, this EIA Coordinator submits that good architectural design is a mitigating factor in its own right, irrespective of the height and scale of the building[s] in question. This seems to be an underlying consideration in the PPM.</p> <p>This being said, landscaping schemes, if and when desired should form part of a comprehensive design strategy the objective of which would be an integrated composition made up of a building or buildings, trees, shrubs, and so on.</p> <p>Given that judgments on aesthetics are often debatable this EIA Coordinator prefers to avoid playing god and make categorical statements about the aesthetics of a development.</p> <p>MEPA Responses (23/07/10) Noted.</p>
307	5.1.11.1	<p>More details of lighting should be provided at the full development stage. However the impact of increased light within the area on the SAC should be assessed at this stage. Kindly address.</p>
		<p>Responses</p> <p>Agreed.</p> <p>However it should be established at the outset that external light fittings should be of the type that conform to the requirements set by the International Dark-Sky Association.</p> <p>MEPA Responses (23/07/10) Noted.</p>

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Technical Appendices		
Page	Para.	Comment
Appendix Two B		
Mechanical and Electrical Building Engineering Services		
/	/	What is the relation of ELVs to the proposed development? Kindly clarify. MEPA Responses (23/07/10) Noted.
Ecological Appraisal		
7	Figure 3	Kindly provide a larger version of the figure presented. MEPA Responses (23/07/10) Noted.
9, 13	/	Figures presented in these pages are erroneously labelled. Kindly clarify. MEPA Responses (23/07/10) Noted.

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Technical Appendices		
Page	Para.	Comment
18	/	<p>The text states that: 'Given the closer proximity of the Wied il-Mizieb SAC, it is likely that the redevelopment footprint will fall within a 'buffer zone' or 'management area' around the SAC.'</p> <p>Given that the ecological report acknowledges the close proximity of the development footprint to the SAC, the ecological study should also take into consideration the impacts of the proposed development on the ecology of the area in close proximity. Kindly discuss.</p>
71		<p>Please note that our ToR for the first report (April 2007) did not require an assessment of impacts on the ecological resource of Wied il-Mizieb. However, we will be assessing these impacts as part of the current assignment, during which the impacts of the development on Wied il-Mizieb will be assessed as per approved AoS and the methodology given in the method statement (e-mail dated 05/10/09).</p> <p>This assessment will not constitute an 'Appropriate Assessment' (AA) as required by Article 6 of the Habitats Directive (and as implied in MEPA's comment no. 47 on page 13 of the PDF document), but an assessment of impacts as described in our Method Statement. An AA is an entirely different assessment from that required for an EPS and requires more detailed studies on specific Annex I habitats and Annex II species that are found in the SAC.</p> <p>If required, Ecoserv can carry out an AA but for this we will need separate and specific ToR because the approach is different from that of the EPS/EIA process.</p> <p><u>(ecoserv)</u></p> <p>MEPA Responses (23/07/10)</p> <p>Noted. Reference is made to meeting held on 22nd July 2010, whereby the issue of the Appropriate Assessment requirement was discussed. It was agreed that the applicant and consultants will submit their reactions to the current AA screening, and will propose revisions of proposal to address issues identified in the AA screening document. The screening will then be updated accordingly to reflect the envisaged impacts of the amended proposal.</p> <p><u>continued in next row</u></p>

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Technical Appendices		
Page	Para.	Comment
72		<p>EIA Consultant's response</p> <p>The Appropriate Assessment screening matrix (dated 26 May 2010) indicates that:</p> <p>In view that average run-off is expected to increase as a result of this proposal, and in view that while reservoirs are being proposed as part of this project, overflows are proposed to be directed into the valley, it is unclear whether such overflows will have an impact on the valley ecology as a result of increased water flowing through during periods of heavy rainfall, which may lead to increased erosion. It is unclear therefore whether the proposal will have a significant negative impact on the ecology of Wied il-Mizieb mainly due to a change in hydrological regime and as a result, further assessment in terms of Article 19 of L.N. 311 of 2006 (based on Article 6 of Directive 92/43/EEC [EU Habitats Directive]) is considered necessary.</p> <p>In the Response in Row 55 (on page 25), it is noted that under Chapter 10 of the Laws of Malta, the Government should be responsible for runoff that overflows into public streets from reservoirs (wells, cisterns) in buildings. In other words, the excess runoff, which the Building Services engineer originally proposed to have disposed into the valley, can under Chapter 10 be released into Triq Louis Wettinger in order for the Government to collect or dispose of. In other words, the responsibility for the management of excess runoff is the Government's, not of individual developers.</p> <p>Following the above-mentioned meeting of 22 July 2010, in which this issue was discussed, the Applicants opted to have enlarged runoff reservoirs installed within their sites in a manner which maximises the volume of harvested runoff and the preclusion of excess runoff to be released into Triq Louis Wettinger. Please refer to the documents in Annex One.</p> <p>No excess runoff from the proposed development would be released into the valley.</p> <p style="text-align: right;"><u>continued in next row</u></p>

