

PA CIRCULAR 1/17

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1 FLOOR TO FLOOR HEIGHTS IN THE APPLICATION OF THE FLOOR AREA RATIO

In view of the introduction of the principle of measuring overall height of buildings in metres in DC15 and the revised internal clear heights of buildings in LN 227 of 2016, the Planning Authority is providing further guidance in the application of these provisions for development proposals seeking to adopt the Floor Area Ratio (FAR).

For development proposals which are adopting the FAR mechanism, the potential Gross Developable Floorspace (GDF) emerging from the Local Plans and other approved policies should be calculated on the basis of the following dimensions for the floor to floor heights:

Non-residential

Clear height: 2.4m
Soffit: 0.3m
Slab: 0.2m
Screed and tiles: 0.13m
Total: 3.03m

Residential

Clear height: 2.6m
Soffit: 0.3m
Slab: 0.2m
Screed and tiles: 0.13m
Total: 3.23m

Furthermore, the ratio of residential to non-residential GDF proposed in the conventional project should be retained in the FAR scheme.

2 AMALGAMATION OF PA FUNDS AVAILABLE TO LOCAL COUNCILS

2.1 INTRODUCTION

2.1.1 In line with the measures announced by Government for the 2017 budget, coupled with provisions of Act VII of 2016, the Planning Authority (PA) has recently announced changes to its funding schemes. Prior to these changes, there were two main PA funding schemes which mainly benefited Local Councils. The first was the Urban Improvement Fund (UIF) and the second was the Commuted Parking Payment Scheme (CPPS) which is applicable to a number of defined geographical areas within certain localities. A third fund, the Environmental Initiative Partnership Programme (EIPP), formerly used by the

Malta Environment and Planning Authority (MEPA), was transferred to the Environment Resource Authority (ERA) during the 2016 demerger process.

- 2.1.2 The main funding changes relate to the amalgamation and the widening of the scope for utilisation of these funds. The new funding system is intended to improve upon the current local funding application procedures and give more weighting to the range of proposals that the respective Local Councils may propose for funding. Another innovation relates to all funding requests being determined through one committee (the Development Planning Fund Committee) and funding generated through various contribution streams being collated in one funding pool dedicated to be used by the respective Local Councils. These measures also impart a greater sense of participation by Local Councils in the apportionment of PA funds available for their locality.
- 2.1.3 The use of the local funds includes proposals that formerly qualified for CPPS/ UIF / EIPP funding but extended to consider other physical interventions which the locality's council deems to be beneficial for the local community. A number of procedures used in the UIF application process are being retained so that the advantages gained through the long term application of the former system, are not lost.

2.2 GENERAL CONSIDERATIONS

- 2.2.1 As announced in the media, the revised PA funding changes were effective as from the 16th January 2017. These funds may also be utilised by government agencies, NGO's or private individuals but the proposals would need to be submitted through the respective Local Councils where the initiatives are intended to be implemented.
- 2.2.2 In order to reduce adverse impact of Local Council planning, initially, proposals originating from the Local Councils may enjoy up to 100% funding and as per current practice partial funding may also be considered. In line with the 2017 National Budget measures, as from 2019, only up to 70% of the cost qualifying for refund may be reimbursed in the case of proposals originating from singular Local Councils. In the case of submissions originating from joint submissions of two or more local councils and/or from the Regional Councils, then up to 100% of the physical interventions may be funded. This is intended to spur wider collaboration between Local Councils and to encourage better economies of scale resulting from such practices.
- 2.2.3 In order to facilitate the transition, meetings with Foreign Policy Research, EU affairs and Funding Division (FPREAFD) staff prior to the submission of proposals is encouraged as this is believed to facilitate the processing of the respective proposals. Given the periti's familiarity with the current UIF applications templates, only minor modifications are envisaged, to facilitate the submission process.
- 2.2.4 The contributions towards the UIF and CPPS funding schemes generated through planning applications are intended to remain unchanged from the current practice. 20% of the revenue generated through applications for the regularisation of development would also be allocated for this fund, thus further widening the funding opportunities. These funds will be managed under the direction of the Development Planning Fund Committee operating within the PA. This committee, chaired by Perit Vincent Cassar, will also be responsible for overseeing other PA local funding initiatives. A Local Councils Association representative will also sit on this committee.

2.2.5 The funds collected in a particular Local Council will be placed at the disposal of the same Council from where they were collected. This would remain applicable in cases where two or more Local Councils decide to collaborate on a project, but in those cases, the respective Councils' PA local fund balances would be taken into account in a manner prescribed through an agreement between the relevant Local Councils and the PA.

2.2.6 The decisions of the Development Planning Fund Committee are final and are not subject to Appeal.

2.3 QUALIFYING PROPOSALS

2.3.1 The main aim of the PA's new funding scheme for Local Councils is to introduce long lasting physical interventions which are intended to upgrade the amenity and appreciation of a locality. These interventions should be demonstrated to improve upon the existing situation in terms of amenity and appreciation of the context. They should also be neighbour friendly and environmentally sustainable.

2.3.2 The qualifying proposals in terms of the former CPPS / UIF / EIPP schemes will remain eligible under the new funding scheme. For ease of reference, these are listed below:

FORMERLY QUALIFYING PROPOSALS UNDER PREVIOUS FUNDING SCHEMES STILL ELIGIBLE FOR FUNDING

- New Parking Facilities
- Facilities intended to improve public transport
- Alternatives for more sustainable travelling modes
- Gardens and landscaping areas
- Playing fields
- Traffic Management schemes including the implementation of sustainable urban transport plans aimed at reducing the impact on air pollution, noise, congestion and CO₂ emissions
- Street lighting
- Street furniture
- Public Convenience
- Facilities for the Disabled
- Green Transport modes
- Projects using methods of sustainable construction such as energy efficient buildings, which aim at decreasing CO₂ emissions
- Restoration of cultural heritage immovable property in the public domain

2.3.3 In addition to the previous list, the new PA Development Planning Fund also contemplates proposals which are:

- a) Of a physical, immobile and permanent nature; and
- b) Beneficial to the wider community; and
- c) Widely and freely available to the community (including positive interventions to upgrade facades defining a public open space);

may also likewise qualify, subject to the conditions indicated in **Section 2.4 (Funding Exclusions)**.

2.3.4 Thus, in the light of the qualifiers in **Section 2.3.3** above, physical infrastructure, security and safety related installations, may also be considered to potentially qualify under this scheme. Through this interpretation, removal of visual clutter from public spaces (including those formed by private facades), are also deemed to likewise qualify. Examples of other qualifying interventions include new surfacing or replacement of surfaces in the public domain, storm water culverts, and extension to, or replacement of, services which would normally be required out of the Local Council funds. A degree of flexibility on the qualifying proposals indicated in **Sections 2.3.2 and 2.3.3** may be retained if the Local Council makes a strong case that the proposal is in the community's interest and is broadly in line with the spirit of **Section 2.3.1**.

2.4 FUNDING EXCLUSIONS

2.4.1 In common with former PA funding provisions, the following will be retained as **not** qualifying for funding under the new funding scheme:

- a) Professional, management, technical and other similar fees; or
- b) Acquisition of property, land or title (including rent, emphyteusis etc.); or
- c) Non-physical interventions (eg. activities or events); or
- d) Extension to existing immovable property; or
- e) Mobile property or temporary structures.