

L.N. 158 of 2013

ENVIRONMENT AND DEVELOPMENT PLANNING ACT**(CAP. 504)****Development Planning (Procedure for Applications and their Determination)
(Amendment) Regulations, 2013**

IN EXERCISE of the powers conferred by articles 60 and 61 of the Environment and Development Planning Act, the Parliamentary Secretary for Planning and Simplification of Administrative Processes and the Minister for Sustainable Development, the Environment and Climate Change, after consultation with the Malta Environment and Planning Authority have made the following regulations:-

Title and
applicability.

L.N. 514 of
2010.

1. (1) The title of these regulations is the Development Planning (Procedure for Applications and their Determination) (Amendment) Regulations, 2013, and these regulations shall be read and construed as one with the Development Planning (Procedure for Applications and their Determination) Regulations, 2010, hereinafter referred to as “the principal regulations”.

(2) (a) The provisions of regulations 2 (a) and 4 of these regulations shall apply to any development permission granted on or after 3rd August, 2006.

(b) The provisions of regulations 2 (b) and 3 shall apply to any pending applications.

Amends
regulation 2 of
the principal
regulations.

2. In regulation 2 of the principal regulations:

(a) there shall be inserted the following new definition after the definition “material change”:

“ “ outline development permission” means a permission issued after the submission of an outline application, in which one or more of the specified matters are reserved for further submission and approval;”

“outline development permission”:

(b) there shall be inserted the following new definition after the new definition “outline development permission”:

“ “Parliamentary Secretary” means the Parliamentary Secretary for Planning and Simplification of Administrative Processes;”

Amends regulation 9 to the principle regulations .

3. Regulation 9 of the principle regulations shall be amended by substituting sub-regulation (2) thereof with the following new sub-regulation:

“ (2) (a) Unless otherwise provided for in the Act or in these regulations, and except as provided for in the procedure mentioned in paragraphs (b), (c) and (d) of this sub-regulation, the terms established in sub-regulation (1) hereof shall not be suspended,

(b) Whenever the Parliamentary Secretary communicates to the Authority that a particular policy is being revised, the perit and applicant of any application, which in the opinion of the Authority, may be affected by such a policy, shall be notified of the pending revision of such policy.

(c) The Authority shall suspend an application as provided in paragraph (d) of this sub-regulation, on the request of a perit or applicant who are notified in terms of paragraph (b) of this sub-regulation, after the perit or applicant receive the report mentioned in sub-regulation (4) of regulation 8.

(d) The suspension mentioned in paragraph (c) of this sub-regulation shall remain in force until the policy to be revised comes into force or unless the perit or applicant withdraws the request for suspension. Such suspension shall however in no case be extended for a period of more than one calendar year.”

Adds regulation 15 to the principle regulations .

4. Immediately after regulation 14 thereof of the principle regulations, there shall be added the following new regulation:

“Automatic renewal of permits up till 31st March, 2014.

15. Any development permission, other than an outline development permission, that was approved on or after 3rd August, 2006, which has expired before the coming into force of these regulations or which would have otherwise expired before 31st March, 2014, shall be automatically operative until 31st March, 2014.”

