

ODZ POLICY & DESIGN GUIDANCE – PUBLIC CONSULTATION

23rd October 2013 – 6th December 2013



Prior to the tabled list of public submissions and MEPA comments, one has to note that the objectives for this policy were the following:

- the consolidation into one document of the three documents i.e. the Policy and Design Guidance – Agriculture, Farm Diversification and Stables 2008, the Development Control Guidance: Development Outside Built-Up Areas (PLP 20) 1995 and the Development Control Guidance : Swimming Pools Outside Development Zone 2000.
- To ensure a balance between the protection of the environment and development in areas ODZ.
- To improve upon the policies and simplify the planning process related to agriculture in order to assist the genuine farmer.
- To encourage water conservation and to ensure sustainable management of water resources.
- To provide new opportunities for agriculture diversification by farm gate sales, visitor attractions and agro-tourism accommodation.
- To redevelop / rehabilitate permitted buildings with the scope of eliminating the damaging visual intrusion on the rural scene.
- To make good use of scheduled historic buildings ODZ.

With these objectives in mind the policy document has three basic strategies namely:

1. Any new development (building) is solely related to agriculture activity,
2. any rebuilding shall take place on its permitted floorspace (i.e. the footprint shall be reduced or shall remain the same). The footprint shall only increase if this is beneficial to the rural landscape only.
3. change of use shall only be allowed in listed buildings to help in their restoration and upkeep.

ODZ Policy & Design Guidance

Introduction

Part 1 – General Policies and Objectives

Part 2 – Farm Dwellings and Agricultural Buildings

Part 3 – Development related to value added activities

Part 4 – Farm Diversification

Part 5 – Sanctuaries, stables and horse riding/sports establishments

Part 6 – Development outside built-up area (non-agricultural)

Date of correspondence	Respondent	Policy Section	Summary of proposals	MEPA Comments
23/10/2013	Mark Cassar	Part 3	Proprietor of Mark Cassar is enquiring on the eligibility criteria of wineries in the case of organic wineries.	These parameters are based on expert advice given by the relevant dept.
23/10/2013	Jonathan Farrugia	Part 2	The use of basements in ODZ should not be limited only to the footprint of the building. Ventilation shafts/sunken gardens should be considered to improve the use of basements in ODZ. Access lifts should be considered to allow applicants to use basements for car parking.	<p>The restriction of the basement to below the footprint of the building is meant as a balance between the take-up of agricultural land and the need for storage space, etc which would otherwise involve further structures above ground level and additional visual impact. The introduction of gardens in rural areas is also questionable.</p> <p>The intention is to limit access to the basement from within the building itself (<i>kantina</i> type) rather than providing external access which would entail more formalization and land take-up.</p>
28/10/2013	Raymond Spiteri	Part 5	Query regarding consultation with MRA for applications concerning stables.	All applications for stables require the clearance from MRA.
29/10/2013	D. Cilia	Part 6	In policy 6.3 a more recent year should be established instead of 1992.	The 1992 cut-off date relates to the coming into force of the Structure Plan which introduced specific policies prohibiting further urban development ODZ (including residences unless for farmers).
29/10/2013	Aldo Darmanin	Part 1	The 3 feet passage to access fields stipulated in the policy will exacerbate the current situation in which fields which are not	The policy is aimed at conserving agricultural land as much as

			accessible using agricultural vehicles are abandoned.	possible. This could merit revision according to size of farm and machinery of operator.
30/10/2013	Alex Brincat	Part 6	In policy 6.3 a more recent year should be established instead of 1992.	The 1992 cut-off relates to the coming into force of the Structure Plan which introduced specific policies prohibiting further urbanization on the countryside.
		Part 6	A ramp access should be allowed to access the basement.	Due to the need for proper gradient and headroom, ramps will entail further formalisation and take-up of land i.e. unless ramps form part of the basement.
30/10/2013	Martin Chetcuti	Part 6	The swimming pool's deck area should not be linked to the size of the pool. The deck area should be set to a maximum of 100sqm without exceeding 50% of the remaining landscaped area.	The 50% deck size in relation to pool size is considered as a fair balance between practical needs and land take-up.
		Part 6	The use of full basements for parking purposes can lead to the reduction of vehicles from ODZ sites.	The use of basements for parking would entail the construction of ramps and hence further land take-up.
30/10/2013	Joseph Debono	Part 4	The concept of agro-tourism will be self-destructive if it is permitted on undeveloped land.	General policy 1.2C and a 60 tumoli of consolidated land are the limits to this proposed development.
		General	Industrial permits should be revised and where such buildings exist in ODZ, these should relocate to avoid being a nuisance to neighbouring residential areas.	The relocation of industrial uses to land designated for such use is already envisaged by the Structure Plan and is being implemented through the introduction of SMEs sites, etc.
2/11/2013	Anthony Hili	Glossary & Part 4	Policy 4.4 – Agro-tourism should be properly defined. A proper agro-tourism policy should depart from the models which have been used in our neighboring countries such as Italy and evolve into a new local concept which takes into consideration - i. The islands' small size which makes traveling from one	General policy 1.2C and a 60 tumoli of consolidated land are the limits to this proposed new development. In the cases of existing buildings different scenarios have been