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Technical Appendices		
Page	Para.	Comment
		<p>MEPA Responses (26/10/11)</p> <p>Previous AA screening had indicated that average run-off was expected to increase as a result of this proposal, and while reservoirs were being proposed as part of this project, overflows were proposed to be directed into the valley. In this regard, it was unclear whether such overflows would have an impact on the valley ecology as a result of increased water flowing through during periods of heavy rainfall, which may lead to increased erosion. It was unclear therefore whether the proposal would have a significant negative impact on the ecology of Wied il-Mizieb, mainly due to a change in hydrological regime and as a result, further assessment in terms of Article 19 of L.N. 311 of 2006 (based on Article 6 of Directive 92/43/EEC [EU Habitats Directive]) was considered necessary.</p> <p>The consultant on 29.09.2011 submitted information indicating that the proposal has been revised by opting to have enlarged runoff reservoirs installed within the sites in a manner which maximises the volume of harvested runoff. Moreover, excess rainwater, if any, will be released into the road adjacent to the development such that no excessive increases in water over and above the current situation will reach the valley.</p> <p>Detailed assessment of the previous proposal had indicated that the main concern vis-à-vis the proposal's impact on the Natura 2000 site related to the potentially increased amounts of possibly contaminated run-off into the valley. In this regard, and noting the above, as long as plans reflecting the above information are submitted by the applicants, then the updated proposal is not expected to have a significant impact on the Natura 2000 site, subject to the conditions hereunder. No further assessment is thus required as per Regulation 19 of Legal Notice 311 of 2006.</p>
		<p><u>continued in next row</u></p>

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Technical Appendices		
Page	Para.	Comment
74		<p>The following measures should be included as permit conditions:</p> <p>Appropriate measures should be taken to minimize dust generation during construction-phase;</p> <p>Works are to be carried out during daytime hours. In this regard, works are to start after sunrise and should finish before sunset;</p> <p>Noise generation, in particular during construction, should be as much as possible minimized;</p> <p>The only species allowed for landscaping are those that are sensitive to the site surroundings. In this respect species used for landscaping should include native trees and shrub species that are compatible with the ecosystems of the nearby Natura 2000 site.</p> <p>A landscaping scheme conforming to these specifications is to be submitted for EPD's approval prior to commencement of works, and shall be duly complied with thereafter.</p> <p>The proposed pre-emptive / mitigation measures are aimed at eliminating or minimizing potential impacts on SACs/SPAs. Their exclusion would in itself prejudice the effectiveness of the conclusions of this AA screening and therefore, the merits of this screening would need to be reopened.</p> <p>This screening is based on the information submitted by the consultant on 29.09.11. Any deviations of the proposal from this submission would need to be re-assessed and the merits of this screening would need to be re-opened.</p> <p>A copy of the AA screening matrix is being attached with these comments.</p>

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Technical Appendices		
Page	Para.	Comment
/	/	Numbering of figures does not follow a logical numerical order. Kindly amend.
		See second comment above. MEPA Responses (23/07/10) Noted.
		(ecoserv)
		75

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Technical Appendices		
Page	Para.	Comment
Effects of Liquid Discharges		
6	2.1.2 A	<p>Kindly mark the water collection systems suggested as mitigation measures on Block Plan as requested in the TORs.</p> <p>76</p> <p>It is not possible for the requested 'marking' to be done in an EIA Consultant's report. The author of this particular report was commissioned to carry out the assessment in question in her capacity as a graduate in Chemistry. Her task was the identification and assessment of the impacts and risks of liquid discharges.</p> <p>The implementation of the proposed mitigation measure (indeed, any mitigation measure) should be the responsibility of either the Perit or the Ingénier responsible for the design of the different aspects of the project[s] in question.</p> <p>Indeed, the Ingénier submitted drawings concerning rainwater collection and these were included in the first draft EPS, even though such drawings should not be expected in EPSSs covering project proposals submitted for outline development permissions.</p> <p>In the event that the applied-for outline permissions are issued, the proposed mitigation measures should, if found acceptable by the MEPA, be expected to appear in the drawings submitted for the full development permissions. <u>(EIA Coordinator)</u></p> <p>MEPA Responses (23/07/10) Noted.</p> <p>EIA Consultant's response Please refer to Annex One</p> <p>MEPA Responses (26/10/11) Noted.</p>

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Technical Appendices		
Page	Para.	Comment
8	2.1.2 B	<p>Kindly note that absorbent materials to be used for spillages during the construction phase should be determined at this stage of the EIA and not left to the determination of the Project Managers. More over the EWC code as well as other information s requested in the TORs, should be submitted for wastes arising in the case of management of accidental spillages.</p> <p>It is not possible for such information to be provided at this stage (outline development permission stage) because the materials can vary depending on the contractors who are appointed to carry out the construction works. The contractors are normally selected after the issue of the full-development permission, although in the case of these projects two of the three Applicants are also contractors and will most probably take responsibility for the works.</p> <p>Maltese contractors would probably propose the use of sand or xaxx which would easily be available on site. However, a more progressive contractor may opt for proprietary spill kits which would include a range of non-toxic materials suitable for specific fluids (or ranges of fluids) such as absorbent mats, socks, booms, and granules. In such cases, this EIA Coordinator submits, that a MEPA approval for the product would be required.</p> <p>The ECW code for the contaminated material would be in the 15 02 category which is specified in the waste management sections of EIAs, WMPs, and CMPs coordinated by this EIA Coordinator. This EIA Coordinator also recommends the type of containers required for such materials before and after use. <u>(EIA Coordinator)</u></p> <p>MEPA Responses (23/07/10) Noted.</p>
12	3.1.2 A	<p>Kindly mark the flows of rain water as laid to falls to the water reservoirs or otherwise on Block Plan (to scale).</p> <p>MEPA Responses (23/07/10) Noted.</p>
15	3.1.2 E	<p>The EWC code as well as other information requested in the TORs, should be submitted for wastes arising in the case of management of accidental spillages.</p> <p>MEPA Responses (23/07/10) Noted.</p>
		<p>Please refer to the response in Row 76 above</p> <p>MEPA Responses (23/07/10) Noted.</p>
		<p>Please refer to the response in Row 77 above</p> <p>MEPA Responses (23/07/10) Noted.</p>

