

## DPA Report for Case Number : PA07491/03

### Representations

Xewkija Local Council:  
Letter dated 12 February 2004

- The Council noted that the proposal runs counter the main objectives of the Structure Plan and Policy SWM11.
- The development proposal conflicts with the Local Plan for Gozo which identifies an area due east of the heliport (Maps 14.2-A and 14.2-E).
- The proposal is not compatible with other projects designated for this site.

Third party objector  
E-mail dated 21 February 2004

- The proposal does not conform to the draft Local Plan for Gozo.
- Together with the applications for the Sewerage Treatment Plant and the reservoir and road leading to the same plant will create an enormous environmental disaster in the area.
- The draft Local Plan has grouped these facilities on a site which is substantially degraded.
- The Sewerage treatment Plant has been approved in a location which is in conflict with Structure Plan Policy PUT 11.

Xewkija Local Council  
Letter dated 15 June 2004

- The Local Council was not forwarded with copies of documents and other information that according to the Regulations had to be passed on for consultation.

### Notes to Committee

1)

This site is currently subject to Enforcement Action - ECF 524/00 for illegal dumping of inert material and change of use of are into a dumping site.

## Policy Constraints

- 1) Outside development zone
- 2) Enforcement Action noted on this site

## Officer's Report

### 1. THE PROPOSED DEVELOPMENT

This is an application for an outline development permission proposing a facility that will include the following amenities

- **Reception Area and Site Office.** This includes a surface mounted weighbridge with concrete approach ramps, and a weighbridge office. The weighbridge office would be below the level of the adjacent undisturbed ground. This building would also house the toilets which would discharge into a sealed tank.
  
- **Waste Transfer Building.** This is the main structure and would provide a covered area for the storage, sorting, bulking of recyclable materials and waste to be transferred to Malta for treatment/landfill. The floor of the building would be constructed from reinforced concrete, and would drain to collection points within the building that collect in a sealed sump. A sunken loading bay, 2m below that of the main floor area would also drain to collection points and in turn to a sealed sump. A vehicle wash facility would be constructed within this sunken loading bay. Waste imported to the facility by lorry or refuse collection vehicle would be deposited on the floor of the Waste Transfer building. Commercial and industrial waste, including skip waste may be hand sorted to remove bulk recyclables. The residues would then be loaded, using the loading shovel, into the bulk waste collection vehicles. No putrescible waste, with the exception of green waste, would be stored within the waste transfer building for longer than 72 hours. The small volumes of hazardous waste handled at the facility would be stored within a container located within the waste transfer building. The Waste Transfer Building together with the Civic Amenity facility would initially receive approximately 25,000 tonnes of waste per annum. This is anticipated to rise over a number

of years to 30,000 tonnes per annum. The maximum capacity of the facility would be 35,000 tonnes per annum.

- **Civic Amenity Site (CA).** The upper level of the facility adjacent to the weighbridge and the waste transfer building will house a CA for reception of household waste and domestic recyclables. A separate surfaced access road would be provided off the main access road to reach the CA. The CA site would be hard surfaced and comprise a central island containing recyclable storage containers surrounded by a one-way vehicle circulation area. Short term parking areas would be provided adjacent to the waste transfer building to allow for unloading into the CA. Drainage from the vehicle circulation area in the CA would be collected within the reservoir for contaminated water reservoir. It is estimated that the maximum annual input to the CA would be 2,000 tonnes.
- **Skips and Recyclable Storage Bays.** The yard area located on the floor of the quarry would be surfaced and drain via oil and petrol interceptors into the reservoir from contaminated water. This area would be used for lorry circulation and for the parking of lorries and containers/skips as required. Recyclable storage bays, made of concrete and reach a maximum of 3m in height, would be constructed on the yard area. The bays would be used for the storage and bulking up of recyclable materials. Materials would be stored in this area until a sufficient quantity has accumulated to justify transporting a load to Malta.
- **Mobile Plant.** The mobile plant would consist of a loading shovel operating within the main building and lower yard area. The mobile plant will be used to load lorries. Additional occasional mobile plant that may be used on the site includes water bowsers and road cleaning equipment. All plant servicing and refuelling would take place over a suitable hardstanding area.