			<p>place to the other much easy.</p> <ul style="list-style-type: none"> ii. The islands' population density in relation to available open spaces, iii. The islands' fragmented agricultural holdings. iv. The islands' fragile ecosystem. <p>The islands' massive availability of residential places for tourists.</p> <p>The situation and the needs of the already existing operators should be carefully studied. It should be ensured that the new legislation does not discriminate against those who already have invested loads of money in their project. Relevant policies should be clear and not left to interpretation. Loopholes for abusive development that result only in the destruction of our fragile natural landscapes should not be prevented. In the draft ODZ policy, no proportion is being taken into consideration (if you have less than 20 tumoli, then you are not entitled for anything). New agriculture land transfer laws should also be considered to avoid fragmentation of holdings.</p>	<p>considered, for example within a continuing farming practice, phases for the development etc.</p>
3/11/2013	Euchar Vella (obo) Karkanja Ltd.	Part 6 & Landscaping	<p>The size of the swimming pool should correspond to the number of users and building units. In the case of tourism development, the size of the swimming pool should correspond to the number of bedrooms irrespective of the type of building making use of the projected pool/s. In case of communal swimming pools, only a 15m distance from the edge of ODZ should be allowed instead of the recommended 5m to avoid creating nuisance to the occupants. A paved area of maximum 5m should be allowed across the façade facing ODZ together with a 3m paving around the swimming pool's perimeter. The multiple pool size of 70sqm should only be applicable when it is a communal pool and not when it is attached to an individual unit.</p> <p>Landscaping around the swimming pool should also include non-indigenous trees which are fast-growing such as bamboo and prickly pear.</p>	<p>The limitations on pool size and location are intended as a balance between the commercial needs and the take-up and formalization of ODZ land. It is not envisaged that there will be significant new large scale tourism developments which will be approved ODZ, other than rehabilitation and/or conversion of existing structures for agro-tourism (maximum 10 rooms) and therefore do not involve anything close to the 30 units or even the 100 units mentioned in the submitted comment. Such large-scale proposals are generally located within areas specifically designated</p>

				for development, in which case the size and number of pools will not be regulated by the ODZ policy but by the design and size of the areas dedicated to landscaping. The same applies to paving around pools, where the intention is to limit further land-take up unless the pool is located within spaces already forming part of the curtilage of the building (such as paved side and back yards, and other enclosed spaces).
3/11/2013	Mario Mifsud	Part 3	Para. 3.4.1 – Beehives might need to be enclosed in a wire fence structure as a means of protection both for the beehives themselves and trespassers. This has not been taken into account in the new policy. Such structures should also be allowed in Level 1 protected areas.	Apart from being subject to the Dept of Agriculture and Dept of Health, the policy deals with buildings for bee keeping.
4/11/2013	David Xerri	Part 6	Prospective applicant enquiring on the redevelopment of a dilapidated 100 year old rural building located in his property.	This query is site specific and has little relevance in terms of the public consultation process.
5/11/2013	Mark Causon (obo) Genista Research Foundation	Part 1	The introductory paragraph 0.1 is a dangerous option which can lead to the destruction of ODZ land. It should be replaced by 'applications which are not addressed by this policy require a two thirds vote in parliament for approval' instead of the MEPA board.	The 'Call in Procedure' where applications may be called in by the Minister to be decided by the Cabinet of Ministers is regulated by Article 75(2) of Act X of 2010, hence the suggested procedure falls outside the remit of the ODZ policy review.
		Part 3	The conditions that are being proposed for wineries, olive oil production etc., should only be limited to registered farmers and those in possession of MTA permits for accommodation	Any request for change of use of vacant building(s) will remain subject to the policies applicable at