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Technical Appendices		
Page	Para.	Comment
Waste Management Plan		
/	2.1.3	What is meant in the text by SAC? MEPA Responses (23/07/10) Noted.
/	2.1.10	The text makes reference to the waste management section in conjunction with the Pender Place Development, to which this proposal has no link. Kindly amend. MEPA Responses (23/07/10) Noted.
Air Quality		
21	Figure 2	Locations of the sample points in Figure 2 are not legible. Kindly amend. MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out. EIA Consultant's response The changes were effected in Appendix Two A (Maria Conrad: Air Quality). MEPA Responses (26/10/11) Noted.
28	4.2.3	Please note that the definition of a VOC as per Dir. 2004/42/EC (on the limitation of emissions of VOCs due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products...) is specific to that Directive. MEPA Responses (23/07/10) Noted.

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Technical Appendices		
Page	Para.	Comment
39	7.2.1	<p>The text states that: <i>A diversity factor of approximately 70% for instantaneous power and 85% for consumption should be applied.</i></p> <p>Kindly clarify the statement. Does the estimated consumption not take the diversity and load factor into account?</p>
44	7.3	<p>The text states that: <i>As discussed in the mitigation section, the complex is taking a large number of measures to reduce the total electric consumption obtained directly from the grid. However little details are also important and each individual should be made aware that a little care goes far. Thus offices should make sure that PCs are switched off at the end of the day, residents should be encouraged to adopt an energy saving policy etc.</i></p> <p>Are there concrete proposals on how this is to be achieved?</p>
		<p>Please refer to Ing Scicluna's response in Row 91 (on page 47)</p> <p>MEPA Responses (23/07/10) Noted.</p>
		<p>The developer cannot control these proposals, I agree. Yet I feel that people are becoming more aware of energy saving strategies partly due to an increase in electrical tariffs and as a result, of more education from the media. Hence, the more these measures are mentioned the more people become aware of what they can do to reduce energy consumption. Thus I feel the developer should encourage and advise tenants and property managers to adopt such measures.</p> <p><u>(Maria Conrad)</u></p> <p>With all respect to the reviewer, it is evident that proposals which refer to management systems are dependent on the quality of the managers for their success. Please note that since 2001, this EIA Coordinator has been making concrete proposals regarding such matters, through suggestions in EIAs that MEPA issues permissions subject to conditions that require the adoption of environmental management systems which are potentially certifiable under the ISO 14001 Standard (in Malta MSA EN ISO 14001:2004) or which can participate in the EMAS. To date the MEPA has ignored these suggestions.</p> <p><u>(EIA Coordinator)</u></p> <p>MEPA Responses (23/07/10) Noted.</p>

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Technical Appendices		
Page	Para.	Comment
44, 46	7.3	<p>This section includes a number of proposals (pg. 44, 46) for reducing energy use that relate to the behaviour of the residents of the operational complex; these cannot be controlled by the developer and are only speculation / suggestions which go beyond the scope of the EIA.</p>
86		<p>The fact that the proposals are 'soft' does not mean that they should not be made. Ultimately in a democratic society which respects the right to privacy there is little more that can be done in this respect. Even the MEPA and other public agencies acknowledge this limitation and they at times organize public awareness campaigns.</p> <p>The most effective means through which people can be made to control their consumption of energy and water would, in the view of this EIA Coordinator, be through the removal of subsidies, which is, as we all aware, a politically sensitive issue.</p> <p style="text-align: right;"><u>(EIA Coordinator)</u></p> <p>MEPA Responses (23/07/10) Noted.</p>
45	7.3	<p>The text states that: <i>The ventilation system shall have two airflows associated with two different fan speeds; the lower ventilation rate shall be for normal ventilation requirements for vehicular emissions and the other shall be for smoke ventilation in case of fire. The latter is at a rate of 10 air changes per hour which is much higher than that required as normal. Consequently the energy usage shall be kept to a minimum.</i></p> <p>The conclusion does not follow. Kindly note that the building services engineer's original text has been confused here.</p> <p>Also, a number of energy saving measures listed (such as double glazing, roof insulation, etc.) were recommendations from the services engineer for consideration by the architect and developer in the final design, whereas from their inclusion here it appears that they are to be implemented. Kindly clarify.</p>
87		<p>Will be given consideration in the revised report</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response The changes were effected in Appendix Two A (Ing Charles Cuschieri).</p> <p>MEPA Responses (26/10/11) Noted.</p>

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Technical Appendices		
Page	Para.	Comment
/	/	Kindly note that the plates at the end of the agricultural study are not referred to. Kindly amend.
		<p>Will be done</p> <p>MEPA Responses (23/07/10) Noted. Can the EIA Coordinator indicate where these changes have been carried out?</p> <p>EIA Consultant's response The changes were effected in Appendix Two B (Sonya Sammut). These modifications were then inserted in Section 2.3 of the Second Draft of the Coordinated Assessment Report.</p> <p>MEPA Responses (26/10/11) Noted.</p>
		88

