

Partial Local Plan Review of the South Malta Local Plan (Marsa Industrial Area Policy SMMR 01) and Central Malta Local Plan (Imriehel Industrial Area Policy CG14 as amended by PC57/10 of 2012)

Public Consultation Draft



December 2020

Contents

1.0	Introduction and Scope.....	3
2.0	Proposed Objectives	6
3.0	Public Consultation on Objectives	6
4.0	Current Strategic and Local Planning Policy Framework	8
	South Malta Local Plan, 2006.....	8
	Central Malta Local Plan as amended by PC57/10 in 2012.....	11
	Strategic Plan for the Environment and Development, 2015	21
	Major Accident Hazards and Hazardous Substances, 2020	23
5.0	Amended Policies for Public Consultation.....	23
	South Malta Local Plan, 2006.....	23
	Central Malta Local Plan as amended by PC57/10 in 2012.....	25
6.0	Way Forward.....	31
	APPENDIX 1: Phase 1 Public Consultation Responses on Objectives	32

1.0 Introduction and Scope

- 1.1** Government has recently approved the industrial infrastructure enhancement programme and the updating of the Planning Authority's development regulations specific to Malta Industrial Park is amongst the measures identified to support the programme going forward successfully specifically the revision of the established building height limitations for MIP estates.
- 1.2** In this regard, Government directed the Planning Authority to prepare a partial review of the South Malta Local Plan (SMLP) policy SMMR 1 which requires that buildings within the Marsa Industrial Estate boundary do not exceed three floors (12 meters) and the Central Malta Local Plan (CMLP) policy CG14, as amended by planning control application PC57/10 of 2012, which requires that within the MIP Estate (Area A) development would not in general exceed a height of 14 meters.
- 1.3** The objectives of this Partial Review are to repeal the current numerical building height limitations set by SMLP policy SMMR 1 and CMLP policy CG14 and introduce non-numeric, urban design policies to guide the assessment of building heights in the Marsa Industrial Estate (Figure 1) and MIP Estate in Imrieħel (Figure 2).
- 1.4** Any reference in this document to Malta Industrial Parks (MIP) shall be construed to refer also to INDIS Malta.

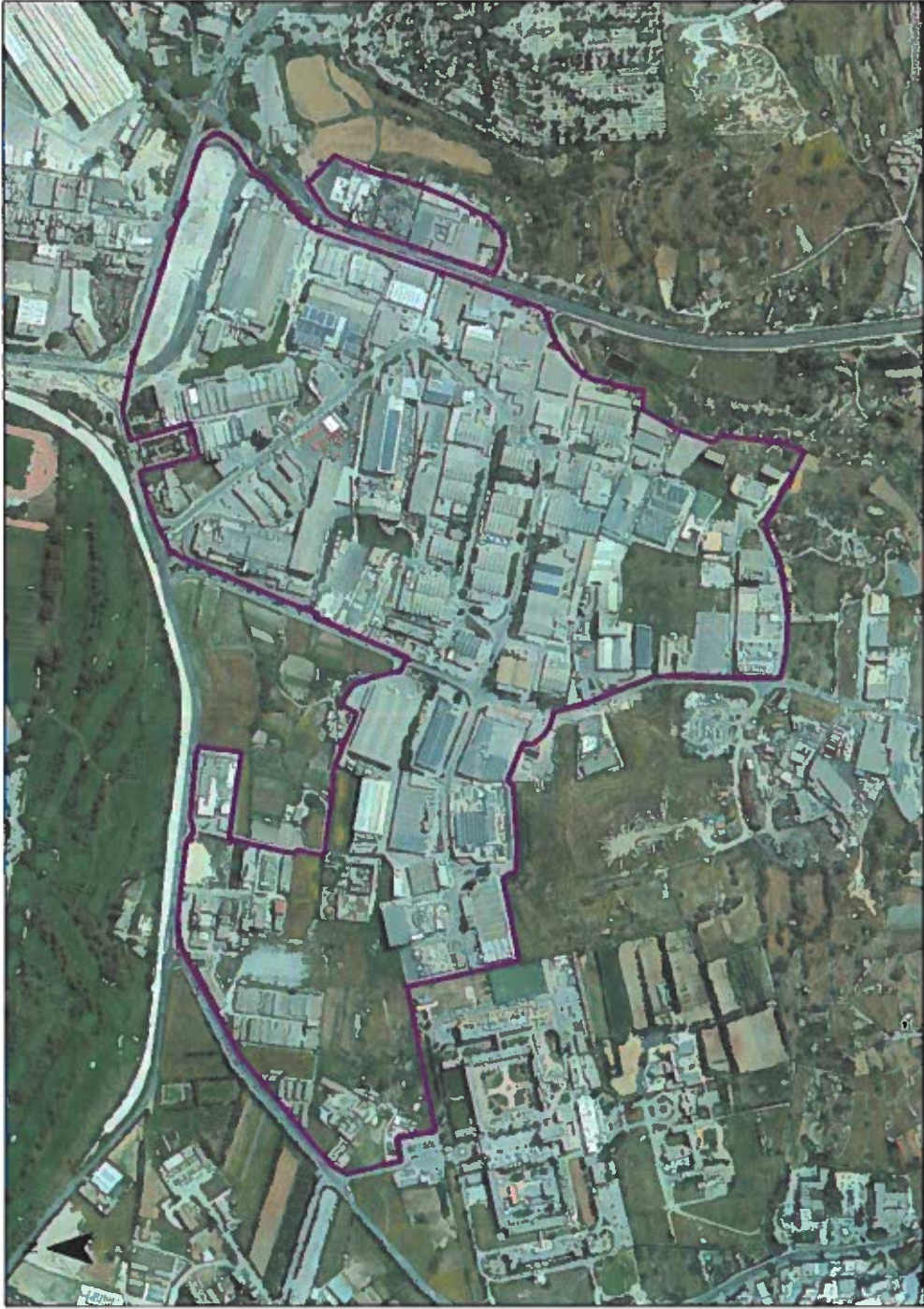


Figure 1: Marsa Industrial Estate



Figure 2: L-Imriehel MIP Estate (Area A)

2.0 Proposed Objectives

2.1 The Authority has initiated the process to prepare a partial review of the South Malta Local Plan policy SMMR 1 and the Central Malta Local Plan policy CG14, as amended by planning control application PC57/10 of 2012, with the following objectives:

- a. To repeal the building height limitation of three floors (12m) from the Marsa Industrial Estate;**
- b. To repeal the building height limitation of 14m from the Malta Industrial Parks Estate (Area A) in Imrieħel;**
- c. To introduce non-numeric, urban design policies to guide the assessment of building heights in Marsa Industrial Estate and MIP Estate in Imrieħel;**
- d. To amend any other provisions in policies SMMR 01 and CG 14 which run counter to objectives (a) to (c) above.**

3.0 Public Consultation on Objectives

3.1 This review follows the provisions of Section 53 of the Development Planning Act VIII of 2016.

3.2 In line with Section 53(2)(a), the objectives for this review, as set out by Government, have been issued for a public consultation period of not less than three (3) weeks, whereby the general public was invited to make presentations on these objectives. The public consultation was carried out between the 9th October and the 30th October, 2020.

3.3 Public comments on the objectives have been presented to the Planning Authority through thirteen (13) submissions as summarised in Appendix 1 Public Consultation Responses on Objectives together with the response of the Planning Authority respectively.

3.4 The submissions received mainly highlighted the following issues:

Changes to the height limitations are to be addressed comprehensively in relation to context including site coverage and public open spaces, accessibility and transport, infrastructure and other issues as relevant through a masterplan based on the necessary studies particularly the analysis of the current requirement for industrial uses. Whilst the need for any projected increase in industrial floorspace can be met by the still remaining vacant land within designated industrial areas, it is noted that the need for office floorspace is expected to change in the short-term future, not least because of over-provision over recent years, but especially because of the lessons which we are learning from the current pandemic as well as the benefits of work at home provisions.

A masterplan would also consider the building height in a holistic manner to ensure a smooth transition along the skyline and long-distance views. It is recommended that the height of buildings should only be stepped up from the existing height of buildings at the edge of the area into consideration to moderately higher buildings at the centre of these sites, without resulting in significant visual impact on surrounding low-lying areas and distant rural views. The height and design of buildings should respect the surrounding settings, particularly protected heritage features (Grade 1 Santa Maria Addolorata Cemetery and Grade 1 Turkish Cemetery in Marsa and Grade 1 Wignacourt Aqueducts in Mriehel), so as to minimize visual impacts from abrupt high-density development. Moreover, it must be ensured that no extensive blank party walls are created by such increases in building heights.

The revision of building heights within Industrial Estates should also include provisions for the implementation of adequate green infrastructure and public open spaces and could also provide an opportunity to tie consents for increases in building heights with obligations relating to the installation of extensive PV panels on the roofs of buildings within these sites.

4.0 Current Strategic and Local Planning Policy Framework

South Malta Local Plan, 2006

- 4.1 South Malta Local Plan (SMLP) general policy SMCM 08 identifies the Marsa industrial area affected by this review and identifies the acceptable land uses within this estate. Area Policy SMMR 01, updates the Marsa Industrial Estate boundary as per Policy Map MR1 (figure 3) and allows for the development of an additional storey above ground floor level subject that the building does not exceed three floors (12 meters), in order to increase the floorspace for industrial purposes and a more efficient use of land as follows:

SMMR 01

Boundary Limits of Marsa Industrial Estate

The Limits of the Marsa Industrial Estate boundary are defined by the Temporary Provision Schemes, 1988. Amendment to the boundary is being recommended as indicated in the Marsa Industrial Estate Policy Map MR 1, to exclude an area which is considered of very good quality irrigated agricultural land.

The changes to the Limits to Development boundary of this area will only be formalized after the Structure Plan Review in line with SET 8.

Within this boundary the MEPA will only permit industrial and industrial related uses, including warehousing and storage.

In order to increase floorspace for industrial purposes and the efficient use of land, an additional storey above groundfloor level will be permitted where appropriate, however buildings should not exceed three floors (12 metres). The vertical height and bulk of buildings should have no adverse visual impact and measures to introduce landscaping within the site and other site management measures will be encouraged, particularly along Triq G. Garibaldi and along Triq il-Marsa.

The MEPA will seek to identify additional land for industrial use to make up for the land being proposed for exclusion. In the event of its failure to compensate for this land and Malta Industrial Park's new emerging requirements, MEPA will consider the gradual reinstatement of this land for industrial development on the basis of individual applications subject to the preparation of an Environmental Impact Assessment which would include a cost/benefit analysis.