			purposes. What will happen when such a venture closes? What guarantees will be made that no changes will be permitted in the future?	the time of the decision, and therefore the ODZ policy review cannot establish <i>a priori</i> what will happen in the future.
		Part 4	Which authority will enforce the regulation ensuring that the goods sold from farm retail outlets are restricted to local agricultural produce only and retail sales take place within the building only?	The enforcement of permit conditions falls under the responsibility of MEPA and/or other agencies specifically referred to in such conditions.
5/11/2013	Dr. John A. Consiglio	General	The number of, and heights of any presently existing buildings in the Maltese and Gozitan countryside should not be increased.	The policy document is not promoting the increase in building heights, but makes reference to the specific landscape characteristics
		Part 4	MEPA, and/or the MTA, must permit buildings to be used for any so-called agro-tourism only if: <ul style="list-style-type: none"> - No new buildings or increase in rooms are permitted; - Would-be “tourists” only stay in such existing places for not more than one week at a time; - Rigid conditions on owners declaring such tourism-related incomes for tax are applied. 	The policy which deals with agro-tourism has a number of conditions which shall be applied.
		General	ODZ prohibitions must become more, not less rigid.	The policy review retains the Structure Plan strategy for the protection of the scenic, agricultural, and ecological values of the countryside
		General	MEPA must have an active and rigidly pursued policy of protecting, widening, indeed even increasing, whatever open countryside, and/or unbuilt land, may yet still exist between each and every town and/or village in Malta and Gozo.	The Local Plans have already introduced specific polices for ‘open gaps’
		General	The Mistra village and St. Julian’s permits recently issued are an obscenity and total disgrace to our country, and benefiting only the pockets of the so-called “developers” and thus should be	Not particularly relevant to the ODZ policy review

			withdrawn.	
		General	MEPA should have an active policy of contractors, or investors, or developers, having more permit applications refused, rather than accepted, but simultaneously directing such investors to participate in more of government's announced public-private projects.	Not particularly relevant to the ODZ policy review
5/11/2013	Stefan Calleja	Part 6	Query on the 150sqm capping of floorspace for ODZ dwellings. The irregular layout of 'traditional farmhouses' makes it very challenging to restore and convert into a modern dwelling which meets today's standards whilst maintaining the characteristics of a traditional farmhouse.	The 150sqm capping of floorspace for ODZ dwellings is aimed at controlling the massing (and associated visual impact) and the relative land-take up. The 150sqm already takes into account the irregular layout and wall thickness of some of the rural buildings in that the standard minimum dwelling size for a new 3 bedroom unit within the development zone is set at 96sqm (DC 2007 policy 3.7) while that of villa development is also set at 150sqm. Hence the maximum 150sqm allowable floorspace for ODZ dwellings is considered to adequately accommodate a 3 bedroom dwelling, particularly since a basement under the footprint of the building can provide any required additional space.
		Part 2	Policy 2.2A (5) – A single dwelling within the boundary of an operational livestock farm can have a maximum floor space of 250sqm, while a new dwelling outside the said boundary is limited to a maximum of 150sqm. In both instances, they refer to new built and used exclusively as “a dwelling where a farmer lives”. The above criteria doesn't impose any restrictions on the layout, thus a new building can be designed as a single floor	The 250sqm allowable floorspace for farmers dwelling takes into consideration the fact that farmers usually require additional storage space for farm produce and machinery, as well as extra facilities in case of family members who are