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Technical Appendices		
Page	Para.	Comment
Geology, Geomorphology, Palaeontology, Hydrogeology and Hydrology		
/	Table of Contents	Kindly amend such table where 'Error! Bookmark not defined' is found in the text.
26	Figure 13	The boreholes in Figure 13 are not indicated. Kindly amend.
		<p>Will be done</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response The changes were effected in Appendix Two A (Anthony Cassar and Saviour Scerri).</p> <p>MEPA Responses (26/10/11) Noted.</p>
		<p>Will be done</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response The changes were effected in Appendix Two A (Anthony Cassar and Saviour Scerri).</p> <p>MEPA Responses (26/10/11) Noted.</p>

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Technical Appendices		
Page	Para.	Comment
2	/	<p><i>It is estimated that the nominal power requirement for each apartment (considered as one unit) will be in the region of 4.2 kW. The annual estimated consumption for each unit could reach 5,000 kWh. Thus the total for all the apartments is expected to be in the order of 2,800 MWh per annum.</i></p> <p>Note: <i>It would be appropriate for providing the service to apply a diversity factor of about 70% for instantaneous power and 85% for consumption.</i></p> <ul style="list-style-type: none"> • Is 4.2kW the maximum/peak power requirement per unit, or an average? • What is taken into consideration in this power demand? (Note that the list of appliances in the previous paragraph is not comprehensive; e.g. fridge/freezer and washing machine/tumble dryers are not mentioned). • The daily estimated consumption per unit is taken as 13.7kWh; what is the basis/source for this estimate? • Do the estimates take into account the measures planned for reducing the energy demand? If so, kindly indicate to what extent. <p>Are diversity and loading factors not already taken into consideration in calculating the residential unit's daily consumption?</p>
		<p>91</p> <p>The 4.2 kW is less than the would-be installed electrical load especially if two air conditioners are considered for each apartment. As a matter of fact the figure of 4.2 is an average figure and it already includes the diversification factors mentioned.</p> <p>In the Consultants' report (Camilleri & Cuschieri- CC) VRF systems are mentioned which will be even more power saving than individual units.</p> <ul style="list-style-type: none"> ■ The 4.2kW is an average figure. It depends solely on the lifestyle of the residents of each apartment and mainly on electrical appliances likely to be added to those already envisaged. ■ Correct fridge/freezer (FF) , washing machine and possibly tumble dryer were not mentioned but in all probability will be included. They are electrically compensated for in the fact that VRF systems will be installed. ■ A moderate FF without ice maker can consume 5.5 units a day with an installed power of 250-450 W. All three appliances are now included in the average figure of 4.2kW . ■ The daily consumption is based on 13 appliances running in a week but averaged for daily use. The figure includes the 70 instant power and 85 % diversity factors. These are in house figures from measurements taken privately. As far as I know there is no official detailed statistics about the daily consumption. Enemalta probably has the annual total of generated units and the number of households. I could not obtain this figure. But <u>if</u> from NS office there are 119,479 inhabited residences (2006) and 36% of electric energy is domestic and from Enemalta 2,625,145MWh (2008) are generated then an average figure of 8 kWh can be obtained. Considering this housing development will be above average the 13.72 kWh makes some sense. <p style="text-align: right;"><u>continued in next row</u></p>

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Technical Appendices		
Page	Para.	Comment
		<p>92</p> <ul style="list-style-type: none"> ■ No they do not include e.g. solar heaters, special insulation , double glazing dimmers but lighting includes energy saving lamps and T5 tubes. From the CC provisional report there are indications that solar water heaters will be installed ■ No they do not since details of solar water heaters or PV panels have not yet been revealed or whether or not there is space for them on the roof or elsewhere. (Ingå Alfred Scicluna)
3	/	<p>93</p> <p>The 0.8 is tonnes /MWh. From the Enemalta National plan presented on 28th April 2008 it was planned to reduce CO₂ emissions from Marsa Power Station by 18% and from Delimara by 4.5%. This was partly due to phasing Marsa and/ or improving the emission. Perhaps the reduction was a target set and not necessarily to be achieved. (Ingå Alfred Scicluna)</p> <p>MEPA Responses (23/07/10) Noted.</p>
4	/	<p>94</p> <p>Absolutely true. However for design purposes we use UK adjusted figures both for winter and summer and style of life. In the absence of statistical data these estimates are indicative only. (Ingå Alfred Scicluna)</p> <p>MEPA Responses (23/07/10) Noted.</p>

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Technical Appendices		
Page	Para.	Comment
Appendix Two A		
Matrix of Impacts		
/	/	The matrix of impacts fails to provide impact magnitude and significance, which is one of the most important aspects in an Environmental Impact Assessment. Kindly include such information regarding significance in the table of impacts and revise table accordingly.
/	Scope for mitigation	References to mitigation measures discussed in the text should be included in the table, and not just referred to in the table. Kindly include the mitigation measures referred to.
Appendix Three – Architects’ and M&E Engineer’s Drawings		
/	/	Drawing No. 13, referred to in the Coordinated Assessment, Point 1.6.2, is missing. Kindly include.
95		This issue shall be seen to in the second draft of the EPS. MEPA Responses (23/07/10) Noted.
96		This issue shall be seen to in the second draft of the EPS. MEPA Responses (23/07/10) Noted.
97		This issue shall be seen to in the second draft of the EPS MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out. EIA Consultant’s response The changes were effected in Appendix Three C. MEPA Responses (26/10/11) Noted.
98		The drawings submitted in the report are the same drawings prepared for the full set but plotted ‘to fit’ [from ACAD] the size of paper used in the EPS. In order to read drawings printed to the right scale the reviewer should consult the drawings submitted with the development-permission applications.