31.4.1 The site being excluded covers a land area of approximately 61,700 m² and is considered as being good quality irrigated agricultural land. An application (PA 7505/94) was submitted in 1994 for the construction of a new factory for the General Soft Drinks Ltd. This application was recommended for refusal but then withdrawn by the applicant. The expropriation process for part of the site has been terminated in February 1997 by Government Notice No. 119. The MEPA will seek, together with the relevant authorities, to provide for such a shortfall in other designated areas, not necessarily within this Plan. However, should this not be possible in the short term, expansion of the existing estate, due to emerging economic factors, onto the site being excluded may be considered provided an EIA is carried out to determine the impacts relating to the proposed expansion. A cost/benefit analysis should also form part of the EIA.

31.4.2 Additional industrial floorspace can be provided for existing industries by allowing an additional floor above the ground floor level, where appropriate, provided that the two floors are not exceeded.

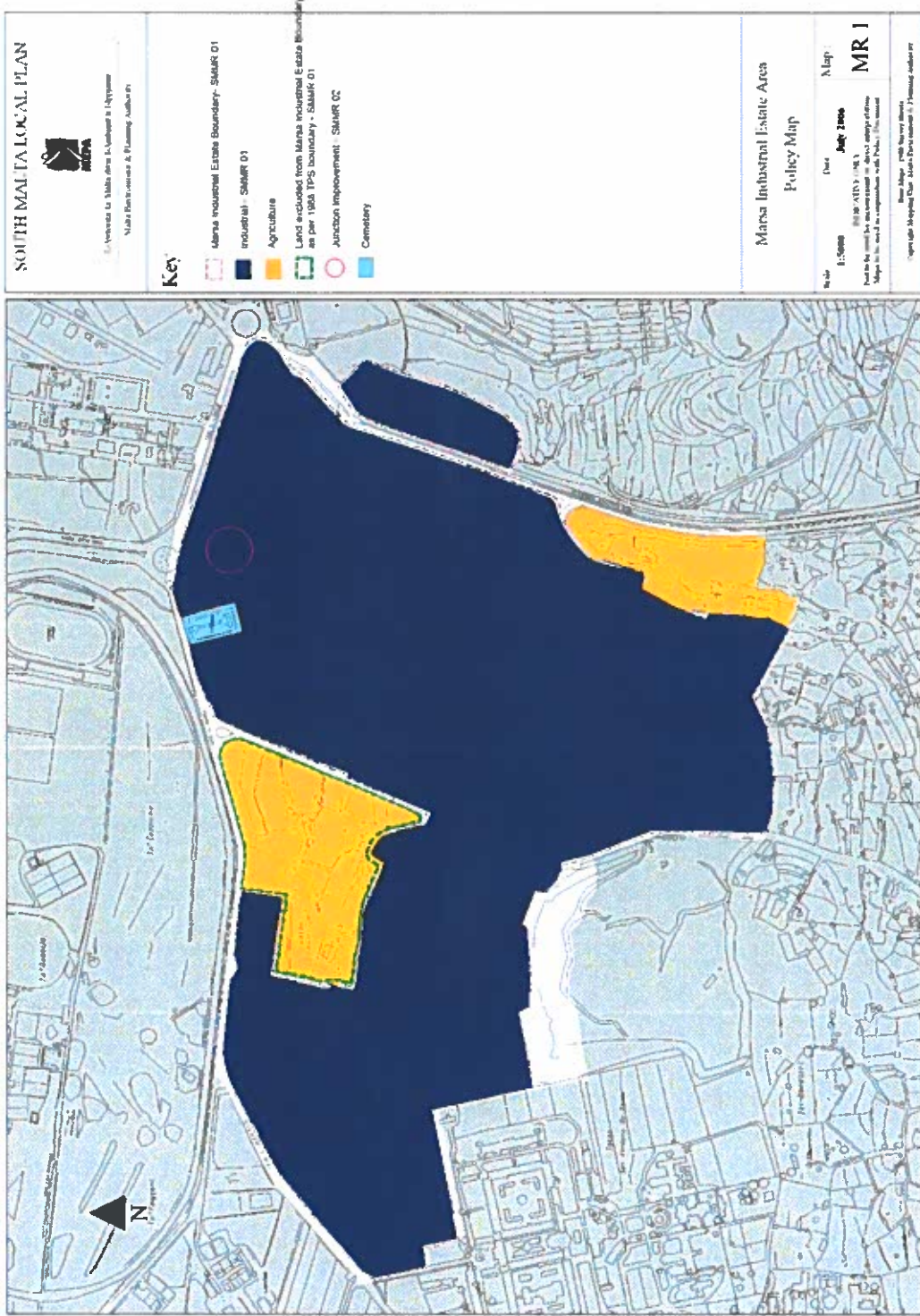


Figure 3: SMLP (2006) Marsa Industrial Area Policy Map

Central Malta Local Plan as amended by PC57/10 in 2012

- 4.2 Central Malta Local Plan Area (CMLP) Policy BK 04 Mriehel Industrial Area identifies that the Mriehel Industrial Area is designated as an industrial, warehousing, and commercial zone where development is permitted in accordance with the provisions of Policies CG14 and CG15 subject to the designations indicated in the Mriehel Industrial Area Policy Map. Policies BK 04 and CG 14 have been amended twice: in March 2009 through PC62/07 and PC07/08, and the second time in January 2012 by PC57/10. The current prevailing Policy BK 04 as amended by PC57/10 is as follows:

Policy BK04

Mriehel Industrial Area

Mriehel Industrial Area is designated as an industrial, warehousing, and commercial zone as indicated in Area Policy Map BKM2 (as amended in PC57/10). MEPA may permit the development of land in the Mriehel Industrial Area in accordance with the designations indicated in the Area Policy Map BKM2 (as amended in PC 57/10) for the following land uses;

- 1. MIP Estate and adjoining sites (Area A in PC 57/10); for the development of Industrial Uses as specified in Policy CG15 and Commercial Uses as specified in Policy CG14 (as amended in PC57/10);**
- 2. SME Park; for the development of Industrial Uses as specified in Policy CG15;**
- 3. Commercial Areas; for the development of land uses as specified in Policy CG14 (as amended in PC 57/10);**
- 4. Industrial and Commercial Area (Area B in PC 57/10); for the development of land uses as specified in Policies CG14 (as amended in PC 57/10) and CG15;**
- 5. Mixed Use Areas without Residential Units; for the development of land uses as specified in Policy Q004 (as amended by PC 62/07 and PC 7/08);**

6. MIP Estate Low Impact Industrial and Commercial Areas (Area A in PC 57/10); for the development of Industrial Uses as specified in Policy CG15 and Commercial Uses as specified in Policy CG14 (as amended in PC 57/10), provided that these do not create unnecessary impact which is not desirable to the neighbouring properties; and

7. A site for the provision of Waste Management Civic Amenity facilities and for an Electricity Substation.

Mriehel Industrial Area is an important and strategically located industrial zone catering particularly for the industrial needs of the Central localities and those within close vicinity to the Inner Harbour Area. Mriehel is partly in private ownership and partly managed by the MIP, and has some parcels of Government and ex-Church land. The industrial zone is approximately 454,400 sqm. in area, including internal roads and public spaces, and is situated between Mriehel Bypass and Triq l-Imdina.

The developed areas contain a wide range of uses including factories, retail, showrooms, offices, warehousing and small and medium sized industries. Mriehel has, as do most private industrial areas, problems of land fragmentation with parcels of land belonging to different owners as well as a number of derelict sites lacking landscaping and infrastructure. Dumping of waste including industrial waste and fly-tipping of rubbish are evident all over the estate, but especially in the still undeveloped spaces.

The area was designated in the Structure Plan (Policy IND 2) for the development of manufacturing industry. However, data for Mriehel indicates that between 1993- 1997, only 34% of permits were granted wholly or in part for industrial developments, whilst 45% were for warehousing and retail warehousing projects and 21% were for retail and office developments (SPU Data, May 2000). Substantial areas (approximately 66% of all permits between 1993-1997) have therefore been taken over by non-industrial uses.

The existing problems experienced at Mriehel are likely to intensify if the remaining land within these areas is developed solely in accordance with the TPS (1988). Furthermore, tenants may be

discouraged from locating at Mriehel if current problems persist. However, it is still possible to further develop this industrial area in an organised manner. Therefore, the aim of this policy is to clearly define the development requirements of all proposals on remaining undeveloped industrial sites through appropriate zoning, including the development of commercial uses where appropriate. Areas designated as mixed use areas are intended to act as buffer areas between existing residential areas and the Industrial zones of Mriehel. In addition, where the MIP Estate directly adjoins a residential area, new industrial and commercial activities at this interface may only be considered by PA provided that these do not create unnecessary impact which is not desirable to the neighbouring properties.

As part of the Government Waste Management Strategy, a site at Mriehel has been designated for a Civic Amenity Site to serve a number of central localities that are at present not catered for. In addition, this Amenity Site will also serve the existing Industrial Area thereby resolving problems of waste management in the area.

This Partial Review refers to MIP Estate and adjoining sites Area A in PC57/10 as indicated in Map PC57/10/01 of PC57/10 of 2012 (Figure 4) and Policy Map BKM 2 as amended by PC57/0 of 2012 (figure 5). In terms of policy BK 04, MIP Estate and adjoining sites (Area A in PC 57/10) are designated for the development of Industrial Uses as specified in Policy CG15 and Commercial Uses as specified in Policy CG14 (as amended in PC57/10). Building height provisions were also included in Policy CG14 through its amendment by PC57/10 in 2012 as follows:

Policy CG14	Commercial Areas
MEPA will permit the development of Commercial land uses within the designated Commercial Areas listed below and as indicated in the relevant Area Policy Maps.	
Location	Area Policy Map
Triq in-Naxxar and Triq Wied Hal-Balzan, Balzan	BZM1
Triq il-Wied ta' l-Imsida, Birkirkara	BKM1

(however the properties located above the level of Triq G. F. Agius De Soldanis are designated as Residential Priority Areas in accordance with Policy CG08)	
Triq in-Naxxar, Birkirkara	BKM1
Triq Dun Karm, Birkirkara	BKM1
Triq Salvu Psaila, Birkirkara	BKM1
Mriehel, Birkirkara	BKM2 (as amended by Map PC 57/10/2)
Blata l-Bajda, Hamrun	HAM1
Triq il-Kappilan Mifsud, Hamrun	HAM1
Triq il-Kbira, Hamrun; Commercial land uses at ground floor level only, with residential units on upper floors	HAM1
Triq in-Naxxar, Iklin	IKM1
Triq il-Kostituzzjoni, Mosta	MOM1
Triq l-Imdina, Qormi	QOM1
Triq is-Sebh, Qormi	QOM1
Triq tal-Bajjada and Triq il-Masgar, Qormi	QOM1
Triq Salvu Psaila and Triq il-Kappilan Mifsud, Santa Venera	SVM1
Triq il-Wied ta' l-Imsida, Santa Venera	SVM1
Triq il-Kbira, Santa Venera; Commercial land uses at ground floor level only, with residential units on upper floors	SVM1
Triq is-Sebh, Santa Venera	SVM1

The following is a list of acceptable land-uses (new uses, extensions to existing uses, and change of uses) within all frontages located within the designated Commercial Areas.