			dwelling and accommodate all modern day standards and yet still be within the 250/150 sqm floor space. This contradicts with Policy 6.3 which imposes the limit of 150sqm of an existing building including any extensions/ alterations, even though such extension can be proposed on the first floor of the dwelling without taking up any arable land and without changing the existing footprint. This is a discriminatory clause, whereby a "farmer" is allowed to build a bungalow of a total floor space of 250/150 sqm, while for existing dwelling, this is limited to a total floor space of 150sqm, irrespective of the layout. Hence, extension restrictions should be evaluated not on a fixed measure (i.e. 150sqm) but rather as a percentage/ratio to the existing floor space capped to a maximum threshold.	required to remain living on the farm with the family even after getting married, etc. This measure aims to encourage younger farmers to remain in the farming industry. In any case, the maximum of 150sqm and/or 250sqm is not automatic and depends mainly on the context of the site in which the building is located.
		Part 2	Policy 2.9 does not clearly define what type of stone walls for land demarcation is permitted.	Rubble walls have been defined in the glossary and policy.
7/11/2013	Aldo Micallef	Part 6	The set year of 1992 should be extended to a more recent year, and basements should be allowed to have a ramp for better utility.	The 1992 cut-off relates to the coming into force of the Structure Plan which introduced specific policies prohibiting further urbanization on the countryside. Due to the need for proper gradient and headroom, ramps will entail further formalisation and take-up of land.
7/11/2013	Dieter Ebejer	Part 2	Chapter 424 of the Occupational Health & Safety Authority Act stipulates that an employer/self employed/worker must provide/have welfare/sanitary facilities at the place of work (and does not stipulate how much the workplace must be big to have a toilet); Farmers are attending to courses for the handling of pesticides (and given a card issued from MRA, MEPA & the Department of Agriculture), and are being told that welfare facilities, such as a	Consultations shall be carried out with the respective departments for each application, including storage rooms which shall comply to EU regulations. With regards to farmers owning 1 tumolo, they shall be permitted a pump room subject that they have a

			<p>shower, and changing facilities are needed to prevent returning home with the same clothing which could be contaminated and posing a health hazard.</p> <p>Notwithstanding, utility services are permitted in Section 2.5 of the ODZ Policy only if a farmer has a minimum of 5 tumoli. What about the part time farmers owning 1 tumolo, which are continuously increasing.</p>	reservoir on their land.
11/11/2013	Perit Ruben Sciortino	Glossary & Landscaping	The proposed policy fails to define the difference between formal and informal landscaping/garden. There should be clear distinction to avoid subjectivity.	There is no mention of a "garden" in the document.
		Landscaping	The proposed policy fails to clarify in maintained grass and/or lawn is acceptable to be used as soft landscaping particularly within approved residential development.	Each case shall be considered on its own merits regarding landscaping, however as mentioned in part 6 the planting of indigenous species shall be encouraged whilst that of invasive and/or exotics controlled..
		Part 5	The possibility of using land in an ODZ area for private horse tracks is not tackled in the policy. This should be made possible if the owner has a number of horses already listed under his name used for the disciplines of dressage and show jumping and the organisers area affiliated with the Maltese Olympic Committee.	Paddocks, exercise or training areas are considered in policy 5.2.
11/11/2013	Joseph Sultana (obo) Munxar Local Council	Part 2	<p>The Munxar Local Council is concerned about an existing livestock farm located in the village core which and on the main road leading to Xlendi.</p> <p>The farm proprietor is trying to relocate the farm away from the residential area to avoid causing further nuisances to the residents and bring the farm in line with EU standards. The farm has a pending application PA 4867/06 to construct a new farm on a site which already accommodates another farm which has been recently constructed.</p>	Comment is site specific and therefore not particularly relevant to the policy review. However, the case mentioned relates to a SAC site and is currently undergoing Appeals procedures against refusal.

11/11/2013	Farquhar Gauci	Part 6	The distance of the swimming pool from the building should be extended to 20m since in some cases there are mature trees and differences in site levels.	For paving around pools, the intention is to limit further land-take up unless the pool is located within spaces already forming part of the curtilage of the building (such as paved side and back yards, and other enclosed spaces).
12/11/2013	Mario Micallef	General	Diversification of agricultural activities should also include the setting up of new basement areas for in-door exhibitions accessed from ground level to enhance the rural experience. Franka slabs should be used instead of modern concrete grass-blocks. Wooden tent-like structures less than 3.5m in height can be used for different purposes e.g.: educational, showcasing and enhancement of the rural life experience on the agricultural holdings.	Basements shall be allowed beneath any permitted building. From expert advice that was given, the use of grass blocks is preferable to slabs. Educational/exhibition shall be allowed as a change of use in buildings over 150sq.m. in the visitor attraction policy.
12/11/2013	Jonathan Attard	Part 4	Agro-tourism should be limited and should use existing structures or on land that has already been developed. Hotels or "Hotel-like" places should be accommodated within the development zone close to the actual farmland e.g. a converted townhouse that would otherwise remain abandoned or abandoned fireworks. ODZ was meant to be the definitive "decider" of which areas can be developed. When this was last reviewed, a number of areas that were previously "ODZ" were "sacrificed" to the building industry and this was supposed to be the last time!	The agro-tourism policy includes 4 different scenarios, one of which is the use of existing buildings. All projects must include a deed/contract with the farmers in the vicinity.
12/11/2013	Thomas Briffa	General & Part 2	The north of Malta (including Gozo) has a built up area of approximately 8% while the south of Malta has a built up area of approximately 20%. Construction in the south of Malta in ODZ must stop at all costs. Besides being overbuilt, the South is also burdened with two water sewage treatment plants, rubbish recycling plants, the power station, civil prisons, the largest cemetery, private dry docks, airport etc. All the countryside in the south has been taken from the residents.	New development shall only be allowed to assist the "genuine" farmer and the farming industry. Redevelopment of existing unsightly buildings in our countryside shall be allowed with the same floorspace as the existing ones. The scope is to remove

