

FIREWORKS FACTORY COMPLEXES POLICY

1.0 Introduction

1.1 This document establishes a policy for new fireworks factory complexes and for the upgrading of existing facilities. The policy includes as annexes the following documentation:

- (i) Annex 1: Civil Protection Department Regulations for Fireworks Factory Complexes
- (ii) Annex 2: Police General Conditions Regarding Fireworks Factory Complexes
- (iii) Annex 3: Guidance on fire resistant planting

IMPORTANT - These Annexes have been included in view of their direct relevance to the subject matter and are not part of the policy document. The scope of their inclusion is to assist with the site selection, design and upgrading of fireworks factory complexes. Some of the indicated provisions are not within MEPA's remit. They may therefore be amended from time to time at the discretion of the relevant authorities.

1.2 To date, there was no specific strategic policy guidance document on fireworks factory complexes, but two local plans published in 2006 included references to fireworks complexes. Once this policy is approved the following local plan policies shall no longer be applicable:

- (i) North West Local Plan – NWCM 6: Fireworks Factories
- (ii) Gozo and Comino Local Plan – GZ-CMRC-13: Fireworks Factories

2.0 Definition

2.1 A fireworks factory complex is defined as a facility which manufactures fireworks and stores substances associated with the manufacture of fireworks, as well as the finished products.

3.0 New Fireworks Factories

3.1 General

3.1.1 A fireworks factory complex is made up of a number of processing rooms and magazines (storage rooms), the layout of which may vary according to the context.

3.2 Location

3.2.1 The proposed site for a new fireworks factory complex shall not be located within, or adversely affect scheduled, listed, designated, or protected:

- (i) Areas of Ecological Importance (Levels 1 and 2) or;
- (ii) Sites of Scientific Importance (Levels 1 and 2) or;
- (iii) Areas or Sites of Archaeological Importance (including a buffer zone under Class A and B) or;
- (iv) Special Areas of Conservation; or
- (v) Special Protection Areas.

3.2.2 Candidate sites indicated to qualify for the above designation (in **para. 3.2.1**) shall likewise not be favourably considered.

3.2.3 Proposed sites which are located:

- (i) On good quality agricultural land (*saqwi naturali*) as determined by the Agriculture Department or;
- (ii) Within areas/sites protected by a designation in a development plan or;
- (iii) Within the buffer zones of Water Services Corporation potable water boreholes;

will be considered on a case by case basis.

3.2.4 Further to that established by the relevant legislation (ie. Chapter 33 and the related subsidiary legislation 33.03) or the subsequent revision thereto, magazines within a fireworks factory complex shall not be located within the distance established by law, from:

- (i) Land designated for industrial purposes in an approved development plan or;
- (ii) Facilities related to social infrastructure such as hospitals, schools, social and community facilities and old peoples' homes or;
- (iii) Facilities related to utilities infrastructure such as fuel storage facilities, reverse osmosis plants, power generating plants, sewage and treatment plants.

3.2.5 Infrastructural considerations (including access and adequacy of access roads) would need to comply with the provisions included in **Annexes 1 and 2**.

3.3 Design Criteria and Other Considerations

3.3.1 Structures within a fireworks factory complex shall not be higher than one storey as measured from the lowest adjacent site level. Save for mandatory safety markings and features, efforts should be undertaken to use materials which merge rather than contrast with the surrounding rural countryside.

3.3.2 Visual mitigation measures may include the use of soft landscaping in areas where this is permissible, from a safety point of view. The species used should be fire resistant and compatible with the local flora as guided by the *Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands* (MEPA. 2002), or any subsequent update (refer to **Annex 3**.)

3.3.3 The designs of the individual complexes shall be guided by the provisions of this policy as well as by other relevant legislation and policies. The guidance given in the attached annexes is there to help with the development planning application proposal, but their provisions are not considered binding in terms of this policy document. Special care should be taken in the design process to:

- (i) Increase measures that promote safety within and around the site;
- (ii) Ensure that as much as possible the interventions complement, rather than contrast with the surrounding rural landscape.

Special attention should be given to take into account the surrounding site characteristics to achieve the above objectives. To this effect a one size fits all design solution is being avoided.

3.3.4 Prior to the submission of a development application to MEPA, the proposed design of a fireworks factory complex must be submitted to an "ad hoc technical committee" appointed by

the Minister responsible for planning and which will have the role of guiding proponents on the technical parameters to be adopted within such complexes in order to examine design and take into account operational considerations and with a view to assess and reduce associated risks. Only submissions with prior clearance from this Committee will be further processed by MEPA and this clearance shall be a condition for validating a development planning permission proposal. The said "ad hoc technical committee shall include amongst others representatives from the Civil Protection Department, the Malta Police Force and the Armed Forces of Malta. The persons appointed on the ad-hoc technical committee shall have the requisite expertise in the relevant matter.

4.0 Upgrading of Existing, Licensed Facilities

4.1 The upgrading of existing and/or alterations to and/or additions etc. to licensed fireworks factory complexes is acceptable provided that such interventions conform to the criteria listed in **para 3.2.4** and that the proposal satisfies the provisions of **Sections 3.3.3 and 3.3.4** of this policy. Requests for the reconstruction of existing licensed fireworks factory facilities will be considered as an upgrading of the previous facilities. This does not apply to illegally built structures.

5.0 Designation of Safety Buffer Zones

5.1 All fireworks factory Complexes (new and existing) are to have a designated safety buffer zone around them in accordance with the relevant legislation. Within such zones no further development, that may jeopardise the continued operation and/or licensing of the said fireworks factory complexes, is to be permitted.