- i. Class 1 (Use Classes Order, 1994), dwelling units on upper floors. However dwelling units will not be allowed in the Commercial Areas designated in Mriehel (Birkirkara), in Triq is-Sebh (Qormi) and in Triq isSebh (Santa Venera). In addition, new residential development directly above warehousing will not be permitted in the Commercial Area designated at Triq tal-Bajjada (Qormi) and at Triq il-Masgar (Qormi). Dwelling units will be allowed at

ground floor level in the Commercial Areas designated in Triq il-Kbira (Santa Venera) and in Triq il-Kbira (Hamrun).

- ii. **Class 4, (Use Classes Order, 1994), small shops only provided that:**
 - **The small shops (of any nature) are not to exceed a total floor area of 50sqm each, and convenience shops are not to exceed a total floor area of 75sqm each;**
 - **They comply with all the provisions of paras. 1.4.16 to 1.4.18 of the Retail Planning Guidelines (2003); and**
 - **They comply with any relevant section of the DC 2005 (design, access, amenity, etc.).**
- iii. **Supermarkets, provided that they comply with all the relevant provisions of Policy CG17.**
- iv. **Showrooms provided that they comply with the relevant provisions of MEPA's Retail Planning Guidelines (2003).**
- v. **Class 5 (Use Classes Order, 1994) offices on upper floors only.**
- vi. **Class 6 (a) (Use Classes Order, 1994) Sale of hot and cold food and drink for consumption on or off the premises.**
- vii. **Class 11 (Use Classes Order, 1994), business and light industry are allowed provided that:**
 - **The gross floor area of the premises does not exceed 50 sqm (including storage of materials and/or finished products). Class 11 uses on the sites located in the designated Commercial Area at Mriehel (Birkirkara) as indicated in Map BKM2 (as amended by Map PC 57/10/2), and at Triq is-Sebh (Qormi) as indicated in Map QOM1 will not be limited by the 50 sqm threshold;**
 - **For sites located at Triq is-Sebh, Qormi the necessary clearances from ADT are obtained; and**
 - **MEPA is to be fully satisfied that the development does not create unnecessary impact which is not desirable to the neighbouring properties.**

viii. **Class 17 (Use Classes Order, 1994) storage facilities only provided that the gross floor area does not exceed 75 sqm. However, Storage and Distribution facilities of any size will be considered in the designated part of the Commercial Areas at Mriehel (Birkirkara), at Triq tal-Bajjada (Qormi), at Triq il-Masgar (Qormi) and at Triq is-Sebh (Qormi) provided that for sites located at Triq is-Sebh (Qormi) the necessary clearances from ADT are obtained. In addition, the development of warehouses directly beneath residential units will not be permitted in the designated Commercial Areas.**

ix. **Taxi Business or for the hire of motor vehicles.**

x. **The Sale of fuel for motor vehicles. However the sale of motor fuel will not be permitted in the Commercial Areas designated at Triq tal-Bajjada (Qormi) and at Triq il-Masgar (Qormi).**

xi. **The sale or display of motor vehicles.**

xii. **The cleaning of clothes in venues where articles are brought by the public.**

In granting permission for the above-listed uses, MEPA is to be satisfied that the design of the commercial development shall enhance the existing streetscapes. With regard to advertisements on buildings, these are either to be integrated with the design of the building fabric, or are to be placed in specific locations earmarked as advertising space within the Commercial Area.

In addition to the uses listed above, for those sites located within Areas A and B in Mriehel as indicated in Area Policy Map BKM2 (as amended in PC57/10) the uses stipulated in policy CG 15 may also be considered as acceptable. Land-uses falling outside those stipulated in policies CG14 and CG 15 will not be considered favourably within Areas A and B, unless there are overriding reasons to locate such uses within these areas. Development within these designated areas in Mriehel should conform to the following criteria;

1. Development should generally respect the predominant height of nearby buildings and would not in general be allowed to exceed a height of 14 m;

- 2. Development that overlies the route of the underground sewerage gallery is to be to the satisfaction of MEPA and the Water Services Corporation;**
- 3. For sites exceeding 25,000 sq. m where comprehensive development is contemplated the development of compatible Class 8 (a) (Use Classes Order, 1994) Child Care, Class 9 (Use Classes Order, 1994) Assembly and Leisure, Large Scale Retail Outlets and Conference Facilities may be considered by MEPA; and**
- 4. In cases where comprehensive development of sites having an area exceeding 25,000 sq.m is contemplated, MEPA may consider a building that is higher than 14m provided that:**
 - a) The development follows best practice in terms of environmentally sustainable design, neighbour compatibility, construction, and operational management;**
 - b) The architectural design of the building is of exceptionally high quality;**
 - c) The development satisfactorily addresses short and long-distance visual impacts;**
 - d) The development incorporates a significant and well-designed public open space; and**
 - e) The project will not constitute over-development.**

Showrooms are defined as premises primarily used to display goods for sale where little direct (over the counter) retail sale is intended. Showrooms normally display a specialist range of bulky, non-food goods, such as: white goods; furniture; motor vehicles; household items, hardware and bathroom fittings. This type of retailing is expanding rapidly along certain arterial routes in the plan area, but these may create an undesirable form of urbanisation if not strictly controlled. So as to ensure that the plan's objectives towards sustainable transport patterns are not compromised, the plan designates limited commercial areas in specific locations. Office development, and in a number of cases residential development on the upper floors of showrooms, are considered to be compatible uses and are therefore normally permitted by MEPA. Other limited compatible uses are also considered as acceptable in these designated areas. In addition, Light Industry and Storage and Distribution Facilities with no size threshold are considered by MEPA in the designated Commercial Area at Mriehel and at Triq is-Sebh in Qormi since these areas was previously zoned in the TPS (1988) for industry. However, given the existing

traffic situation at Triq is-Sebh, further development of industrial and warehousing uses in this street are subject to clearances from the ADT. The use of land within Sites A and B in Mriehel for commercial and financial activities, apart from the already permitted industrial uses, will ensure a more efficient use of land in terms of employment generation. This more efficient use of land that is designated for employment generating uses follows two of the three goals of the Structure Plan.