	<p>Tourists and the Maltese do not want more construction as a payback to the development lobby but more footpaths in rural areas. Issuing permits for speculation purposes only to sustain a saturated, unsustainable building industry will only lead to the uglification of Malta. The building industry does not drive economic growth, since employment is short term and the majority of workers are foreigners or illegal immigrants.</p> <p>No more building permits in ODZ/virgin lands should be issued in the south of Malta and the South Malta Local Plan should retain building heights as existing. Land reclamation for speculation purposes should not be allowed. The government and MEPA should tighten ODZ regulations and enforce not relax them. The Prime Minister, Dr. Joseph Muscat, during the Times great debate just before the general elections promised that it is not his intention to issue building permits in ODZ. Our children have very limited open spaces compared to our counterparts in other countries so the few remaining open spaces that we still have should be preserved.</p> <p>Other comments received from the respondent are of a local planning nature.</p>	<p>these permitted eyesores which have vested rights and have sustainable buildings to replace them which blend well into the rural environment.</p>
<p>13/11/2013 David Sant Part 6</p>	<p>Since most of the existing farmhouses cannot have a basement because of their structure, such farmhouse owners should have the right to build an area covering 250sqm like animal breeders.</p>	<p>The 150sqm capping of floorspace for ODZ dwellings is aimed at controlling the massing (and associated visual impact) and the relative land-take up. The maximum 150sqm allowable floorspace for ODZ dwellings is considered to adequately accommodate a 3 bedroom dwelling, particularly since a basement under the footprint of the building can provide any required additional space.</p>

14/11/2013	Perit Guido Vella (obo) Xewkija Local Council	Part 2	<p>The Xewkija Local Council is concerned about an existing cow farm located in the village core within the UCA which is causing a nuisance to the locals. The farm cannot be modernized to comply with EU standards and the only solution is to relocate the farm outside the boundaries of the village.</p> <p>The farm proprietor has a pending application and appeal to construct a new farm on a site known as Tal-Kus. The farm would be bordering the civic amenity site managed by WasteServ which is also located in this area. The residents are in favor of the relocation of the farm for the benefit of the community.</p>	This query is site specific and has little relevance in terms of the public consultation process.
14/11/2013	John Felice	Part 6	Ramps should be allowed for access to basements and proper use of such spaces. The 1992 benchmark in Policy 6.3 is limited.	<p>Due to the need for proper gradient and headroom, ramps will entail further formalisation and take-up of land.</p> <p>The 1992 cut-off relates to the coming into force of the Structure Plan which introduced specific policies prohibiting further urbanization on the countryside.</p>
14/11/2013	David Pisani (obo) Zminijietna	Part 4	Zminijietna is against any type of new development in ODZ. This document does not give importance to eco-tourism but seeks to develop more protected areas. Considering that the built-up area of Malta amounts to 33% and pressures to speculate new land continue rising, MEPA should not continue developing agricultural land or garigue. Agro-tourism should be implemented using existing buildings, farm buildings and spent quarries. New policies should seek to enhance the sustainability of the environment and existing structures but the policies in this document are solely geared towards new development. The same criteria and line of thought used for the regeneration of Valletta should also be applied for agro-tourism.	New development shall only be allowed to assist the "genuine" farmer and the farming industry. Redevelopment of existing unsightly buildings in our countryside shall be allowed with the same floorspace as the existing ones. The scope is to remove these permitted eyesores which have vested rights and have sustainable buildings to replace them which blend well into the rural environment.