- **Vehicle movements.** An average of 20 lorries per day would deliver waste to the Waste Transfer Station. Importation of 2,000 tonnes per annum of civic amenity waste would generate an average of 62 cars per day. Transportation of waste off Gozo would likely be between 5-6 loads per day. The volume of waste from Comino is negligible and would be transferred regularly to Gozo by means of a small private boat that crosses to Gozo on a daily basis.

### **1.1 Objectives of the Proposed Development**

WasteServ Malta Ltd. has identified that the existing practice of landfilling all wastes on Gozo is no longer environmentally or economically friendly for the following reasons:

- A limited volume of waste arises from Gozo and Comino;
- There is a need for diversion of waste away from landfilling; and
- There is a need to enhance environmental standards.

The aim of the development is to provide Gozo with a facility to receive, pre-treat, and transport a range of wastes. The proposed development forms part of the specific measures foreseen in *A Solid Waste Management Strategy for the Maltese Islands*, adopted by the Government of Malta in October 2001.

## **2. PROPOSED SITE AND SURROUNDINGS**

### **Description of Site and Surroundings**

The development site covers an area of around 1 hectare comprising a disused quarry and its access track, the adjacent disturbed ground which has partially regenerated, and part of an agricultural field. The topography of the site is relatively flat. The southern end of the development site is occupied by the disused quarry. Infilling have taken place along the southern quarry face. Immediately surrounding the quarry there are several areas where quarry waste or other waste has been deposited.

The site is located in the south-east of Gozo, approximately 1km south-east of Xewkija, and 1km to the south west of Ghajnsielem. Close to the southern boundary of the site lies Il-Wied ta' Mgarr ix-Xini, which is a steep sided valley with exposed rock cliffs along its length. In view of its ecological and geomorphologic importance, the site is scheduled as a Level 3 Area of Ecological Importance and Site of Scientific Importance (GN 937/01). Between the site and the valley there is an area of natural garrigue type habitat. In the immediate vicinity of the disused quarry small areas of garrigue

has been disturbed by tipping of quarry rubble.

The Gozo heliport is located approximately 400m to the north-east of the site, with the main access to the site running past the Heliport. To the west of the proposed development, at a distance of over 100m from the boundary of the disused quarry, lies an animal rearing unit. Around 170m to the north west of the disused quarry, and adjacent to the proposed access road, lies another livestock farm. Agricultural land surrounds the north and north eastern boundaries of the site.

### **3. POLICY CONTEXT**

#### **3.1 Temporary Provision Schemes**

According to Scheme 18 for Gozo, the site is outside the limits of development.

#### **3.2 Structure Plan for the Maltese Islands (December 1990)**

SET 12: Notwithstanding the policy against any form of urbanization outside areas designated for urban uses in the SP, MEPA will consider applications for permission to develop which ostensibly infringe SET 11. In any such case the onus will be on the applicant to present evidence as to why the policy should be infringed. MEPA will additionally require the submission of an EIA.

MIN 1: Proven and potentially workable mineral resources will be safeguarded from development which would lead to their sterilisation. Non mineral development will not normally be permitted in areas of known or suspected mineral reserves, unless it can be demonstrated that the deposits beneath the site are not workable.

TRA 2: The promoters of major developments will be required to prepare a traffic impact statement illustrating the likely impact of their proposals on the highway network.

TRA 3: Agreements will be required with prospective developers for the funding of the necessary remedial highway works required to accommodate their proposals.

RCO 4: MEPA will not permit the development of any structure/activity which in view of the Authority would adversely affect the scenic value because it would:

1. break a presently undisturbed skyline;
2. visually dominate or disrupt its surroundings because of mass or location;
3. obstruct pleasant or panoramic views;
4. adversely affect any element of the visual composition;
5. adversely affect existing trees and shrubs;
6. introduce alien forms, materials, textures, or colours.

RCO 5: In Rural Conservation Areas, permission for extended infrastructure will only be given if MEPA is satisfied that all possible measures have been taken to mitigate the visual impact of the proposed development.

PUT 3: Efficient management and conservation of resources, including the recycling and reuse of waste materials.