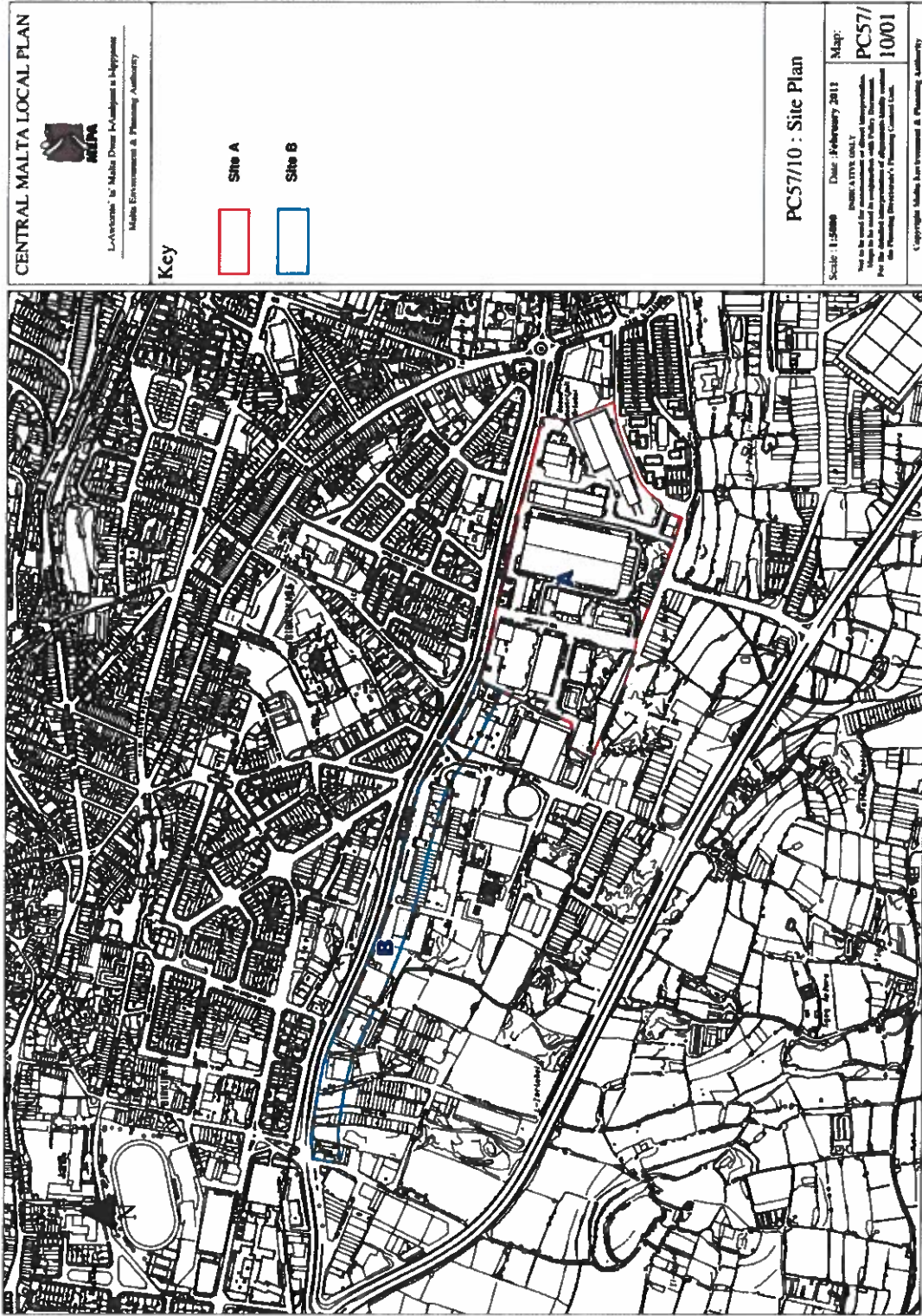


Figure 4: PC57/10/01 of 2012 Site Plan

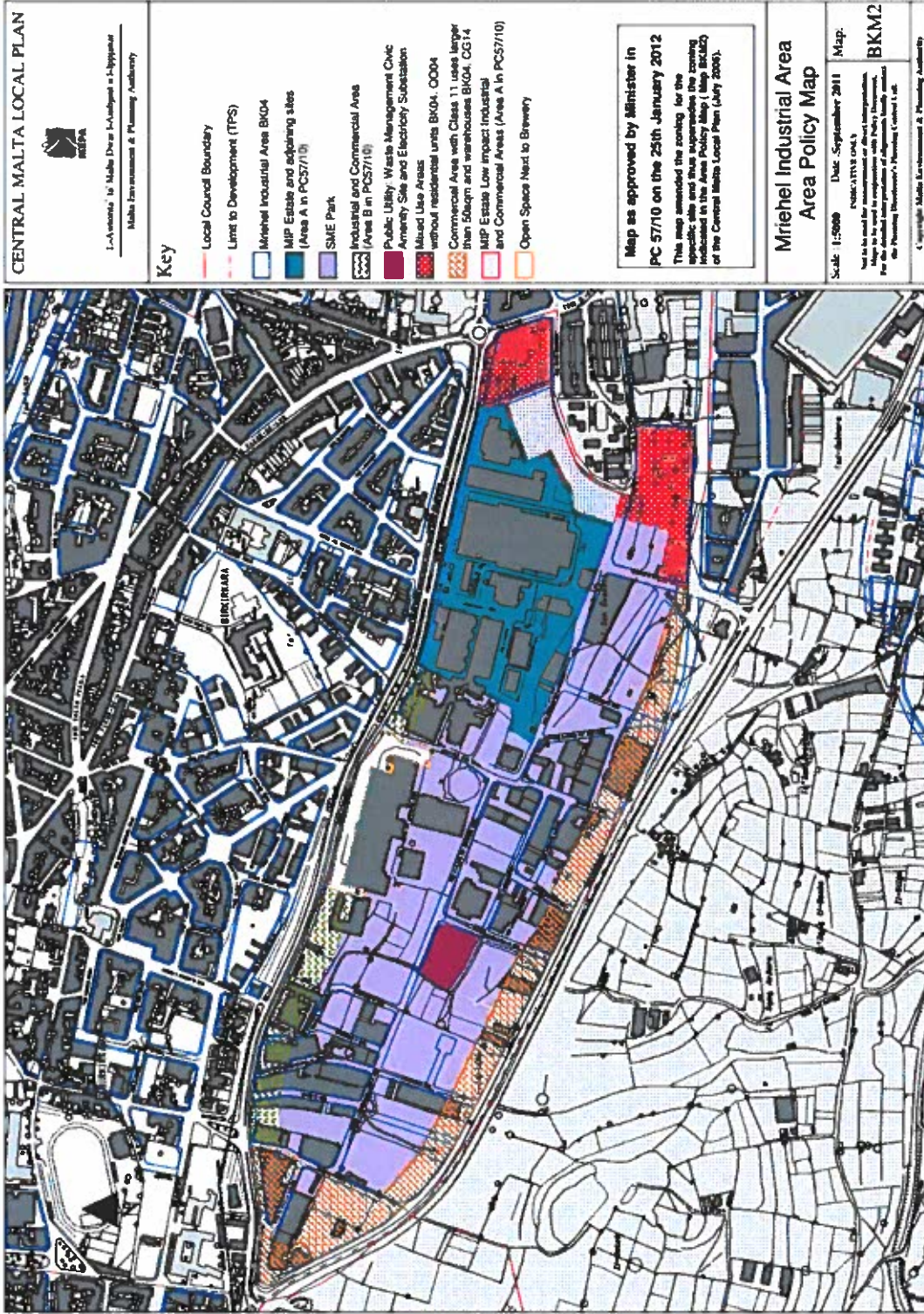


Figure 5: Mriehel Industrial Area Policy Map

Strategic Plan for the Environment and Development, 2015

- 4.4 Subsequent to the Local Plans, the Strategic Plan for Environment and Development (SPED) came into force in 2015. The SPED sets out the strategic policy and thematic objectives for the Maltese Islands, and are therefore pivotal for consideration in this Local Plan review. SPED Map 2B (figure 6) confirms the Marsa and Mriehel Industrial Areas as Enterprise Hubs to support economic growth as indicated by Urban Objective 1.5 which directs towards:

'Guiding the distribution of new jobs so that the bulk is located in identified Business Hubs predominantly for retail, office, tourism, culture and leisure uses and in identified Enterprise Hubs predominantly for the core economic development sectors',

To support the above strategy, Urban Objective 1.6 guides towards:

'Promoting the attractiveness of Business and Enterprise Hubs for the location of new jobs.'

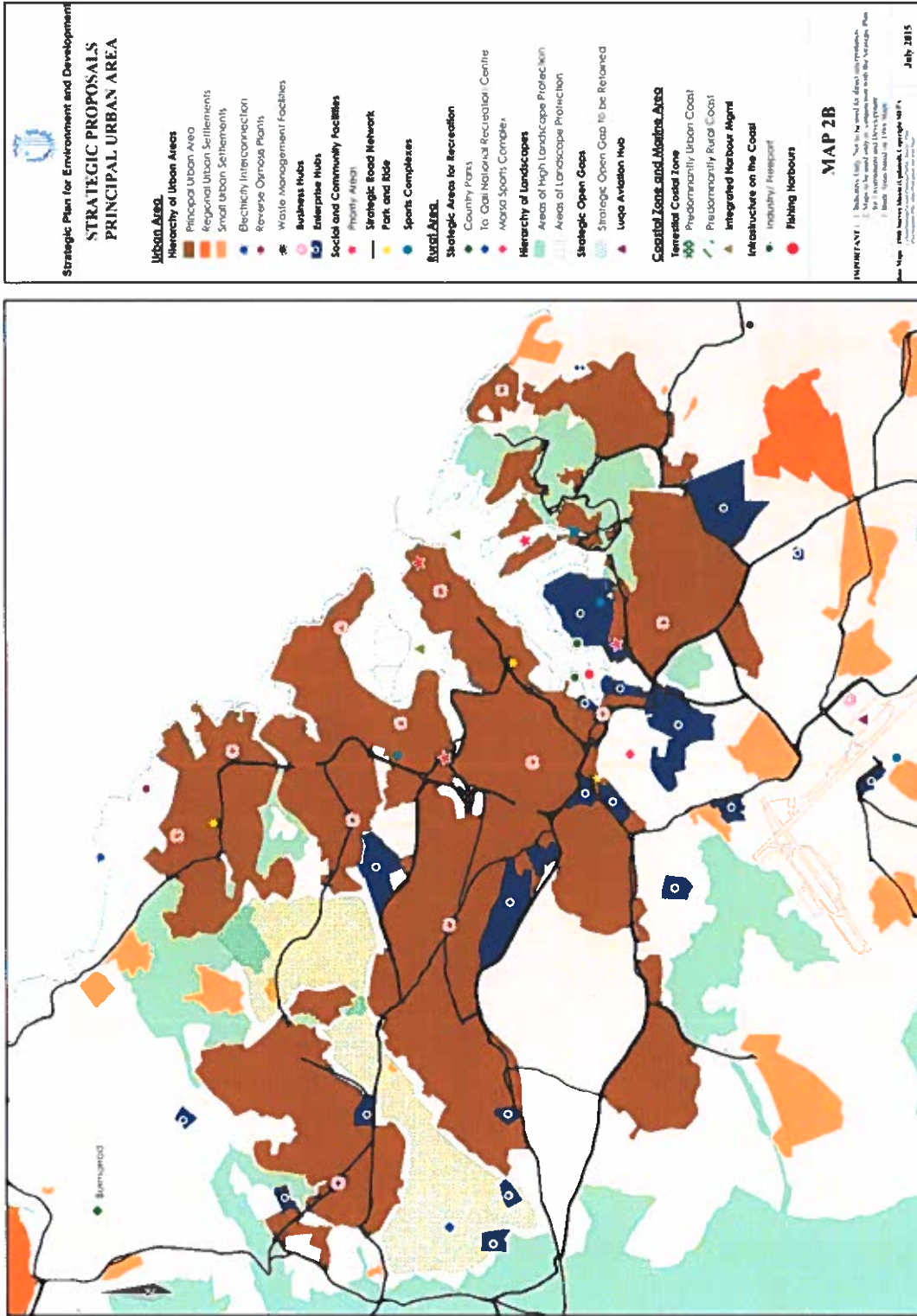


Figure 6: Map 2B Strategic Plan for the Environment and Development (SPED, 2015)

Major Accident Hazards and Hazardous Substances, 2020

- 4.5 As the SEVESO Easygas site is located within the boundary of the Marsa industrial estate, the policy constraints listed in this supplementary planning policy guidance *Major Accident Hazards and Hazardous Substances, 2020* are applicable to this estate, unless this facility is re-located.

5.0 Amended Policies for Public Consultation

South Malta Local Plan, 2006

- 5.1 Policy SMMR 01 Boundary Limits of Marsa Industrial Estate is being amended as follows:

Note: Amendments include deleted text indicated in strikethrough and replacement text in highlight.

SMMR 01 **Boundary Limits of Marsa Industrial Estate**

~~The Limits of the Marsa Industrial Estate boundary are defined by the Temporary Provision Schemes, 1988. Amendment to the boundary is being recommended as indicated in the Marsa Industrial Estate Policy Map MR 1, to exclude an area which is considered of very good quality irrigated agricultural land. The changes to the Limits to Development boundary of this area will only be formalized after the Structure Plan Review in line with SET 8.~~

The Limits of the Marsa Industrial Estate boundary are indicated in the Marsa Industrial Estate Policy Map MR1. Within this boundary the Planning Authority will only permit industrial and industrial related uses, including warehousing and storage.

~~In order to increase floorspace for industrial purposes and the efficient use of land, an additional storey above ground floor level will be permitted where appropriate, however buildings should not exceed three floors (12 metres). The vertical height and bulk of buildings should have no adverse visual impact and measures to introduce landscaping within the site and other site~~

management measures will be encouraged, particularly along Triq G. Garibaldi and along Triq il-Marsa.

The following urban design parameters are to be taken into consideration as guidance for the assessment of building heights:

- i. the operational needs of the proposed/existing industrial use, including any requirement for plant or machinery which needs abnormal floorspace or height for its installation or operation;
- ii. the degree to which the overall height of the building can be reduced by construction below ground level;
- iii. adequate development densities to ensure quality development and any other relevant planning considerations including safeguards on existing utilities, services and infrastructure;
- iv. the topography of the site and of the area surrounding the site;
- v. the relationship of the development to any sites and/or buildings whose amenity should be protected, in particular the setting of scheduled sites and/or monuments;
- vi. the prominence of the development in the wider landscape, and in particular the impact of the building on the skyline when seen from outside the site area;
- vii. the general massing and design of the building in relation to its urban design context such that the development follows best practice in terms of environmentally sustainable design, neighbour compatibility, construction and operational management;
- viii. no blank party walls are to be created;

The MEPA PA will seek to identify additional land for industrial use to make up for the land being proposed for exclusion. In the event of its failure to compensate for this land and Malta Industrial Park's new emerging requirements, MEPA PA will consider the gradual reinstatement of this land for industrial development on the basis of individual applications subject to the preparation of an Environmental Impact Assessment which would include a cost/benefit analysis.