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Non-Technical Summary/Rapport fil-Qosor			Response
Page	Para.	Comment	
English Version			
5	1.1.2.1	Kindly include which Policy the text is referring to.	<p>This issue shall be seen to in the second draft of the EPS</p> <p>MEPA Responses (23/07/10) Noted. The EIA Coordinator is to indicate where these changes have been carried out.</p> <p>EIA Consultant's response The changes were presented in Appendix Five.</p> <p>MEPA Responses (26/10/11) Noted.</p>
5	1.1.3.1	Kindly provide an indication as to how the studies carried out by the applicants concluded that the project is financially feasible.	<p>A non-technical summary should not go into such detail otherwise it would be a technical statement.</p> <p>MEPA Responses (23/07/10) Noted.</p>
17	3.5.1	Kindly change EIS to read EPS.	<p>This issue shall be seen to in the second draft of the EPS</p> <p>MEPA Responses (23/07/10) Noted.</p>

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Comments from Department of Public Health		
Page	Para.	Response
Technical Report		
/		<p>102</p> <p>The reclaimed water or permeate from the grey water treatment plant shall be chlorinated by an automatic chemical dosing unit.</p> <p>Please find the following extract from the EPS re this issue for your perusal</p> <p>Any chlorine dosing that may be required shall be carried out using automated means.</p> <p>(Camilleri & Cuschieri)</p>
/		<p>103</p> <p>The grounds within the precinct of the development shall be furnished with an irrigation system comprising of polyethylene drip irrigation pipe work. The operation of the irrigation system shall be governed by means of a controller that shall be suitable to have a number of pre programmed settings including stopping or reducing irrigation during periods of rainfall.</p> <p>Please find the following extract from the EPS re this issue for your perusal</p> <p>This water shall be pumped to the various areas via Polyethylene pipes and shall finish off in drip irrigation pipework. The amount of water supplied to each area shall be determined by a controller located in the pump room adjacent to the reservoir and according to the requirements of the particular plants, trees shrubs etc used in the different parts of the development. In this way only the correct amount of water is fed to the plants and trees and in just the right amounts to ensure that wastages are kept to the minimum</p> <p>(Camilleri & Cuschieri)</p>
		<p>Sewerage System – Grey Water: Kindly note that treated grey water should be chlorinated at all times for the prevention of Legionella growth.</p>
		<p>Irrigation - Kindly note that drip irrigation is preferred to a sprinkler system as to minimise the generation of aerosols, thus reducing the risk to exposure to these aerosols which may increase the rise to Legionella.</p>

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Comments from Department of Public Health		
Page	Para.	Response
310	5.1.7.1	<p>Unpleasant odours – The text makes no reference to pest control at the site. This should be the responsibility of the developer to carry out continuous pests control treatment within the site and surrounding areas and to take all preventive measures for pest control. Relevant documentation should be kept on site by the site manager and said documents are to be made available to the Competent Authorities when these are so requested. Any complaints by neighbours re pests are to be investigated by the site manager and remedial action taken.</p>
Appendix Two B – Consultants’ Reports (1)		
a. Mechanical and Electrical Building Engineering Report		
/	1.4	<p>The hot water distribution system shall be such that hot water at point of use shall reach a temperature of 50°C to 55°C within one minute as per LN 5 of 2006. This shall be accomplished by having an electrical booster in order to raise the temperature of the water to a minimum of 65°C even in winter with low sunshine as well as a pump in order to increase the water flow rate. IN cases where there are large distances between the solar water and the pint of use, a small circulation pump in a closed loop shall be introduced in order to ensure that hot water is immediately available upon opening the tap. (Camilleri & Cuschieri)</p>
/	1.9	<p>CO and gas leak alarms with a local audible and visual alarm as well as a remote indication in a centralised location shall be installed within the building. (Camilleri & Cuschieri)</p>

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Comments from Department of Public Health		
Page	Para.	Response
b. Effects of Liquid Discharge Report		
/	Management of Run-off The text makes no reference on the management of run-off from entering the site and how rain water falling within the site will be managed for discharge. No contaminated water from within the site should be discharged off the site onto the streets as this may have a negative impact as described in the Impact Assessment section (Section 3.2)	Point taken 107
/	Although reference to the method of disposal of water from within the site is made in the CMP Report, this should be included in this report or else reference should be made to the parts of the CMP report where such information may be found.	This will be made a requirement in the second draft of the EPS. (EIA Coordinator) 108
/	4.0 Further testing Can the consultant please indicate from where high concentrations of free chlorine in Grey and Black water will be coming from?	Chlorine is a common disinfectant used to sanitize watering systems. Thus any access from such systems, eg. The drip irrigation system would end up as contaminated water. In water chlorine exists in equilibrium in three forms namely: the dissolved gas or free chlorine (Cl ₂), hypochlorous acid (HOCl) and hypochlorate ion (OCl ⁻). (Maria Conrad) 109
Appendix Two C – Consultants’ Reports (2)		
a. Air Quality Report		
/	As has been correctly referred to in this report, that air pollution may have a negative impact on human health with special reference to dust (PM ₁₀) generation especially during the construction stages of the development, all proposed mitigation measures as to reduce these negative impacts are to be adhered to at all the time by the developer.	Point taken 110
/	Monitoring of air quality as is being indicated by the consultant is also to be carried out by the developer as agreed to with the EPD and any results sent to the EPD are also to be referred to this department.	Point taken 111