PUT 16: Sites will be identified at strategic locations in relation to the main areas of population, commerce, and industry for the transfer or treatment of municipal, commercial, and industrial inert/non toxic waste.

PUT 19: The relevant local plans will give consideration to the siting of transfer stations in suitable locations for the onward transmission of waste material to the Sant'Antnin recycling plant.

### **1. The Draft Gozo and Comino Local Plan**

The Local Plan has identified a site at Tal-Brieghen for a Waste Transfer Station and a Sewage Treatment Plant. The later was lately approved by MEPA on a different site to the south of the designated area.

According to the Local Plan the areas at Tal-Kus, with special reference to the garrigue area surrounding the quarry, has a potential of Level 2 or higher as an Area of Ecological Importance. Moreover according to Map10.3.3 the area including the quarry is identified as a candidate site for rehabilitation of damaged landscape.

### **1. Space for Waste: The Waste Management Subject Plan**

SWM 1: MEPA will determine proposals for new waste management facilities in accordance with the principles of sustainable development and the following waste management hierarchy:

1. reduction
2. re-use and recycling including composting;
3. recovery, including energy from waste;
4. final disposal.

SWM 4: MEPA will, in having regard to the proximity principle, seek to ensure an appropriate network of waste management facilities to ensure self-sufficiency in treatment and disposal capacity.

SWM 8: MEPA will support proposals for the provision and erection of plant/buildings for recycling, transfer, storage and other treatment or handling of waste provided that:

- the proposed site is located near to the likely sources of waste and/or the markets for the recycled or recovered materials; and
- the proposed site is located:
  - within an existing industrial site or on land which is permitted or allocated for industrial or similarly related development; or
  - on land previously used for waste disposal or minerals development; or
  - at a waste management facility provided that the proposed development is connected with the waste management operation and is for temporary period commensurate with the operational life of the existing facility; and

(iii) the proposal will not give rise to unacceptable impact on local communities or the environment.

SWM 9: Applications for new waste management facilities should, where appropriate, include proposals for recycling of natural spoil and construction wastes for re-use as secondary aggregate or for landscaping and restoration.

SWM12: MEPA will support proposals for new household waste and recycling facilities including small drop-off centres known as bring sites and larger household waste recycling centres provided that:

- the proposal is suitably located in relation to the existing network of sites;
- the proposal will not give rise to unacceptable impact on local communities or the environment.

SWM 13: MEPA will support proposals for a waste transfer facility in a central location on Gozo and at other locations on Malta provided that:

1. the proposal is suitably located within an existing industrial site or on land which is permitted or allocated for industrial or similarly related development; or an area of land which has already been disturbed by development;
2. the proposal is suitably located in relation to the existing network of treatment and disposal sites and to the areas of waste arisings, and
3. the proposal will not give rise to unacceptable impact on local communities or the environment.

WDC 5: Proposals for waste management facilities will not be permitted if they would cause adverse environmental impacts.

WDC 6: Where mineral reserves remain in a site proposed for waste management facilities, permission will not be granted for the waste development unless it can be demonstrated that there is no existing or future need for the mineral or unless the mineral is extracted prior to waste disposal

WDC 7: MEPA will require applications for waste disposal to be accompanied by proposals for high quality restoration and landscaping of the site within a reasonable timescale.

#### 4. CONSULTATIONS:

A broad consultation exercise was carried out. The following is a summary of the consultations carried out during the process of the planning application while Section 5.1 includes the list of consultations carried out during the EIA process.

**Table 4/1: Summary of consultations:**

Consultee	Date sent	Red No.	Reply date	Red No.	General comments
MRA(Energy)	04/05/05	30			No reply.
MRA(Water)	04/05/05	30	08/06/05	34	Referred a copy of the comments made through the process of the EIA.
MRA(Minerals)	04/05/05	30	18/05/05	33	Requested a copy of the EIA.
			15/07/05	41	No objection.
Public Health Dept.	04/05/05	30	20/06/05	38	Requested an extension of time.
			02/11/05	50	No objection.
Agriculture Dept.	04/05/05	30			No reply.
ADT	05/05/05	31			

#### 5. EIA REPORT:

(This following summary report has been prepared by the Environment Protection Directorate of MEPA).