31.4.1 The site being excluded covers a land area of approximately 61,700 m² and is considered as being good quality irrigated agricultural land. An application (PA 7505/94) was submitted in 1994 for the construction of a new factory for the General Soft Drinks Ltd. This application was recommended for refusal but then withdrawn by the applicant. The expropriation process for part of the site has been terminated in February 1997 by Government Notice No. 119. The PA will seek, together with the relevant authorities, to provide for such a shortfall in other designated areas, not necessarily within this Plan. However, should this not be possible in the short term, expansion of the existing estate, due to emerging economic factors, onto the site being excluded may be considered provided an EIA is carried out to determine the impacts relating to the proposed expansion. A cost/benefit analysis should also form part of the EIA.

31.4.2 Additional industrial floorspace can be provided for industries ~~by allowing an additional floor above the ground floor level, where appropriate, provided that the two floors are not exceeded through a context based approach to the assessment of building heights, provided that the above-mentioned urban design parameters are addressed.~~

Central Malta Local Plan as amended by PC57/10 in 2012

5.2 Policy CG14 Commercial Areas is being amended as follows:

Note: Amendments include deleted text indicated in strikethrough and replacement text in highlight.

Policy CG14

Commercial Areas

MEPA The Planning Authority will permit the development of Commercial land uses within the designated Commercial Areas listed below and as indicated in the relevant Area Policy Maps.

Location	Area Policy Map
Triq in-Naxxar and Triq Wied Hal-Balzan, Balzan	BZM1
Triq il-Wied ta' l-Imsida, Birkirkara (however the properties located above the level of Triq G. F. Agius De Soldanis are designated as Residential Priority Areas in accordance with Policy CG08)	BKM1
Triq in-Naxxar, Birkirkara	BKM1
Triq Dun Karm, Birkirkara	BKM1
Triq Salvu Psaila, Birkirkara	BKM1
Mriehel, Birkirkara	BKM2 (as amended by Map PC 57/10/2)
Blata l-Bajda, Hamrun	HAM1
Triq il-Kappilan Mifsud, Hamrun	HAM1
Triq il-Kbira, Hamrun; Commercial land uses at ground floor level only, with residential units on upper floors	HAM1
Triq in-Naxxar, Iklin	IKM1
Triq il-Kostituzzjoni, Mosta	MOM1
Triq l-Imdina, Qormi	QOM1
Triq is-Sebh, Qormi	QOM1
Triq tal-Bajjada and Triq il-Masgar, Qormi	QOM1
Triq Salvu Psaila and Triq il-Kappilan Mifsud, Santa Venera	SVM1
Triq il-Wied ta' l-Imsida, Santa Venera	SVM1
Triq il-Kbira, Santa Venera; Commercial land uses at ground floor level only, with residential units on upper floors	SVM1
Triq is-Sebh, Santa Venera	SVM1

The following is a list of acceptable land-uses (new uses, extensions to existing uses, and change of uses) within all frontages located within the designated Commercial Areas.

- i. **Class 1 (Use Classes Order, 1994 2014)**, dwelling units on upper floors. However dwelling units will not be allowed in the Commercial Areas designated in Mriehel (Birkirkara), in Triq is-Sebh (Qormi) and in Triq isSebh (Santa Venera). In addition, new residential development directly above warehousing will not be permitted in the Commercial Area designated at Triq tal-Bajjada (Qormi) and at Triq il-Masgar (Qormi). Dwelling units will be allowed at ground floor level in the Commercial Areas designated in Triq il-Kbira (Santa Venera) and in Triq il-Kbira (Hamrun).
- ii. **Class 4B (Use Classes Order, 1994 2014)**, small shops only provided that:
 - The small shops (of any nature) are not to exceed a total floor area of 50sqm each, and convenience shops are not to exceed a total floor area of 75sqm each;
 - They comply with all the provisions of paras. 1.4.16 to 1.4.18 of the Retail Planning Guidelines (2003); and
 - They comply with any relevant section of the ~~DC-2005~~ **DC2015** (design, access, amenity, etc.).
- iii. Supermarkets, provided that they comply with all the relevant provisions of Policy CG17.
- iv. Showrooms provided that they comply with the relevant provisions of **MEPA PA's** Retail Planning Guidelines (2003).
- v. **Class 5 4A (Use Classes Order, 1994 2014)** offices on upper floors only.
- vi. **Class 6 Classes 4C and 4D (Use Classes Order, 1994 2014)** Sale of hot and cold food and drink for consumption on or off the premises.
- vii. **Class 11 5A (Use Classes Order, 1994 2014)**, business and light industry are allowed provided that:
 - The gross floor area of the premises does not exceed 50 sqm (including storage of materials and/or finished products). **Class 11 5A** uses on the sites located in the designated Commercial Area at Mriehel (Birkirkara) as indicated in Map BKM2 (as

amended by Map PC 57/10/2), and at Triq is-Sebh (Qormi) as indicated in Map QOM1 will not be limited by the 50 sqm threshold;

- For sites located at Triq is-Sebh, Qormi the necessary clearances from ADT Transport Malta are obtained; and
 - MEPA The Planning Authority is to be fully satisfied that the development does not create unnecessary impact which is not desirable to the neighbouring properties.
- viii. Class 17 5A (Use Classes Order, 1994 2014) storage facilities only provided that the gross floor area does not exceed 75 sqm. However, Storage and Distribution facilities of any size will be considered in the designated part of the Commercial Areas at Mriehel (Birkirkara), at Triq tal-Bajjada (Qormi), at Triq il-Masgar (Qormi) and at Triq is-Sebh (Qormi) provided that for sites located at Triq is-Sebh (Qormi) the necessary clearances from ADT Transport Malta are obtained. In addition, the development of warehouses directly beneath residential units will not be permitted in the designated Commercial Areas.
- ix. Taxi Business or for the hire of motor vehicles. The Sale of fuel for motor vehicles. However the sale of motor fuel will not be permitted in the Commercial Areas designated at Triq tal-Bajjada (Qormi) and at Triq il-Masgar (Qormi).
- x. The sale or display of motor vehicles.
- xi. The cleaning of clothes in venues where articles are brought by the public.

In granting permission for the above-listed uses, MEPA the Planning Authority is to be satisfied that the design of the commercial development shall enhance the existing streetscapes. With regard to advertisements on buildings, these are either to be integrated with the design of the building fabric or are to be placed in specific locations earmarked as advertising space within the Commercial Area.

In addition to the uses listed above, for those sites located within Areas A and B in Mriehel as indicated in Area Policy Map BKM2 (as amended in PC57/10) the uses stipulated in policy CG 15

may also be considered as acceptable. Land-uses falling outside those stipulated in policies CG14 and CG 15 will not be considered favourably within Areas A and B, unless there are overriding reasons to locate such uses within these areas. Development within these designated areas in Mriehel should conform to the following criteria;

1. a) Within Area A, the following urban design parameters are to be taken into consideration as guidance for the assessment of building heights;

i. the operational needs of the proposed/existing industrial use, including any requirement for plant or machinery which needs abnormal floorspace or height for its installation or operation;

ii. the degree to which the overall height of the building can be reduced by construction below ground level;

iii. adequate development densities to ensure quality development and any other relevant planning considerations including safeguard on existing utilities, services and infrastructure.

iv. the topography of the site and of the area surrounding the site;

v. the relationship of the development to any sites and/or buildings whose amenity should be protected, in particular the setting of scheduled sites and/or monuments as well as the residential context.

vi. the prominence of the development in the wider landscape, and in particular the impact of the building on the skyline when seen from outside the site area;

vii. the general massing and design of the building in relation to its urban design context such that the development follows best practice in terms of

environmentally sustainable design, neighbour compatibility, construction and operational management;

viii. no blank party walls are to be created;

b) Development **within Area B** should generally respect the predominant height of nearby buildings and would not in general be allowed to exceed a height of 14 m;

2. Development that overlies the route of the underground sewerage gallery is to be to the satisfaction of **MEPA the Planning Authority** and the Water Services Corporation;
3. For sites exceeding 25,000 sq. m where comprehensive development is contemplated the development of compatible Class 8 **2C** (a) (Use Classes Order, 1994 **2014**) Child Care, Class 9 **3C** (Use Classes Order, 1994 **2014**) Assembly and Leisure, Large Scale Retail Outlets and Conference Facilities may be considered by **MEPA the Planning Authority**; and
4. In cases **within Area A and Area B** where comprehensive development of sites having an area exceeding 25,000sq.m is contemplated, **MEPA the Planning Authority** may consider a building that is higher than **14m** **would have been achieved by applying the provisions of criterion 1 above** provided that:
 - a) The development follows best practice in terms of environmentally sustainable design, neighbour compatibility, construction, and operational management;
 - b) The architectural design of the building is of exceptionally high quality;
 - c) The development satisfactorily addresses short and long-distance visual impacts;
 - d) The development incorporates a significant and well-designed public open space; and
 - e) The project will not constitute over-development.

Showrooms are defined as premises primarily used to display goods for sale where little direct (over the counter) retail sale is intended. Showrooms normally display a specialist range of bulky, non-food goods, such as: white goods; furniture; motor vehicles; household items, hardware and bathroom fittings. This type of retailing is expanding rapidly along certain arterial routes in the

plan area, but these may create an undesirable form of urbanisation if not strictly controlled. So as to ensure that the plan's objectives towards sustainable transport patterns are not compromised, the plan designates limited commercial areas in specific locations. Office development, and in a number of cases residential development on the upper floors of showrooms, are considered to be compatible uses and are therefore normally permitted by MEPA the PA. Other limited compatible uses are also considered as acceptable in these designated areas. In addition, Light Industry and Storage and Distribution Facilities with no size threshold are considered by MEPA the PA in the designated Commercial Area at Mriehel and at Triq is-Sebh in Qormi since these areas was previously zoned in the TPS (1988) for industry. However, given the existing traffic situation at Triq is-Sebh, further development of industrial and warehousing uses in this street are subject to clearances from the ADT Transport Malta. The use of land within Sites A and B in Mriehel for commercial and financial activities, apart from the already permitted industrial uses, will ensure a more efficient use of land in terms of employment generation. This more efficient use of land that is designated for employment generating uses follows ~~two of the three goals of the Structure Plan~~ the objectives of the Strategic Plan for Environment and Development.

6.0 Way Forward

- 6.1 The Planning Directorate recommends the Executive Council to endorse this Partial Local Plan Review of the South Malta Local Plan (Marsa Industrial Area) and Central Malta Local Plan (Imriehel Industrial Area), for the publishing of a six-week public consultation period.