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Comments from Department of Public Health		
Page	Para.	Response
/	/	Point taken
b. Background noise measurements, noise predictions for demolition, excavation, construction and development		
/	Section 3.13	112
	<p>Precautions that could be taken if necessary</p> <p>It is highly recommended that the developer should consider taking such precautions as listed in the report (a) to (e) as to prevent or minimise noise disturbance to the nearby residents especially at the initial stages of excavation/demolition. The predicated noise level at this stage is being calculated to be in the region of or even exceeding the 70dBA, which is on the high side and may cause complaints from residents.</p>	<p>113</p> <p>Agreed. Should the disturbances go beyond the values quoted especially for long periods exceeding 30-60 minutes then when these values are confirmed the developer is bound to take the precautions as listed.</p> <p>Normally complaints are raised by receptors. Once they reach the client additional site measurements will take place to evaluate the degree of complaint and accordingly action will be taken.</p> <p>A programme of monitoring for sound and vibration would be agreed with the client on a weekly or monthly basis as per and if required by MEPA.</p>
/	/	114
	<p>The site manager is to investigate all complaints lodged by neighbours re noise and vibrations. He is to register all such complaints and investigate as to take any remedial actions to mitigate the problem to an acceptable level as soon as possible. Reference is made to Section 5.1.2.2 – Noise Impacts in the Technical Report where it is stated that “work should cease until an acceptable solution can be found following complaints and/or nuisance to neighbours.”</p> <p>Such impacts are mainly of concern as this area as quoted by the consultant preparing the report being “a fairly quiet residential area.”</p>	<p>Point taken</p>
/	/	115
	<p>Kindly note that noise monitoring should also be carried out throughout the project as recommended in the report.</p>	<p>Point taken</p>

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Comments from Department of Public Health		
Page	Para.	Response
General comment		
/	/	In the event that the proposed development (as proposed in subsequent drafts) is approved, this EPS together with all mitigation measures recommended by the consultants, reviewers, and members of the public will form part of the permission document. In other words, they will be legally binding.
		116

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Comments from the Natural Heritage Panel		
Page	Para.	Response
/	/	<p>This EIA Consultant agrees that the FAR can be applied in a diversity of ways, and should be applied in a manner that is conducive to the attainment of a high quality urban design intervention.</p> <p>EIA Consultant's additional response</p> <p>Contrary to what is asserted in the Panel's statement, the application of the FAR instrument has, as is submitted in the PPMM, the potential to have a positive impact on the Ta' Masrija/Mizieb landscape. Such a conclusion would however have to be qualified as follows:</p> <p>In debates about the acceptability or otherwise of physical interventions in what can be termed 'difficult or sensitive contexts', e.g. UCAs, urban fringes, rural environments, and so on, it is often the case that</p> <ol style="list-style-type: none"> one side takes the position that any new building/group-of-buildings constructed in or close to a traditional urban or rural context is essentially 'bad', especially if such a building or group of buildings happen to be 'visible' (i.e. do not 'blend' with the context) and/or designed in an architectural style which emerged in the 20th or 21st century, and another side argues that a good architect should be capable of designing buildings in any context, and they should be proud of their work; i.e. they should not feel obliged to conceal their works, when these are located in or close to traditional urban or rural contexts. <p><u>continued in next row</u></p>

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Comments from the Natural Heritage Panel		
Page	Para.	Response
		<p>In other words, it would be acceptable for new building or a group of buildings to be located within or close to traditional urban or rural contexts as long as the quality of the architectural design is high (irrespective, of the adopted architectural style).</p> <p>In the view of this EIA Coordinator ,there are cases were the first mentioned position would be applicable, and others where the second view can prevail.</p> <p>This EIA Coordinator is also very much aware that it is often difficult for decision-makers to establish where and when they should take one particular position and not the other.</p> <p>Through the PPM, the Government appears to have taken the second position in respect to the Ta' Masrija/Mizieb context.</p> <p>While members of the Panel may consider the impact of the implementation of such a policy, adverse with respect to the landscape, others may consider the impact beneficial as long as the quality of the architectural design is high.</p> <p>It is common knowledge that there are many examples of rural landscapes, the character and identify of which are strongly influenced by buildings, which in certain cases may be relatively large-scale structures.</p> <p>This EIA Coordinator is not just referring to the mediaeval castles, abbeys, and churches, which make it to the postcards and coffee-table architecture books, but to some of the most celebrated buildings of the 20th and early-21st centuries. Many a renowned architect such as Frank Lloyd Wright, Mies van der Rohe, Richard Neutra, Bruce Goff, Richard Meier, Emilio Ambasz, and others have built their reputations on their ability to design buildings of considerable beauty in rural contexts.</p> <p>In other words, it would be not be fair for one to seek to discredit the part of the PPM which refers to the application of the FAR by arguing that the FAR would, as it were, automatically lead to the degradation of an existing rural landscape.</p>