		Part 6	No new permits should be granted for further swimming pools in ODZ. The harnessing of water and renewable energy should be a priority.	Swimming pools shall be permitted only within the curtilage of existing dwellings.
15/11/2013	Victor Bonello	Part 1	The rights of the land owner need to be safeguarded; the word 'lease' for agricultural land needs to have a legal definition which includes how soil should be treated. The fragmentation of land is creating many problems to farmers and their families. Prescription on title of land is to be totally abolished. Lease of farmland should only be inherited by one member of the family and should be subject to the written approval by the owner. The owners rights to take possession of land especially for farming or correlated activities should also be looked into. Farmers need to produce solid proof of actually requiring the land for their livelihood. The lease for farmers who need to sell the land should be terminated. Owners should also have the right to declare their property whether leased or not as a game sanctuary.	The rights of land owners is a third party issue which is not MEPA's remit. Land fragmentation shall not be allowed below parcels of 1 tumolo each.
		Part 4	Policy 4.4 - Why was the number of tumoli imposed for agro-tourism capped at 60?	New buildings for agro-tourism were capped at 60 <i>consolidated</i> tumoli to limit the number of developments.
15/11/2013	Glenn Tanti	Part 6	Proprietor of a farmhouse with 200sqm of contiguous land querying about the imposition of the 5m distance for the construction of a swimming pool.	For paving around pools, the intention is to limit further land-take up unless the pool is located within spaces already forming part of the curtilage of the building (such as paved side and back yards, and other enclosed spaces).
16/11/2013	Ruben Mallia	Part 2	Policy 2.5A - The majority of farmers have dispersed parcels of arable land encompassing other habitat types such as garigue and maquis. Farmers should be encouraged to maintain and preserve these habitats within their small holdings and not be penalized for having less than the required 5 tumoli to obtain permission for a 30sqm storage facility because of these natural appendages.	Parcels of arable land have been revised to include 3 contiguous local councils.

18/11/2013	Christian D' Anastasi	Parts 2 & 6	Animal breeders and residential farmhouses should both have a maximum floorspace of 250sqm.	The 150sqm capping of floorspace for ODZ dwellings is aimed at controlling the massing (and associated visual impact) and the relative land-take up. The maximum 150sqm allowable floorspace for ODZ dwellings is considered to adequately accommodate a 3 bedroom dwelling, particularly since a basement under the footprint of the building can provide any required additional space.
18/11/2013	Peppi Gauci (obo) Permaculture Research Foundation Malta	Part 4	Proposing a sustainable form of agro/eco-tourism where structures would be integrated in the landscape design to be as invisible as possible and mimic nature in the way they make use of resources in order to minimize waste and re-use as much as possible.	Such projects are considered as Research and Innovation will be dealt with in Policy 1.2B.
19/11/2013	Brian Gauci	Part 6	The 5m distance of a swimming pool from a building can be dangerous to children. Swimming pools should not be built that close especially if there is plenty of space available.	For paving around pools, the intention is to limit further land-take up unless the pool is located within spaces already forming part of the curtilage of the building (such as paved side and back yards, and other enclosed spaces).
19/11/2013	A. Bonavia	General	PA 3777/09 (Triq il-Katakombi, Salina) should have never been granted in an ODZ area since it does not fall under any of the existing criteria nor in the recently proposed ones and is not replacing/extension (of) an existing building. No Notice/advice had been placed for people to contest the decision in 2009/10.	This query is site specific and has little relevance in terms of the public consultation process.
19/11/2013	Joe Fsadni	Part 6	A farmhouse worthy of conservation should be complemented by at least 200sqm of built up area instead of a basement.	It is not the aim of the policy to encourage urban sprawl and/or unnecessary take up of land. The concession of a basement applies to those cases where it is

				necessary and practical to achieve further floorspace without any visual impact and/or loss of agricultural land.
19/11/2013	Marlon Ellul	Parts 2 & 6	Animal breeders and residential farmhouses should both have a maximum floorspace of 250sqm.	<p>The 150sqm capping of floorspace for ODZ dwellings is aimed at controlling the massing (and associated visual impact) and the relative land-take up. The maximum 150sqm allowable floorspace for ODZ dwellings is considered to adequately accommodate a 3 bedroom dwelling, particularly since a basement under the footprint of the building can provide any required additional space.</p> <p>The 250sqm allowable floorspace for farmers dwelling takes into consideration the fact that farmers usually require additional storage space for farm produce and machinery, as well as extra facilities in case of family members who are required to remain living on the farm with the family even after getting married, etc. This measure aims to encourage younger farmers to remain in the farming industry.</p> <p>In any case, the maximum of 150sqm and/or 250sqm is not automatic and depends mainly on the context of the site in which the building is located.</p>