APPENDIX 1: Phase 1 Public Consultation Responses on Objectives

Ref	Respondent	Date	Comments Received	Response
MMPR1 001	Ms. Vera Jankovic obo Hili Properties	22/10/2020	As representatives of our Client, Hili Properties, who owns a site in Marsa Industrial Park, we would like to request to be registered as an official interested party in the Partial Local Plan Reviews and we would like to contribute to further discussions.	Noted.
MMPR1 002	Dr. Claire Bonello	22/10/2020	This is not a local plan review but an absolute and total dismantling of the planning policies applicable to Mriehel and Marsa. Planning is to become totally speculator and developer-based with the Planning Authority becoming a rubber-stamp for all and any type of development. The Planning Authority will no longer be a regulator but simply an entity for the dishing out of permits. There are no criteria, parameters or limits as to development density, open space requirements, infrastructural considerations, sustainability measures, visual impact, traffic considerations, carrying capacity, design or solar rights.	This Local Plan Partial Review provides urban design policies to guide the assessment of building heights in the Mriehel and Marsa Industrial Estates with consideration to operational requirements vis-à-vis the site limitations. Development density, utilities, environmental sustainability, heritage and visual safeguards have been included in the policy provisions to guide the development application process.

		<p>This is not holistic planning, it is not planning at all. It is an open cheque to developers in the area funded by the taxpayer who bears the cost of infrastructure around the area.</p> <p>This exercise is a retrograde step whereby planning and development approval is now being placed into an “anything goes” without any parameters at all.</p> <p>This exercise effectively does away with the requirement of following the Floor to Area Ratio Policy 2014 which required a percentage of open space.</p> <p>The proposed “review” does not cater for the protection of context and visual integrity of the Turkish Cemetery which is a scheduled Grade 1 Building (SMIMR 01)</p> <p>The exercise is in breach of SPED Urban Objective 4 which is as follows: Urban Objective 4: To ensure that all new developments are energy and water efficient and provide a sense of place, respond to the local character, improve amenity and the pleasantness of place and ensure safety by</p> <ol style="list-style-type: none"> 1. Setting out a policy framework to promote high quality design 2. Controlling space standards and function of development, also integrating civil protection requirements 	<p>Assessment and further detailing according to laws, regulations, standards and guidelines, including consultations with the statutory consultees and others as relevant, are to be carried out through the development control mechanism.</p>
--	--	--	--

			<p>In this case, the Planning Authority is not controlling anything – quite the opposite in fact – it is just giving up on any form of planning.</p> <p>This “review” is not a “review” but an open cheque or carte blanche for all to do as they will.</p> <p>In view of the above, this reprehensible exercise should be totally scrapped.</p>	
<p>MMPRI 003</p>	<p>Perit Simone Vella Lenicker obo Kamra tal- Periti</p>	<p>22/10/2020</p>	<p>The Planning Authority has issued the following objectives for public consultation:</p> <p>a) To repeal the building height limitation of three floors (12m) from the Marsa Industrial Estate;</p> <p>b) To repeal the building height limitation of 14m from the Malta Industrial Parks Estate (Area A) in Imrieħel;</p> <p>c) To introduce non-numeric, urban design policies to guide the assessment of building heights in Marsa Industrial Estate and MIP Estate in Imrieħel;</p> <p>d) To amend any other provisions in policies SMMR 01 and CG 14 which run counter to objectives (a) to (c) above.</p> <p>It is unclear what the Authority expects from this public consultation period, other than a resounding objection to the manner in which planning is</p>	

purportedly being carried out in these locations. Expecting any form of comment on the proposed repeal of building heights, without providing even the slightest indication of what is intended by “non-numeric, urban design policies” is nothing short of ridiculous.

Furthermore, it is noted that the preamble on the Authority’s website states that *“to sustain economic growth, attract new investment and create new and better employment opportunities, the need to address the shortage of space for industrial and business uses is essential. The proposed objectives to introduce non-numeric, urban design policies to guide the assessment of building heights sets the ball rolling to not merely address this issue, but to do so in a sustainable manner that strikes a balance between optimizing the space available whilst respecting the environment and the communities that live and work within.”*

Reference is here made to the Strategic Plan for the Environment and Development (SPED), which states the following *[emphasis added]*:

2.15 Forecasts for job creation up to 2020 are required to determine the amount of floor space needed to accommodate these jobs and ensure that the targets set out by the Government are met. An employment rate of 72.1% by 2020 has been identified in the Active Labour Market policy. The 2020 target employment rate is a proportion of the 20-64 age cohort (258,139) of the

	<p>population for 2020 and this would result in a total employment of 186,118 persons. The projected net increase in persons in employment over the period 2013-2020 is estimated to be around 13,400.</p>
	<p>2.16 This projected increase in persons in employment by 2020 was categorised under the broad economic sectors of market services and industry with 77.4% (10,370) going into the market services sector, and 22.6% (3030) in industry). The subdivision was arrived at by projecting an average rate of shift (0.76%) from industry to market services between 1997 and 2010 (Central Bank of Malta Annual Reports 1998-2010). It is acknowledged that the projected average rate of shift is only applicable over a relatively short period of time since applying the projection over a longer period would imply an eventual tapering off to 0% jobs in industry which is both unrealistic and undesirable. The average rate of shift is also vulnerable to external economic influences and Government policy intervention.</p>
	<p>2.17 On the basis of an average employee to floorspace ratio of 1:103 sqm (Malta Enterprise) and average site coverage of 60%, the 3030 additional persons in industry would require 52 hectares of land. In 2006, 502.4 hectares of land was available for industrial development of which 34% was vacant (170.1 hectares). MEPA data shows that between 2006 and 2012 around 3.5 hectares of land was taken up for industrial development per year. Even in the absence of</p>

recent accurate data on vacancy rates for Industrial buildings, the need for land (52 hectares) can be met by the still remaining vacant land within designated Industrial areas. However, for the country to react flexibly to specific request and exploit immediate opportunities for investment in industry and address issues of immediate availability of land, it needs to have an adequate landbank at a national level and in appropriate locations.

2.18 With an average employee to floorspace ratio of 1:50 sqm (MEPA data) the 10,370 additional persons in employment in the market services sector would require 518,500sqm of floorspace. MEPA Land Availability Studies indicate that in 2011, floorspace available for development related to market services within the Development Zone designated in the Local Plans amounts to around 113,000 sqm.

In addition, Local Plans have identified other floorspace in areas such as Marsa Park, Gzira Employment Node, Fort St. Elmo, Pembroke and AirMalta owned land at Luqa for employment uses related to market services. Over and above, around 260,000 sqm of floorspace has already been granted permission for market service related development in Smart City and the Malta International Airport.

Other opportunities exist on a number of strategic sites such as the ex Marsa Shipbuilding which has been earmarked for a Maritime Hub and the White

<p><i>Rocks area together with the regeneration potential of the Grand Harbour Area.</i></p>																																																																																																																																																	

		<p>2. Has the Planning Authority carried out a market analysis to determine how many business and industrial properties were vacated due to COVID before publishing this public consultation document? If not, why?</p> <p>3. What public benefit will be derived from the revisions in these Local Plans? Are there any projects in the pipeline which need to be accommodated through this policy revision? If so, which are these projects?</p> <p>4. Who is going to draw up the master plans for Marsa and Mrieħel? Will landowners be doing this for their own individual plots of land, or will the Planning Authority step in to plan the area itself and set the terms for every landowner?</p> <p>5. Who is going to assess the impact on skyline and long-distance views? Will it be done during the formulation of the revised policy, or development control stage when it is too late to revert all the costs of design development and other associated investments?</p> <p>6. Why is the building height limitation being removed only in the Marsa and Mrieħel Industrial Parks? Does this mark a more general shift in policy which will be applicable to all other land within the development zone? Should we expect to see this being applied in other industrial areas? What about</p>	<p>These revisions will reduce the pressure for further horizontal expansion of industrial areas.</p> <p>The policy revision sets out urban design parameters that need to be addressed during the assessment of applications in the affected areas.</p> <p>Other industrial areas are already subject to Local Plan policies which require a context-based</p>
--	--	--	---

				<p>residential areas? This is key market information since it will drastically alter land values and methods of valuation.</p> <p>Answers to these questions must be provided. The Planning Authority cannot continue to dupe the public by trying to pass off these partial reviews as some response to some need – suffice it to say that this current proposed review is being passed off a response to “a shortage of space for industrial and business uses”, while just a few weeks ago the same Authority proposed a review of the Action Plan for Ta’ Qali to re-designate existing industrial land for commercial and retail purposes. The mind boggles. This piecemeal approach to planning is unacceptable.</p>	<p>approach in the assessment of building heights.</p>
MMPR1 004	Ms Karen Tanti obo Moviment Graffitti	29/10/2020		<p>Moviment Graffitti is submitting its representation for the Partial Local Plan Review for Imriehel and Marsa Industrial Parks (Phase 1).</p> <p>The objectives state that the building height limitations will be repealed from 12m for the Marsa Industrial Estate and 14m for the Imriehel Industrial Parks Estate (Area A). However, no alternative building height is mentioned in the objectives. Does that mean that these two areas will have no building height limitations? If so, Moviment Graffitti strongly objects to this proposal, as building heights are necessary for proper and holistic planning, including in industrial areas. As stated in the Floor Area Ratio (FAR) 2014 policy: “The control of building heights has been a key tool in the Maltese planning system aimed primarily at controlling townscape, the urban form and densities of development within designated urban areas.” We cannot leave the concept</p>	

		<p>of planning to the developers building in this area, as this would create complete and utter chaos. Building height limitations are necessary to ensure that sensible planning and development is taking place.</p> <p>The next objective mentions the introduction of "non-numeric, urban design policies to guide the assessment of building heights in Marsa Industrial Estate and MIP Estate in Imrieheh". Again, this objective is very vague and does not explain what these policies would consist of. If any change to the Local Plan is to be made, it must be made clear exactly what changes are being proposed. In addition, any change in policy must not be made in such a vague and open-ended manner, but must include criteria, parameters or limits as to development density, open space requirements, infrastructural considerations, sustainability measures, visual impact, traffic considerations, carrying capacity, design or solar rights.</p> <p>This Partial Local Plan review ignores the requirements in the FAR Policy 2014 which require a percentage of open space. Also, the proposed review does not cater for the protection of context and visual integrity of the Turkish Cemetery which is a scheduled Grade 1 Building (SMMR 01).</p> <p>In addition, this exercise is in breach of SPED Urban Objective 4 which is as follows:</p>	<p>The policy revision sets out urban design parameters that need to be addressed during the assessment of applications in the affected areas</p> <p>The FAR policy is not being affected by the review. This policy revision includes consideration of scheduled buildings and their context as considerations in the assessment of building heights.</p>
--	--	--	--

