L.N. 521 of 2010

ENVIRONMENT AND DEVELOPMENT PLANNING ACT (CAP. 504)

Environment and Planning Commission (Types of Applications) Regulations, 2010

BY VIRTUE of the powers conferred by article 61 of the Environment and Development Planning Act, the Prime Minister, after having consulted the Malta Environment and Planning Authority, has made the following regulations:

Title and commencement.

1. (1) The title of these regulations is the Environment and Planning Commission (Types of Applications) Regulations, 2010.

(2) These regulations shall come into force on the 14th December, 2010.

Types of applications to be dealt with by the Divisions of the Environment and Planning Commission.

2. (1) Divisions A and B of the Environment and Planning Commission shall deal with different types of development permission applications as specified in sub-regulations (2) and (3) of this regulation.

(2) Division A of the Environment and Planning Commission shall deal with the following types of development permission applications:

(a) hotels, including extensions and additions;

(b) sports and entertainment projects with a seating capacity for more than 200 persons;

(c) commercial projects with minimum site area of 750m2 and with total floor space area of not less than 3,000m2 ;

(d) any industrial use or warehousing with a minimum site area of 1,000m2 and with total minimum floor space area of not less than 4, 000m2;

(e) hospitals;

(f) schools, including extensions and additions to such schools;

(g) waste, disposal, sewage treatment and recycling plants;

(h) residential projects which form part of one complex having not less than 30 residential units and social or public housing projects;

(i) projects which fall within a development brief area or within an area identified by a local plan for the preparation of a development brief;

(j) aviation and maritime projects;

(k) harbour works;

(l) infrastructure and utilities projects;

(m) public transport facilities and traffic management schemes;

(n) public health projects;

(o) embellishment of public areas;

(p) community centres;

(q) public education facilities;

(r) old people's homes and caring institutions:

(s) places of public worship:

(t) large scale distribution centres;

(u) public museums;

(v) telecommunication facilities;

(w) development proposed to be located outside development zones;

(x) development proposed to be located in a white area

which, although being located within a development zone, has no specific designation for development;

(y) development proposed to be located in an area regulated by villa zoning and conditions or within a design priority area;

(z) development proposed to be located in an area regulated by bungalow zoning and conditions;

(aa) development proposed within an urban conservation area boundary, or village core boundary;

(bb) other development permission applications which are not covered by any of the developments listed in sub-regulation (3) of this regulation;

(cc) applications submitted in accordance with the provisions of article 28 of the Development Planning Act or article 59 of the Environment and Development Planning Act. Cap. 356.

(3) Except for development proposed within an urban conservation area boundary or village core boundary, or listed in any of the developments described in sub-regulation (2) of this regulation, Division B of the Environment and Planning Commission shall deal with the following types of development permission applications:

(a) development located within an existing built up area or affecting an existing building located within a development zone boundary;

(b) development proposed to be located within terraced house zoning; and

(c) development in home ownership schemes.

3. The Development Control Commission (Types of Applications) Regulations, 2002 are hereby revoked. Revokes L.N. 86 of 2002.

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