19/11/2013	Daniel Gauci	Parts 2 & 6	Animal breeders and residential farmhouses should both have a maximum floorspace of 250sqm since many farmhouses are small for habitation.	Comment as above.
19/11/2013	Peter Axisa	Part 2	<p>Policy 2.6 (7) – Instead of concreting over the soil for greenhouses, “Nutrient Film Technique” requires a solid floor with a slight slope but no depressions in the slope for it to be effective as the tolerance of the depth/level of the solution continuously being pumped through</p> <p>Fragmentation of agricultural land is not easy to control. But if rubble walls need to be removed to improve agricultural practice, this should be encouraged and the stone saved for the building or restoration of other rubble walls.</p>	<p>No concrete shall be allowed as per policy 2.6(7).</p> <p>Regarding fragmentation, normally applications include fragmentation and not the other way round, due to various reasons. This is why a limit has been included in the policy.</p>
22/11/2013	Alexander Briffa	Part 6	In a property (farmhouse) where split levels are available the pool shall be built on a lower level than the farmhouse. Every situation can deal with a length of 5m from existing building to the pool. A pool on the lower level will also be less visible.	The 5m restriction is aimed at limiting the land take up. Allowing pools on 'lower levels' could involve the further take-up of undisturbed land, particularly in case of terraced fields.
22/11/2013	Godwin Young	Introduction	Paragraph 0.21 - The 15sqm seems to imply 10% of 150sqm. What about existing buildings (pre 1969 and with valid permits) which exceed 150sqm? The maximum tolerance area should be increased to 25 – 30sqm.	This is a flexibility tolerance which should be capped at 15sq.m.
24/11/2013	Leonard Zammit	Part 2 and 5	The policy seems to give a lot of importance to large scale farming and projects related to agro-tourism. It fails to address the basic needs of registered smallholder farmers who are allowed to rear a small number of animals/poultry as a hobby. It is recommended that existing registered smallholder farmers should be allowed to provide adequate shelter for their animals/poultry. The height of these shelters should be less than 2.75m (so that the shelter will not qualify as habitable) and the maximum area should be regulated according to the minimum standard area required for each animal/bird as per Government Veterinary Services Regulations.	<p>Policy 2.3B does not mention any size of farms so it includes smallholder farmers.</p> <p>With regards to animal shelters the height has been regulated to 1.2m with appropriate fencing.</p>
		Part 2	The use of random-sized franka stone recycled from demolition	The random sized franka stone has

			has a different shape and form from the traditional rubble wall stone. Moreover, the majority of franka stone recycled from demolition waste is machine-faced and neatly cut. The use of franka stone from demolition waste in the rehabilitation of rubble walls will lead to the gradual disappearance of the picturesque traditional rubble wall as we know it today. If the supply of random rubble stones is scarce, the use of similar stone imported from nearby Sicily should be considered for the repair or construction of new rubble walls. Our unique landscape should be maintained at all costs and we should not sacrifice our rural landscape just to find a new use for demolition waste.	been clarified to be irregularly shaped.
		Introduction	Para 0.21 allows a 10% tolerance as a flexibility extension but in any case shall not exceed 15sqm. The 15sqm is considered too low when one considers old buildings having an existing area of more than 150sqm. It is recommended that the 10% tolerance should be kept but the maximum of 15sqm be increased to 25sqm.	This is a flexibility tolerance which should be capped at 15sq.m.
25/11/2013	Charlot Micallef	Part 6	The 5m distance imposed by the policy for swimming pools has to consider cases where there are trees which in order to be retained cannot comply with the 5m distance.	For paving around pools, the intention is to limit further land-take up unless the pool is located within spaces already forming part of the curtilage of the building (such as paved side and back yards, and other enclosed spaces).
25/11/2013	Perit Tancred Mifsud	General	Simple developments such as extensions at basement level to existing buildings and construction of rubble walls to separate multiple land ownership must be incorporated in DNO applications.	New reservoirs and traditional wind-driven pumps shall only require notification.
		Part 6	It is not clear if the 150sqm is footprint or gross floor area. A distinction must be made between new residential units for animal breeders and new residential development for an arable farmer since the proposed policies suggest that a 250 sqm is allowed for animal breeders whilst a 150sqm is allowed for arable farmers.	The 150sqm is the gross floor area. The 250sqm allowable floorspace for animal breeders is not automatic, but is a maximum which may be applied in case of family members who are required to