			<p><i>Urban Objective 4: To ensure that all new developments are energy and water efficient and provide a sense of place, respond to the local character, improve amenity and the pleasantness of place and ensure safety by</i></p> <ol style="list-style-type: none"> <i>1. Setting out a policy framework to promote high quality design</i> <i>2. Controlling space standards and function of development, also integrating civil protection requirements</i> <p>For all the reasons mentioned above, Movement Graffiti calls for this partial review to be scrapped.</p>	<p>This policy review does not prejudice or preclude adherence to SPED policies,</p>
<p>MMPR1 005</p>	<p>Mr Gaston Camilleri obo Business Park Development Limited</p>	<p>30/10/2020</p>	<p>As part of the Partial Local Plan Review for Marsa, the Planning Authority has issued the following objectives for public consultation:</p> <ol style="list-style-type: none"> a) To repeal the building height limitation of three floors (12m) from the Marsa Industrial Estate; b) To introduce non-numeric, urban design policies to guide the assessment of building heights in Marsa Industrial Estate and MIP Estate in Imrīehel; c) To amend any other provisions in policies SMMR 01 and CG 14 which run counter to objectives (a) to (b) above. 	<p>Noted</p>

MMPR1 006	Mr Anthony Ellul	30/10/2020	<p>We would like to register our interest in these proposals and retain the right to submit comments and representations once the Partial Local Plan Review is developed further into a more comprehensive approach/plan for the area.</p> <p>The Malta Chamber of Planners wish to make the following comments re the above consultation. These are initial comments with regards to the objective set which is reproduced hereunder; -</p> <p><i>The Authority has initiated the process to prepare a partial review of the South Malta Local Plan policy SMMR 1 and the Central Malta Local Plan policy CG14, as amended by planning control application PC57/10 of 2012, with the following objectives:</i></p> <p><i>a. To repeal the building height limitation of three floors (12m) from the Marsa Industrial Estate;</i></p> <p><i>b. To repeal the building height limitation of 14m from the Malta Industrial Parks Estate (Area A) in Imrieheil;</i></p> <p><i>c. To introduce non-numeric, urban design policies to guide the assessment of building heights in Marsa Industrial Estate and MIP Estate in Imrieheil;</i></p>	
--------------	---------------------	------------	---	--

		<p><i>d. To amend any other provisions in policies SMMR 01 and CG 14 which run counter to objectives (a) to (c) above.</i></p> <p>The Malta Chamber of Planners have always expressed their concern with regard to the various partial reviews being undertaken where various planning parameters are being amended on an ad hoc basis without a more holistic approach to such amendments.</p> <p>The Chamber is therefore expressing its objection to the proposed changes to the height limitations in the Industrial areas of Marsa and Mriehel without undertaking a proper planning process to determine actual need and justification following suitable research and an analysis of the likely impacts of what is being proposed.</p> <p>These are two strategic sites and the changes being proposed will have an impact on a wider area. The objectives as set clearly indicate that the intention is to relax the height limitations of these areas at any cost and without proper study and justification. In fact point (d) indicates that any other provisions that may hinder the height relaxation will also be amended. This approach is contrary to studies showing that there is no need for further office space in the country, but it is also in stark contrast to global trends, which have been accelerated by the recent COVID -19 pandemic, whereby</p>	<p>This policy review does not preclude proposals within the affected sites from being assessed in terms of the site context, adjacent building heights and visual impact amongst others.</p>
--	--	---	---

			<p>large firms and corporations are seeking to encourage more home/remote working, and digital platforms, in an effort to reduce real-estate costs and recurring expenses. We can easily anticipate that such intensification will have great negative impacts on surrounding infrastructure, greatly shortening the lifespan and any benefits of recent road projects, have obvious adverse environmental impacts, diminish the attractiveness of other thriving business centres through possible relocation of business, impact the skyline and generating underutilised development, given that empirical evidence suggests that there is no need for further development in this sector.</p> <p>The Chamber will make further comments at a later stage once more details on the planning parameters for this partial review are issued for public consultation.</p>	
MMPR1 007	Mr Jesmond Muscat	30/10/2020	<p>All major proposals (Even MIP) in such areas shall be subject to a comprehensive transport impact assessment clarifying holistically the impact of landuse changes on the road network.</p>	<p>Transport considerations may be addressed at development application stage, including consultations with Transport Malta, taking into consideration the nature, scale and other detailing of the eventual proposed development.</p>

MMPR1 008	Perit Liliana Vella obo clients	30/10/2020	<p>The undersigned Architect and Civil Engineer was commissioned by Ms. Antonella Spiteri, Bugeja Timbers, Mr. Joseph Bezzina, Millenia, and Bezzina Brothers to submit a representation letter in response to the Partial Local Plan Reviews for the Marsa Industrial Parks. Our clients are requesting the Planning Authority to consider including the area earmarked as Offices and Showrooms in the Marsa Inset Plan as part of the Grand Harbour Local Plan (Appendix 1) within the scope of the Partial Local Plan Reviews. Considering the proximity of the area to the industrial zone and the existing mixed uses this would enhance further the link between the two areas in view of creating a more holistic master plan.</p>	<p>The land indicated in this submission does not form part of the Marsa Industrial Estate. The objectives of this Partial Local Plan Review do not seek to alter land demarcation and/or land use .</p>
MMPR1 009	Perit Giancarlo Torpiano	30/10/2020	<p>1. Marsa Industrial Parks</p> <p>i. With reference to point a (Marsa), repealing the building height limitation of three floors may lead to the regeneration of the area. However it is not made clear what will replace this.</p> <p>ii. Plans should be specific, and must be coupled with good design principles, which are not currently possible following the Planning Authority regulations exclusively, as they exist today.</p> <p>iii. A development brief should therefore be commissioned for the area, with the objective of creating a masterplan. The masterplan will address relevant</p>	<p>The policy revision sets out urban design parameters that need to be addressed during the assessment of applications in the affected areas</p>

			<p>issues holistically such as (but not limited to): transport, access to light, drainage, public spaces, accessibility, waste collection, ventilation, etc. Urban planning, architectural and engineering design firms with relevant experience should be commissioned to draw up a masterplan.</p> <p>iv. In the absence of a masterplan, setting arbitrary limits on the building heights would be unacceptable, and would not be likely to lead to high quality business areas.</p> <p>2. Imrieheil Industrial Parks</p> <p>i. With reference to point b. The Imrieheil estate is in close proximity to the Birkirkara, Balzan and Qormi community areas. Any rapid increase of density will likely lead to a decrease in quality of life for these, as the areas will experience more traffic, reduced access to light if high-rises are accommodated, and interminable construction in their vicinity. Increased air pollution will also be a likely consequence, both from traffic and construction, that will be difficult to avoid.</p> <p>ii. Planning should not be conducted in an arbitrary fashion, by looking solely at building heights. Any increase in density must be accompanied by new public spaces in the area, by restrictions that prevent streets with limited</p>
--	--	--	--

			<p>access to light, by strategies to deal with waste collection, water drainage, traffic and transport, etc.</p> <p>iii. The proposal is therefore unacceptable in its current form. I recommend commissioning an independent study into the feasibility and effects of the proposal, for public consideration.</p> <p>3. Non-numeric urban design policies to guide the assessment of building heights</p> <p>i .With reference to point c. Non-numeric, urban design policies have been applied in different countries. Unfortunately the current system locally relies on inexperienced board members with limited knowledge of planning issues, as well as not providing for any input for genuine community concerns (via local council objections, for example).</p> <p>ii. Note, again, the proposal is limited to consideration of building heights. Holistic planning is not limited to building heights and therefore the objective of revising regulation "in a sustainable manner that strikes a balance between optimizing the space available whilst respecting the environment and the communities that live and work within" cannot be achieved.</p> <p>iii. The proposal is therefore not acceptable in its current form.</p>	
--	--	--	--	--

MIMPR1 010	Perit Garbiela Febles obo Cassar Fuel Limited	30/10/2020	<p>4. Other provisions</p> <p>i. With reference to point d. Given the above, this proposal is also unacceptable.</p> <p>Our client owns a large piece of land forming part of Marsa Industrial Estate on which land there are erected industrial structures which were used actively for industrial activity by Multigas prior to its relocation to a site in Kirkop. The extend of the Marsa Industrial Estate and the inclusion of clients' land within the same is confirmed in the 1988 Temporary Provisions Schemes and thereafter in the South Malta Local Plan approved and formally adapted in 2006.</p> <p>Our client has submitted a number of applications on site with the current one being PA 1129/20 (validated on 26/02/2020) which is still being reviewed by the Planning Authority. This essentially involves the redevelopment of the existing industrial building to a complex of garage industries. During discussions with the Authority, and more so with the publication of the above objectives it has become clear that the assessment of this application is being stalled to allow the Authority to adopt a high handed approach rather than assess the application on the basis of current policies with specific reference to the numeric height limitation of 12 metres which in force at this point.</p>	Irrespective of the current height limitation and of this policy review, the provisions of Circular 3/20 are to be taken into account during the processing of the cited application and any other application within the context of scheduled buildings.
---------------	--	------------	---	---

MMPR1 011	Sandro Bonanno obo ERA	30/10/2020	<p>Within this context one needs to clarify that within the entire Marsa area affected by this exercise all the land is owned by the Government of Malta with the exception of the land which is owned by our client. Accordingly, the Government as owner of the land is free to impose contractually its own restrictions on how its land can be utilised and developed to achieve its own objectives. The inclusion of our clients' land within this exercise is thus not only unnecessary but is in breach of our clients' rights.</p> <p>Moreover, there are planning commitments on the site and within the area that are applicable to clients' application and that existed on the date on which the application was filed and that cannot be validly removed through this exercise.</p> <p>Thus, we strongly disagree with an object to objective A as it stands and by no measure should this be applicable retroactively to already submitted applications as in the case PA 1129/20</p>	
			<p>1. Introduction</p> <p>The Environment and Resources Authority (ERA) welcomes the opportunity to comment on Phase 1 of the proposed Local Plan reviews concerning the Imriehel and Marsa Industrial Parks.</p>	<p>Issues relating to building height context, blank party walls, environmentally sustainable design and safeguards on exiting utilities are being taken into</p>

		<p>These comments are provided without prejudice to ERA's review and comments on any eventual development projects that may emerge from the Development Brief, when more detailed environmental assessment will be required. Depending on their nature, scale and context, proposed projects may also require different types of environmental assessments or other related screenings, including Environmental Impact Assessments (EIA) or other screenings, as may be relevant.</p> <p>2. Main environmental issues</p> <p>The objectives for the Local Plan review propose to repeal the building height limitations of:</p> <p>(i) three floors (12m) from the Marsa Industrial Estate; and (ii) 14m from the MIP Estate (Area A) at Imrieheh. No alternative numeric building height limitation is being proposed for these two industrial areas. Instead, the revised Local Plans will set out non-numeric, urban design policies to guide the assessment of building heights in these areas. Policies SMMR 01 and CG14 in the respective Local Plans will be amended accordingly.</p> <p>Although both industrial areas are not located directly in highly sensitive environments, it is still important to ensure that the height and design of buildings respect the surrounding settings, so as to minimize visual impacts from abrupt high-density development. Therefore, the proposed building height need to be aesthetically pleasing, allowing a smooth transition from the existing buildings in their immediate vicinity. It is recommended that the height of buildings should only be stepped up in a smooth and moderate</p>	<p>consideration in this policy revision as indicated above.</p> <p>Other environmental considerations and detailing, including green infrastructure, pv panels etc. may be addressed at development application stage, including consultations with ERA, particularly taking into consideration the nature, scale and other detailing of the eventual proposed development.</p>
--	--	---	--

