

CIRCULAR PA 7/97

THE PLANNING FACTBOOK VOLUME 2 NEW PROCEDURES NEW POLICIES

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INTRODUCTION

This Circular introduces the second volume of the Planning Factbook and two new policy documents. It also covers a number of procedural matters, including making a response to the DPA report on applications and how the Authority will deal with this response. Finally it gives details on the Christmas shutdown.

1 THE PLANNING FACTBOOK VOL. 2

- 1.1 The first supplement to the Planning Factbook is now available from the Mapping Shop. It is free to subscribers. **The first volume of the Planning Factbook is still available at a cost of Lm 25, with a annual subscription to the supplements of Lm 15.**
- 1.2 Volume 2 consists of about 250 pages in a second ring binder and includes the following new or amended legislation

- Development Planning Act 1992 as amended by Act No. XXIII of 1997 which came into effect on 12 August 1997
- Building Levy Rates Regulations 1996 as amended by Building Levy Rates (Amendment) Regulations 1997 (Legal Notice 138 of 1997)
- General Development (No. 2) Order 1997 which replaces the GDO published on 14 July 1997
- Instrument of Delegation (G.N. 597 of 1997) - delegation of powers in connection with Scheme Amendments and Changes in Alignment Order, 1997 (L N 76 of 1997)

1.3 It also contains

- the new policy paper on Golf Course Development in Malta
- an up-dated list of scheduled property and Urban Conservation Areas. Plans of these have also been added

1.4 New subscribers are invited to purchase this comprehensive guide to planning legislation, policies and procedures. The Factbook as a whole includes

- Planning Authority services and telephone index
- the Development Planning Act and all subsidiary legislation
- all the policies officially adopted by the Authority (although not the Structure Plan or Local Plans)
- a guide to the stages in the planning process
- all Scheduled Property and designated Urban Conservation Areas with site plans

2 RESPONDING TO THE DPA REPORT

2.1 The DPA report is now sent to the architect/applicant prior to the determination of an application. When the recommendation is for refusal or for approval with special conditions, a period of 30 days is allowed for the architect/applicant to make comments on the report.

2.2 In a number of cases the Authority does not receive any comments or indication that no comments are to be made. This means that the full 30 day period has to expire before the application can be determined. Even if you have no comments to make on the report, it would be appreciated if architects could send a confirmation of this in writing as soon as possible so that applications can be determined.

3 THE PROCEDURE ON RECEIPT OF A RESPONSE TO A DPA REPORT

- 3.1 The procedure on receipt of a response to the DPA report has been further clarified. The case officer will, for the benefit of the DCC/PA, point out any errors of fact, indicate where policies/plans have been misconstrued and/or clarify any issue(s) made in the submission which would otherwise make it necessary for the DCC/PA to refer the case back to the case officer for clarification.
- 3.2 The case officer will not, however, summarise the submission in the report. The applicant's submission will be photocopied in full and attached to the DPA report for inclusion in the agenda. The DCC/PA will take note of the submission during the discussion of the application.

4 OBJECTIONS TO APPLICATIONS

- 4.1 Where objectors submitted a request to be present before 12th August 1997 (the date on which the Development Planning (Amendment) Act 1997 came into force and introduced new procedures) they are informed in writing that although they cannot make verbal submissions, they can submit a written statement within 15 days.

5 ACCESS TO APPLICATIONS IN THE PLANNING REGISTER

- 5.1 Para 11.2 of Circular 4/97 indicated that for an architect to see the detailed plans submitted with an application (i.e. all plans except the site plan) he/she must present a written declaration of his/her interest in seeing the plans.
- 5.2 This has now changed, in that only a simple letter stating that the architect wishes to see the plans is required. The architect's particular interest does not need to be stated.

6 NEW POLICIES

Golf Course Development In Malta - A Policy Paper

- 6.1 The policy paper Golf Course Development in Malta was approved by the Planning Authority Board on 31st July 1997.
- 6.2 This policy paper seeks to reconcile market interest in golf course development with effective and responsible planning of the use of Malta's environmental and social resources. It provides guidelines for selecting the most appropriate and suitable sites to achieve positive environmental benefits and minimise adverse impacts, and establishes criteria for assessing proposals.

- 6.3 The paper considers the current Structure Plan policy context, and examines the positive and negative impacts of golf courses. It goes on to set out a series of policy guidelines on location; size; the need for environmental and social impact assessments and cost benefit analysis; ancillary facilities (such as a 'country club' style centre, driving range and other development); etc.

The Yachting Subject Study

- 6.4 The Yachting Subject Study was formally approved by the Planning Authority on 6th November 1997. For those wishing to purchase the Study, a photocopy of the full study (3 volumes - Stage 1 and 2) is available at a cost of Lm 40, whilst the printed Summary costs Lm 8.
- 6.5 The Study, which was prepared by Deloitte & Touche Consulting Group for the Planning Authority and the Malta Maritime Authority, considers the needs of the yachting industry and draws up a national strategy for the development of harbours and facilities for yachts and boats.
- 6.6 Within the next ten years the number of summer visitors coming to Malta by yacht could be doubled, as the current level of visitors is constrained by the unavailability of berths. The island is also well placed to attract wintering yachts. A further 900 marina berths and approximately 450 hard standing places are estimated to be required to meet a sustainable level of demand over this period.
- 6.7 The development of a new yacht marina of an international standard will require considerable investment. However, it will generate significant economic benefits, doubling the income of the industry to Lm 10.2 million annually and stimulating a growth to over 1,000 in the full time jobs supported by the industry.
- 6.8 The study identifies Dockyard Creek, Lazaretto Creek in Marsamxett Harbour, Kalkara Creek and Xemxija as sites for further investigation for a major marina. Sites for a boat yard and hardstanding facilities were identified at French Creek, Rinella Creek and the Malta Hydrofoil site in Marsaxlokk.
- 6.9 The conclusions of this Subject Study will provide the basis for yachting development and will provide the direction on this issue for the Structure Plan Review.

7 CHRISTMAS SHUTDOWN

- 7.1 The Planning Authority's offices will be closed for the Christmas shutdown between 23rd December 1997 and 1st January 1998 (both dates inclusive). However, during this period the Planning Shop (but not the Mapping Shop) will be open between 8.00 am and 11.00 am on 23rd, 24th, 26th, 29th, 30th and 31st December for the receipt of applications etc. Only a limited service can be offered during this period. In addition the offices will only be open in the morning on Monday 22nd December

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