MEPA requested applicant to prepare an Environmental Planning Statement (EPS) in accordance with Section 2.7.2.1, Category II, Schedule I of the EIA Regulations, 2001. As part of the full development application, proposal would require an environmental permit.

The Terms of Reference were drawn up by MEPA and are summarised as follows:

- A description of the proposed development including a justification for the proposal, a description of the physical characteristics and features of the project including constructional and operational features of the project and consideration of alternatives;
- A description of the proposed site and its surroundings with a focus on:
  - Land use;
  - Ecology;
  - Soil cover, agricultural quality and produce;
  - Geology (including palaeontology and geomorphology);
  - Landscape and topography;
  - Water and hydrological features;
  - Existing air quality and micro-meteorology of the area;
  - Archaeological sites and historical/cultural features;
  - Public access;
  - Existing infrastructure available on site;
  - Land contamination;
- A discussion on relevant legislation, planning policy and international policies;
- Assessment of environmental impacts and risks of the proposed development; and
- Design of mitigation measures including a monitoring and landscape proposal.

The EPS was prepared by SLR Consulting Limited in association with AIS Environmental Limited.

#### 1. **EIA Consultation**

As part of the EIA process, consultation with various consultees was carried out during the scoping and the reviewing stages.

The following entities were consulted, between 20<sup>th</sup> August 2002

and 12<sup>th</sup> September 2002, during the scoping stage for the preparation of the Terms of Reference:

- Xewkija Local Council;
- Ghajnsielem Local Council;
- Department of Public Health;
- Malta Resources Authority;
- Department of Agriculture; and
- Malta Maritime Authority.

Submissions were received from the Ghajnsielem Local Council. Late submissions were received from the Department of Agriculture and the Department of Public Health.

The PDS included a site selection exercise. Following objections from residents and the Government regarding the consideration of the Ta'Brieghen site in the EIA together with the Tal-Kus site, the TOR were later (in November 2002) amended prescribing studies to be carried out solely on the Tal-Kus site. All consultees were informed of this change. In February 2003, the TOR were again amended to provide more specific TOR with respect to traffic and noise impacts, following such a request from the Ministry for Resources and Infrastructure. All consultees were informed of the amendments.

Despite the focus of the TOR on a preferred site, the EIA consultants carried out an 'audit of the initial site selection exercise. Three sites were considered, namely at, Tal-Imghajjen, Ta' Brieghen and Tal-Kus, Ta' Lambert. The ASA concluded that the Tal-Kus site was the preferred site.

The Alternative Site Assessment (ASA) was submitted to MEPA on 1<sup>st</sup> December 2003 and circulated for comments to the same consultees listed above, on 15<sup>th</sup> December 2003.

Comments on the ASA were received from the Xewkija Local Council, the Malta Resources Authority, the Ghajnsielem Local Council and the Department of Agriculture. A late submission was received from the Department of Public Health.

Within the EPD and PD, the preferred site was the site at Ta' Brieghen. It was decided that the officers concerned would seek guidance from the MEPA Board as to which site should be subjected to an EIA. On 12<sup>th</sup> February 2004, the MEPA Board decided that the Tal-Kus site was the preferred site.

Following the outcome of the Alternative Site Assessment (ASA), the EPS was carried out on the preferred site, that is, the Tal-Kus site. The first draft EPS was circulated, for review, to the following consultees:

- Department of Agriculture (received copy on 02/07/04);
- Department of Public Health (received copy on 02/07/04);
- Malta Maritime Authority (received copy on 02/07/04);
- Malta Resources Authority (received copy on 02/07/04);
- Ministry for Gozo (received copy on 05/07/04);
- Xewkija Local Council (05/07/04); and
- Ghajnsielem Local Council (05/07/04).

The deadline for submissions was 6<sup>th</sup> August 2004. The following comments were received:

#### Xewkija Local Council

The Xewkija Local Council submitted comments on the 6<sup>th</sup> August 2004. The Xewkija Local Council objected to the conclusions of the ASA and stated that the Tal-Kus site was the least preferable site according to the criteria used in the site selection exercise. The Xewkija Local Council commented on the following:

- Interpretation of relevant policies in the context of the project;
- Land use assessment;
- Landscape and Visual Assessment;
- Ecology Assessment;
- Agriculture and Soils Assessment;
- Vermin and pests;
- Services required for the development;
- Surface water management;
- Access road; and
- Difference in approach i.e. no coordinated assessment.