Appropriate Assessment Screening Matrix

**Appropriate Assessment
Screening Matrix**

Title of plan or project:	PA 2761/06: Comprehensive development of site B as per approved Ta' Masrija planning policy: This includes app. 300 units with underground parking & tunnel, open spaces, public promenade and neighbourhood centre; PA 1927/06: To construct four apartment blocks to include in total 48 residential units and 48 basement garages, and a public area; PA 1302/06: Outline development for the construction of maisonettes, apartments, penthouses and underlying garages.
Reference no. (projects only):	PA 2761/06; PA1927/06; PA1302/06.
Site location (projects only):	Mellieħa
Potentially affected Special Areas of Conservation (SACs) / Special Protection Areas (SPAs):	MT0000012: Wied il-Miżieb: The site is designated as a Special Area of Conservation - Site of International Importance via Government Notice 112 of 2007, as declared through the provisions of the Flora, Fauna and Natural Habitats Regulations of 2006 (Legal Notice 311 of 2006).

Prepared by:	Date:	Reviewed by:	Date:	Approved by:	Date:
Monique Hili	14.10.11			Alex Camilleri	16.10.11
-		-		-	

Screening document version: Final

Brief description of the project or plan

The proposed project consists of a multi-use development, mainly consisting of residential, commercial and local recreational facilities. The site earmarked for the development under consideration is located on the outskirts of the town of Mellieħa, in the north of Malta.



Figure 1: Site plan showing location of development applications (Site B, C, D)

	Site B	Site C	Site D
	% of total floor area		
Residential	57	65	65
Commercial	3	0	0
Parking	15	10	10
Circulation	25	25	25

Table 1: Project land use mix for the three sites.

Project proposal details are as follows:

Site B: The proposal involves the demolition of existing abandoned structures, the further excavation of the existing permitted quarry site so as to accommodate four levels of basement car parking (*circa* 386 spaces), and the construction of seven apartment blocks which shall include 252 units, a neighbourhood centre, and a leisure club, together with a number of public belvederes and open spaces.

Site C: The proposal involves the further excavation of the existing permitted quarry site in order to accommodate two levels of basement car parking (*circa* 83 spaces), and the construction of four apartment blocks (36 units), divided by a pedestrian landscaped route and flanked to the east and west by two public belvederes.

Site D: The proposal involves the further excavation of part of the site to a reduced level of +116m (i.e. the existing lowest level of the quarry), so as to accommodate three levels of basement car parking and an intermediate level (235 spaces), and the construction of four apartment blocks (111 units), divided by Triq I-Izbark tal-Francizi longitudinally.

The following is a summary of the proposed works:

- Demolition of existing structures and site clearance;
- Excavation;
- Modification of existing road junctions namely Triq il-Mithna il-Qadima junction, Mizieb junction, and the north western junction;
- Preparation of road sub-base and formation levels; connection to the existing infrastructural grid including drainage, water and electricity;
- Construction of footings, cisterns and sumps;
- Construction of basement levels using reinforced concrete, pre-cast members, and pre-stressed slabs;
- Construction of all levels using bricks and masonry for the walls, and reinforced concrete for the slabs;
- Laying of roof screed and laying of waterproofing membrane;
- Landscaping of public open spaces, including soft and hard landscaping, street furniture and street lighting;
- Application of finishes to exterior facades, internal courtyards and pools, and commercial premises; and
- Application of finishes to the interiors.

As indicated in Figure 1 above, the sites lie close to Wied il-Mizieb, A Natura 2000 site - MT0000012.

Brief description of the Natura 2000 site

The site is designated as a Special Area of Conservation - Site of International Importance via Government Notice 112 of 2007, as declared through the provisions of the Flora, Fauna and Natural Habitats Regulations of 2006 (Legal Notice 311 of 2006). The site is also designated as a Nature Reserve under Legal Notice 12 of 2001 - Trees and Woodlands (Protection) Regulations.

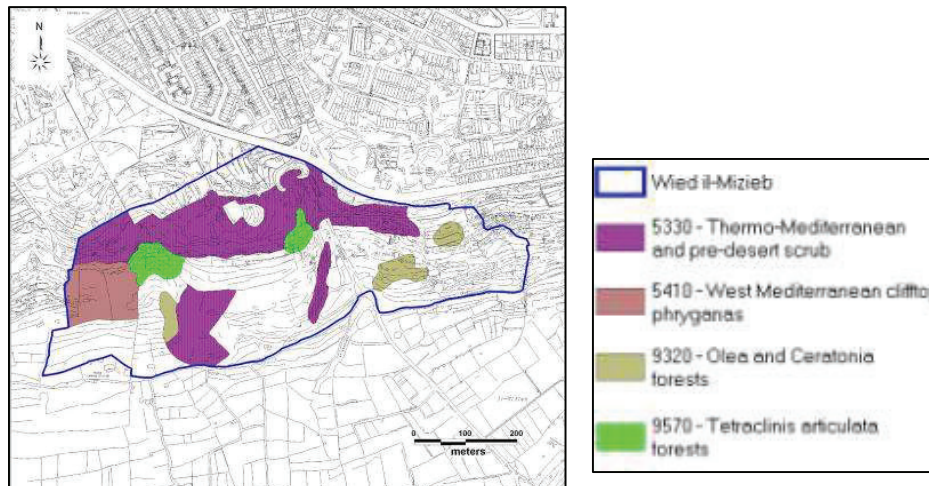


Figure 2: Habitat map of Natura 200 site.