	<p>transition from: the height of buildings in the immediate vicinity of Area A at Imrieħel and the existing industrial building heights at the edge of the Marsa Industrial Estate to moderately higher buildings at the centre of these sites, without resulting in significant visual impact on surrounding low-lying areas and distant rural views. Moreover, it must be ensured that no extensive blank party walls are created by such increases in building heights.</p> <p>The revision of building heights within Industrial Estates could also provide an opportunity to tie permits and consents for increases in building heights with obligations and conditions relating to the installation of extensive PV panels on the roofs of buildings at these sites.</p> <p>Policy proposals resulting in higher buildings could also result in higher density development at these locations. Such proposals should be evaluated in the context of the existing situation in the wider area, in terms of capacity and suitability of existing infrastructure to support the proposed uses, without necessitating additional interventions that could lead to further environmental impacts. Intensification of industrial development will add on to the existing noise climate and increase air pollutant emissions. This may require the introduction of appropriate air and noise abatement procedures and measures. It is recommended that development at these locations takes in consideration the existing vehicular traffic flows in the immediate and surrounding areas even further, to avoid further road congestion and future pressures for further take-up of undeveloped land to extend, upgrade or construct new infrastructure, such as roads and car parks.</p>
--	---

		<p>The Local Plan revisions should also include provisions for the implementation of adequate green infrastructure and public open spaces, commensurate with, and at least equal to, any proposed intensification. Sufficient and suitable land within the Marsa Industrial Estate and the Imrieħel Industrial Park should be designated for implementing extensive green public space and soft landscaping. The provision for green space should be effective and commensurate with the scale, height and configuration of proposed developments at these sites.</p> <p>3. Other Recommendations</p> <ul style="list-style-type: none"> • All future development and related interventions, including the entire width and extent of roads, pavements, parking areas/spaces, access, traffic management infrastructure, vehicle manoeuvring areas, bus stops, landscaping, formal open spaces, as well as any supporting foundations, embankments and ancillary interventions, are to be strictly confined within the existing boundary of both Industrial Estates. There should be no overspills of development, additional take-up or commitment of, or encroachment onto adjacent rural land. • Any required infrastructure (e.g. substations, booster stations, sewer connections, pumping stations, waste management areas/facilities, runoff-collection reservoirs, interceptors, etc.) are to be factored into the advance planning of the scheme and located within the Industrial Estate boundaries, such that direct or indirect pressures for take-up of additional ODZ land for the installation or retrofitting of such facilities is avoided at source. 	
--	--	--	--

	<ul style="list-style-type: none"> • Roads/pavements should incorporate facilities whereby all services and ancillary infrastructure (including water, electricity, sewerage, runoff management and telecommunications) are located underground without overhead wiring, poles, above-ground pipework, etc. The installation of overhead wiring, poles, and other visually intrusive interventions should be avoided at source. • Any infrastructure including pipelines, ducts or sewers damaged accidentally in the course of works should be immediately repaired to the required specifications in order to prevent environmental impacts. In the event of environmental impacts, the works that caused such impacts should cease with immediate effect, adequate and effective mitigation measures should be put in place against further impacts on the environment, and the accident should be reported immediately to the respective competent authorities and entities. • Unmitigated urban runoff (e.g. from car parks) should not be discharged directly onto any surroundings lands. The use of sustainable urban drainage systems, duly integrated into the development areas, is recommended in order to collect and treat local surface water, attenuate water runoff and mitigate risks of localised flooding. • Development should not result in any intended or unintended discharge of surface water (other than clean overflow from runoff-collection reservoirs), wash waters, operational overflows, spillages, seepages or leakages from the development site into the ground or onto any surrounding lands.
--	---

MMPR1 012	Maria Theresa Camenzuli obo Kummissjoni Interdjoċesana Ambjent	30/10/2020	<p>4. Conclusion</p> <p>ERA looks forward towards additional consultations, and remains available for any clarification, or further consultations via: era.policy@era.org.mt</p> <p>The Kummissjoni Interdjoċesana Ambjent (KA) understands the need to optimize the space within industrial estates to accommodate sustainable economic activity. The KA takes note of the objectives of the partial review of the South Malta Local Plan Policy SMMR 1 and the Central Malta Local Plan policy CG14, which include the repeal of the building height limitations from the Marsa Industrial Estate and the Malta Industrial Parks Estate (Area A) in Mriehel. This repeal of building height limitations will be substituted by the introduction of “non-numeric, urban design policies to guide the assessment of building heights” in these two areas. The KA expects that the said new policies that will guide the assessment of building heights will be published for public consultation, and approved, before the repeal of the existing height limitations becomes effective. A high priority in the new urban design policies should be the safeguarding of the visual context and skyline of the surrounding historic landscape, and particularly to ensure that the visual context and skyline of the Santa Maria Addolorata Cemetery and of the Turkish Cemetery are not disturbed by visual intrusions. The KA augurs that the policies that are to be drafted for the areas concerned aim to achieve an urban design that can be clearly presented to the public through photomontages of what such areas and their skyline would look like in the</p>	Further to the planning tools already set in the development regulation system, specific provisions have been included in this policy revision to require that heritage features and their setting are safeguarded.
				Heritage considerations, including necessary studies such as visual impact assessments and photomontages may be submitted as part of the full development application process, including consultations with the Superintendent of Cultural Heritage and others as deemed relevant.

			<p>future. Such visual presentations should be part of the policies when these are issued for public consultation at a later stage.</p> <p>There should be no room for equivocal policies which would lead to unsustainable highrise buildings in the future without proper assessments of such developments being undertaken. The KA notes that, under certain conditions, industrial estates administered by Malta Industrial Parks and Malta Enterprise enjoy exemptions from a full scrutiny of the planning process, and developments can take place without submissions of full development applications, without public consultation and without the submission of certain studies including traffic impact assessments. Partial reviews of local plans have the potential to have a significant impact on a sizeable section of the whole local plan area, especially in terms of visual impact and traffic generation as could be the case in this partial review of the South and Central Local Plans. The KA therefore continues to insist on a full review of local plans which has been promised for many years but which has not yet materialized.</p>	<p>As regards building height, DNO LN211/16 refers to development in Malta Industrial Parks and Malta Enterprise Zones which does not result in an industrial unit higher than fifteen metres measured from the highest street level along the external perimeter of the unit. Development falling outside the parameters set by the above-mentioned legal notice is to be addressed through the Development Planning (Procedure for Applications and their Determination) Regulations L.N162/16.</p>
MMPR1 013	Alex Torpiano	30/10/2020	<p>On behalf of Din l-Art Helwa, we would like to put forward these submissions. Although, it is in general a good step to move away from a blind reference to arbitrary height limitations, this proposal is an abdication of the planning process, since it does not clarify what non-numeric criteria will be adopted instead of height limitations. The Planning Authority is proposing not to plan.</p>	<p>The policy revision sets out urban design parameters that need to be addressed during the assessment</p>

		<p>The justification of the proposed amendment is not grounded on any proper studies. Half of the justification must surely be a lie. It cannot be true that the waiver of the height limitation is to make up for the lack of area for industrial use:</p> <p>(i) At the same time as the Planning Authority decries the lack of land for industrial use, it is proposing that the Ta' Qali Industrial area be converted to area for commercial use.</p> <p>(ii) Removing height limitations will not increase area available for industrial use. The current height limitations allow for at least three floors of industrial activity with generous headroom. Which industrial processes is it envisaged will be accommodated in buildings which are four storeys and higher? It is obvious that the real justification is to allow these areas to be converted to commercial use. There is nothing intrinsically wrong with mixing commercial use with other uses, so as to create a real community, where the need for commuting is minimized. But, (i) this cannot be done by wishful thinking, or by merely removing height limitations, but by proper master planning of the respective areas. Given that planning is always partially speculative, as projections into the future are liable to change, one would expect that decisions are taken with at least a vision for the short-term future. This is nowhere to be seen in the proposed amendments - the amended local plans just show a solid colour over the whole area, without consideration of contours, heritage assets, natural assets, circulation patterns, traffic impact assessments - indeed without consideration of any type of planning;</p>	<p>of applications in the affected areas. These include consideration to the site surroundings, the context of any scheduled buildings in the vicinity, as well as long distance views.</p>
--	--	---	---

	<p>(ii) office use is expected to change in the short-term future, not least because of over-provision over recent years, but especially because of the lessons which other countries are learning from the current pandemic. Is the Planning Authority convinced of the future demand for office space?</p> <p>(iii) If commercial use also includes retail, meaning supermarkets and the like, the Planning Authority seems to have decided that out-of-town shopping is both the desirable future for Malta, as well as good for our quality of life. The truth is that out-of-town commercial centres promote a lot of private vehicular traffic - which contradicts Malta's sustainable development objectives. Once again, this contradiction arises from the absence of proper planning.</p> <p>(iv) In Marsa, in particular, there is no indication of how the historic cemeteries, at the edge of the zone in question, will be protected.</p> <p>(v) In Mriehel, the cancellation of the height limitations is restricted to the MIP area, which, once again, points not to a well thought-out plan for the whole of Mriehel, but a desire to satisfy the requirements of a particular land-owner, in this case, the Government.</p> <p>(vi) Planning Authority inconsistency is glaring. In the proposed amendment for Ta' Qali, there are some references (albeit rather vague) to the need to ensure that the impact of the height of development proposal, on views from and of Medina, say, is carefully considered. No such considerations are made for Mriehel; and yet a high-rise development, of indeterminate height, could</p>
--	--

			<p>have at least an impact on views of Medina, say from Valletta. Why are private projects deemed to have an impact, but public projects are not so deemed?</p> <p>(vii) The area of Mriehel is a very large area, equating the size of Valetta and Floriana put together.</p> <p>Any decision on floor heights has an impact on the total developable volume of Mriehel. Developing the whole of Mriehel to a five-floor limit, and making provision for internal roads, and typical site coverage, would yield office accommodation for more than ca. 105,000 people. Removing the height limitation, opens a window for an enormous office working community, with relative increase in traffic volumes etc., in an area where vehicular access is difficult, public transport insufficient, landscaping inexistent. Once again, the lack of masterplanning is glaring.</p> <p>(viii) The proposal to remove the height limitation for the Mriehel MIP area must be read in conjunction with the DNO provision Class 16. According to these provisions, proposals for development within the MIP industrial areas only need to be notified, provided they conform to the applicable height limitations. By removing height limitations, at a stroke, any development within Mriehel MIP can proceed without ANY consideration by any authority.</p> <p>This is obscene planning.</p> <p>For the above reasons, we submit that the proposed changes are wrong and should be rejected.</p>
--	--	--	---