Late comments were received from MRA (on 20<sup>th</sup> September 2004) and the Department of Public Health (on 2<sup>nd</sup> September 2004).

The comments made by MEPA and its consultees during the review stage were forwarded to the EIA consultants and the applicant on 19<sup>th</sup> August 2004. These comments were addressed and a second draft of the EPS was prepared and submitted to MEPA on 13<sup>th</sup> October 2004. MEPA had further comments to make on the second draft of the EPS (sent on 20<sup>th</sup> December 2004) and an addendum was submitted on 20<sup>th</sup> September 2005 to address

the outstanding issues.

## **5.2. DEMAND AND ALTERNATIVES**

Chapter 4 of the EPS considers the need and alternatives in relation to this development proposal.

In recent years all municipal and industrial waste from Gozo was deposited at the Il-Qortin ta' Ghajn Damma landfill which was not operated on a containment basis.

### **5.2.1 Alternative Methods for Managing Waste**

During the preparation of the Solid Waste Management Strategy in the early 1990s two alternatives were considered for the management of waste on Gozo:

1. The construction of a modern containment landfill on Gozo,  
or
2. The transportation of waste to treatment plants and/or new landfill site.

At the time, two arguments were made against the first proposal. Firstly, Gozo is an important tourist destination and it was thought that the construction of a landfill could detract from its tourist value. Secondly, there were technical difficulties in finding a suitable location and high costs are involved in constructing a landfill for such a small volume of waste.

Since that time, the implementation of the Landfill Directive, which requires the diversion of biodegradable municipal waste from landfill, has provided further support for the waste transfer option. Where waste is to be treated on Gozo it would require the construction of additional buildings/facilities in addition to the construction of a non-inert landfill.

The Solid Waste Management Strategy supports the development of a waste transfer station.

### **5.2.2 Alternative Locations**

The process of selecting a suitable site for a new waste transfer facility began in the early 1990s. The ASA states that in 1995 further selection studies were undertaken with 10 sites identified and assessed. Evaluation of the sites against a set of determining criteria resulted in the landfill site at Il-Qortin being selected as the preferred location. During the preparation of the Solid Waste

Management Strategy and, more recently, with the development of the Gozo and Comino Local Plan, the Il-Qortin site was no longer considered suitable to accommodate the waste transfer facility. Three further potential sites were subsequently identified for consideration and were described in the PDS and the ASA. The following sites were considered:

- Ta' I-Imghajjen, located between Victoria and Xewkija;
- Ta' Brieghen, located to the west of Ghajnsielem; and
- Tal-Kus, Ta' Lambert, located to the south-east of Xewkija.

The following table provides a summary of the conclusions reached in the ASA:

<b>Criterion</b>	<b>Ta' I-Imghajjen</b>	<b>Ta' Brieghen</b>	<b>Tal-Kus</b>
<b>Size of site</b>	Adequate	Preferred	Inadequate
<b>Proximity to waste</b>	Preferred	Adequate	Remote
<b>Accessibility</b>	Excellent access	Adequate access	Poor access
<b>Physical constraints</b>	Minimal constraints	No constraints	Significant constraints
<b>Surface water</b>	Minimal concerns	Minimal concerns	Some concerns over need for pumping
<b>Groundwater</b>	Within protection zone	Within protection zone	Within protection zone
<b>Landscape</b>	High potential impact	High potential impact	Minimal impact
<b>Visual impact</b>	High impact	High impact	Limited impact
<b>Nature conservation</b>	Low impact	Low impact	Potentially high impact
<b>Heritage</b>	Low impact	Low impact	Low impact
<b>Sensitive receptors</b>	High impact	Moderate impact	Low impact
<b>Traffic and proximity to road network</b>	Good access, low traffic impact	Reasonable access, moderate traffic impact	Remote, poor site access from road network
<b>Agriculture</b>	Moderate to high impact	Moderate impact	Low impact
<b>Economic and</b>	Moderate impact	Moderate impact	Low impact

<b>social impact</b>			
<b>Beneficial restoration</b>	No benefits	Moderate benefits	Significant benefits
<b>Policy conflict</b>	No policy conflict	Significant areas of potential conflict	Some areas of potential conflict

The decision to carry out the EIA on the Tal-Kus site is described in Section 2 of this report.