The most important community at this site is the Maltese National Tree *Tetraclinis articulata* (Sandarac Gum Tree; Ghargħar) (about 90 individuals) maquis. This is Malta's largest known wild population of *Tetraclinis articulata*, a locally endangered tree that has a restricted distribution in the Maltese Islands. Its geographical range is very restricted across Europe as it is only found in Malta and in a locality in the area of Cartagena (S.Spain) (but it is also present in N.W. Africa). *Tetraclinis* maquis is often referred to as a dominant vegetational assemblage in the past, possibly suggesting that the Wied il-Mizieb *Tetraclinis* maquis is the last remnant of an assemblage that previously covered much larger areas of the islands.

Apart from the *Tetraclinis* maquis, other maquis communities exist in the area, dominated by *Ceratonia siliqua* (Carob Tree; Farruba), with *Pistacia lentiscus* (Lentisk; Deru), *Prunus dulcis* (Almond Tree; Lewża), *Rhamnus oleoides* (Small bucktorn; Żiju), *Ficus carica* (Common Fig; Siġra tat-Tin) and *Olea europaea* (Olive Tree; siġra taż-Żebbuġ).

It is significant to note that a considerable number of plant communities can be found growing in the area. Moreover, the site contains important faunal species such as the endemic and endangered beetle *Torneuma strictum*, for which this site represents the type locality; it is found in soil at 10-30cm depth under *Tetraclinis articulata*. Another vulnerable endemic with a restricted distribution in the Maltese Islands - *Microptinus melitensis*, is known from leaf litter under *Tetraclinis articulata*. Also known from the area are the endemic homopteran *Aleurolobus teucarii*, *Maniola jurtina hyperhispulla* and *Papilio machaon melitensis*.

The bat species *Myotis blythii punicus* is reported from the area. It is a vulnerable species in the Maltese Islands, and is nationally and internationally protected. Another bat species that is nationally protected and which has been recorded from this site is *Pipistrellus pygmaeus*, which is also a vulnerable species in the Maltese Islands.

The *Tetraclinis* maquis has become degraded in parts and has reverted to lower successional stages. Building rubble and other form of dumping can be found. This has led to disturbed patches, including disturbed steppe. Bird-trapping hides and dismantled rubble walls are also

present. *Pinus*, *Prunus* and *Tetraclinis* seedlings are being planted in the area by individual(s) that use fields there. Such planting needs to be controlled and managed appropriately. A number of seedlings of the alien plant *Eucalyptus gomphocephala* were planted by bird hunters or trappers to attract birds. This is a cause of vulnerability to the area as such plantations may result in a decrease in the quality of the biodiversity and landscape of this candidate Natura 2000 site. Indeed, the uprooting of alien / invasive plant species, in particular of Eucalyptus trees, is of importance.

3. Impact assessment / Conclusion

Previous AA screening had indicated that average run-off was expected to increase as a result of this proposal, and while reservoirs were being proposed as part of this project, overflows were proposed to be directed into the valley. In this regard, it was unclear whether such overflows would have an impact on the valley ecology as a result of increased water flowing through during periods of heavy rainfall, which may lead to increased erosion. It was unclear therefore whether the proposal would have a significant negative impact on the ecology of Wied il-Mizieb, mainly due to a change in hydrological regime and as a result, further assessment in terms of Article 19 of L.N. 311 of 2006 (based on Article 6 of Directive 92/43/EEC [EU Habitats Directive]) was considered necessary.

The consultant on 29.09.2011 submitted information indicating that the proposal has been revised by opting to have enlarged runoff reservoirs installed within the sites in a manner which maximises the volume of harvested runoff. Moreover, excess rainwater, if any, will be released into the road adjacent to the development such that no excessive increases in water over and above the current situation will reach the valley.

Detailed assessment of the previous proposal had indicated that the main concern vis-à-vis the proposal's impact on the Natura 2000 site related to the potentially increased amounts of possibly contaminated run-off into the valley. In this regard, and noting the above, as long as plans reflecting the above information are submitted by the applicants, then the updated proposal is not expected to have a significant impact on the Natura 2000 site, subject to the conditions hereunder. No further assessment is thus required as per Regulation 19 of Legal Notice 311 of 2006.

The following measures should be included as permit conditions:

1. Appropriate measures should be taken to minimize dust generation during construction-phase;
2. Works are to be carried out during daytime hours. In this regard, works are to start after sunrise and should finish before sunset;
3. Noise generation, in particular during construction, should be as much as possible minimized;
4. The only species allowed for landscaping are those that are sensitive to the site surroundings. In this respect species used for landscaping should include native trees and shrub species that are compatible with the ecosystems of the nearby Natura 2000 site. A landscaping scheme conforming to these specifications is to be submitted for EPD's approval prior to commencement of works, and shall be duly complied with thereafter.

The proposed pre-emptive / mitigation measures are aimed at eliminating or minimizing potential impacts on SACs/SPAs. Their exclusion would in itself prejudice the effectiveness of the conclusions of this AA screening and therefore, the merits of this screening would need to be reopened.

This screening is based on the information submitted by the consultant on 29.09.11. Any deviations of the proposal from this submission would need to be re-assessed and the merits of this screening would need to be re-opened.