### **5.3 PLANNING, POLICIES AND LEGISLATION**

The EPS discusses relevant international and national legislation as well as Maltese planning policy in connection with this project proposal. These are listed below.

#### European Union Directives and Guidance

- Landfill Directive 99/31/EEC.
- Waste Framework Directive 75/442/EEC as amended by 91/156/EEC and 91/962/EEC.

#### **National Policies, Strategies and Plans**

- Waste management policy for the Maltese Islands (1998).

Solid waste management strategy for the Maltese Islands (2001).

Waste management subject plan for the Maltese Islands (2001).

Structure Plan for the Maltese Islands (1990-2010).

Gozo and Comino Local Plan (2001).

### **5.4 PROPOSED SITE AND SURROUNDINGS**

The site is located in the south-east of Gozo, in an area known as Tal-Kus, approximately 1km south-east of Xewkija close to the south-east coast of Gozo.

The site is remote from settlements. The small coastal settlement of

Mgarr ix-Xini is located around 400m to the south east of the site. The outskirts of Ghajnsielem are located on the main road from the port to Victoria, approximately 1km to the north-east of the site, and a small group of properties, close to the outskirts of Xewkija are located a minimum of around 500m to the northwest. The Gozo heliport is located approximately 400m to the north-east of the site, with the main access to the site running past the Heliport. Close to the southern boundary of the site lies the Wied ta' Mgarr ix-Xini, which is a steep sided valley with exposed rock cliffs along its length. Between the site and the valley there is an area of natural garrigue type habitat. In the immediate vicinity of the disused quarry the garrigue has been disturbed by tipping. To the west of the proposed development, at a distance of over 100m from the boundary of the disused quarry, lies an animal rearing unit.

Around 170m to the north west of the disused quarry, and adjacent to the proposed access road, lies another livestock farm.

Agricultural land can be found to the north-west of the site.

Agricultural fields lie to the north of the site. Immediately to the north-east of the development site is a large irregularly shaped agricultural field. Part of this field lies within the development site. Further to the north-east lie further areas of agricultural land.

To the immediate east of the site lies an area of former natural habitat where waste has been fly-tipped. To the east of the area tipped with waste, lie cliff faces associated with Wied ta' Mgarr ix-Xini. Beyond the cliff, at a significantly lower elevation, lies further agricultural land. Several residential properties are located within this agricultural land, with the closest property being located around 280m from the development site.

The development site covers an area of around 1 hectare comprising a disused quarry and access track, adjacent tipped ground which has partially regenerated, and part of an agricultural field. The topography of the site is relatively flat. The southern end of the development site is occupied by a disused quarry. The quarry has an access ramp at its northern extremity and is up to 15m deep. It has irregular sub-vertical quarry faces around its western and southern boundaries, although recent infilling appears to have taken place along the southern quarry face. Immediately surrounding the quarry there are several areas where quarry waste or other waste has been deposited. The westernmost extremity of the development site is occupied by the existing unsurfaced single track access between the quarry and Triq tas-Salvatur.

### **Archaeology and Cultural Heritage**

A site investigation was carried out comprising a site walkover survey and desk top assessment.

The archaeology and cultural heritage features identified within 500m of the site include:

- Major engineering works dating to the closing years on the 19<sup>th</sup> century, built by the British Colonial Government and includes an underground pumping station at Ta' Cenc to the south-west of the site, a water pipeline consisting of a rock-hewn trench measuring some 50cm wide, linking the said pumping station with a reservoir at Nadur reservoir. This pipeline intersects the quarry workings in the south-western corner.
- A number of vernacular structures including rubble walls and agricultural stores;
- Cart tracks;
- Santa Cecilja chapel;
- Santa Cecilja tower;
- Ghar ix-Xih troglodithic remains; and
- Rock cut pans.

Drawing TK 6/1 in the EPS shows the location of these features in relation to the proposed development site.

### **Geology**

The geological formation consists of Lower Coralline Limestone, the underlying succession from the surface down consists of the Xlendi, Attard and Maghlaq members respectively.

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## **GRANT - subject to the following conditions:**

1)

No work shall commence on site until full development permission has been granted for the development. The following reserved matters still require approval by the Malta Environment & Planning Authority as part of a full development permit application:

design and layout;

external appearance of the proposed building including materials and colours;

security measures, and site boundaries;

detailed of access from Triq l-Imgarr to the site;

any uprooting of protected species; and

proposed landscaping of the site.

Details of these reserved matters should be submitted for the approval of the Malta Environment & Planning Authority within five years of the date of this permission, that is by \*\*\*\*\*.

2)

The full development permission will be subject to a planning obligation to secure environmental improvements and a bank guarantee to secure adherence to permit conditions and monitoring requirements.

3)

All operations, as described in the EIA, permitted by this outline development permission, are subject to an environmental permit. The environmental permit shall address all mitigation measures outlined in the certified EPS and any other relevant issues. The applicant shall in submitting detailed proposals for environmental permit, demonstrate that the operations of the plant will be carried out in an environmentally sustainable manner, through efficient use of energy and water resources. The environmental permit shall also require that the site is managed by suitably qualified person, (site manager) having a certificate of competence from a recognised institution.

4)

The following traffic management details shall be submitted as part of the Full Development Application:

- Designs for the upgrading of the junction with Triq L-Imgarr;
- Designs and upgrading of the site access;
- Full parking provision and parking details indicating bay boundaries as well as circulation and manoeuvring space.
- Design and details of haul roads inside the development.
- A routing agreement.

All the above requirements will be subject to the approval of the Malta Transport Authority.

5)

A detailed landscaping plan must be submitted with the Full Development Permit Application showing:

- any existing soft landscaping;
- landscaping to be retained;
- proposals for the retention and incorporation of any existing dry stone walls;
- new planting (with species and numbers);
- any earth mounding;
- hard landscaping (including roads, footpaths and other areas);
- all fencing and walling;
- any street furniture;
- soft and hard ground cover;

and proposals for landscape maintenance.

6)

A detailed lighting scheme shall be submitted with the full development application. All lighting shall be of low level design to minimise light emissions. Lighting shall be sited below the eaves of the buildings. Full lighting shall be only required during the early morning and late evenings periods during winter. Only limited lighting shall be provided for security purposes at night-time and should be intruder-triggered lighting rather than continuous lighting. All lights shall be directional in order to minimize light spill, glare and sky glow, and shall be aligned to ensure that the upper limit of the main beam does not exceed 90 degrees from its downward vertical.

7)

A Construction Management Plan shall be submitted with the Full Development Permission Application. It shall show:

- all construction access points;
- storage areas for materials and plant;
- a construction programme, including details of the timing and phasing of the development taking account of any existing plant operations;
- how demolition, excavation and development is to be carried out;
- protection measures for retained buildings, structures and landscapes;
- protection measures for the safety of pedestrians/vehicles;
- the location of disposal sites for material from demolition and excavation, and the means and routing of transport to disposal sites;

- a traffic management scheme for the area affected by the development and the construction traffic;
- control of emissions during site works;

and a contingency plan for any accidental situation that may arise on site during construction.

8)

The Full Development Permit application should also include a plan showing:

- the layout of all utilities (Scale 1:500), including connections to public networks,
- any proposed sub-stations and plant rooms,
- location of all pumping facilities,
- water tank/reservoir (including rainwater collection facilities),
- cesspits and proposals for all waste disposal.

Information must be provided on estimated peak demand for water, power, and drainage (including requirements for landscaping). The utility proposals must demonstrate how these requirements are to be satisfied and comply with the Final Sewerage Master Plan. Undergrounding of all utilities is an essential requirement, with tunnelling as the preferred method.

9)

a) It should be noted that a third party may have the right of appeal against this permission. This permission may be revoked by the Planning Appeals Board or quashed by the Court of Appeal.

b) This outline development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

c) This permission is subject to any other approval or clearance which may be required from other Government entities.

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