				remain living on the farm with the family even after getting married, etc. This measure aims to encourage younger farmers to remain in the farming industry
		General	The situation on the use of existing legal structures located ODZ should be clarified.	Legal buildings are those which have a permit or which are pre 1967.
		General	Redevelopment of infill sites in ODZ must be addressed since there are instances where infill sites, if developed (with restrictions) will improve the existing streetscape or landscape. The same applies for blank party walls.	This is a local planning issue which merits consideration. However para. 0.1 deals with these situations.
		Part 2	It would be efficient land use if the existing disused farm buildings could be allowed to be used for warehousing, if the road network permits and the storage material limited.	Any new use not mentioned in this document shall be subject to a recommendation by the Agriculture Advisory Committee.
		Part 2	Construction of rubble wall to separate two properties must not be limited to a minimum site area. The landscape topography and surrounding scenic value must determine if a site can be divided by a rubble wall and not the size of land to address litigation issues due to limits of ownership. Boundary walls surrounding farm buildings must not be permitted in rubble due to sanitary issues raised by the Veterinary Services Division. The height of the boundary wall must follow the height of the existing legal surrounding rubble walls.	Parcels of 1 tumolo are the minimum area which can be bound. With regards to farms, more weight shall be given to justifications made by the consultees.
25/11/2013	Perit Charles Buhagiar	Part 2	Policy 2.5A – The farmers tilling 2 to 5 tumoli of land should have a small store (having a sensitive design) e.g. 15sqm for storing drip pipes etc. since there are more farmers in this bracket (i.e. 2-5 tumoli) than in other brackets.	This issue was discussed by the ODZ Working Group.
		Part 2	Policy 2.5B – To confirm that there are maps/aerial photos taken before October 1994.	Aerial photos are available (as per Mapping Unit confirmation)
		Part 2	Policy 2.7A – There should be a limited time for any comments/objections by the consultees and MEPA should send the notification to the external consultees.	No period of time is stipulated because this is a notification only and comments are not normally expected.

		Part 2	Policy 2.9 (4) – Less than 1 tumolo is considered as a garden with allotments (similar to the ones at Ghammieri)	The Working Group does not consider this possibility because the ones at Ghammieri were not successful.
		Part 2	Policy 2.9 – The gate may be set-back with a splay for adequate maneuverability. A maximum width of more than 3m should be allowed subject to justification (e.g. a combined harvester would require more width).	The policy shall address this valid point.
		Part 2	Policy 2.11 – Coordination with the team working on this policy should be made. For example, does the policy address the situation where a reservoir has its roof exactly at ground level and this is covered in PVs.	The Working Group consulted with the team working on this policy and it was concluded to remove this policy from the document.
		Part 3	Policies 3.2A & 3.3A – The building should be designed so that it cannot be converted to dwellings, e.g. no small rooms for offices.	The Working Group considered this but did not include it in the policy because it can be assessed during the processing of the application.
		Part 4	Policy 4.3A (3b) – To include that this shall be in separate rooms to ensure no conversion to anything else.	This issue can be assessed during the processing of an application
		Part 6	Policy 6.3 – In this case, a ramp should be permitted.	A ramp implies further land take-up, however each case may be treated on its own merits.
25/11/2013	Perit Kerstien Micallef & Perit Christian Spiteri	Part 6	Policy 6.2A (5) is too generic as there are different forms of warehousing and/or industrial activities. Full development MEPA application PA 3389/10 – ‘ <i>Proposed change of use from disused rabbit farm to boat storage facilities.</i> ’ The proposed use would have less of an impact than its current use as a rabbit farm. The policy should be site/area specific. There are some areas in ODZ that are already dotted with industrial/warehousing uses.	Industrial uses and warehousing should be directed in areas specifically zoned for such uses, including industrial zones and SME zones, and/or on sites which qualify under the Open Storage policy.
25/11/2013	Perit Stephen Buhagiar	Part 2	The need of agricultural land users which are neither full-time nor part-time farmers and their work in the countryside is not commercially oriented but nonetheless do work in the countryside and contribute to the local agricultural heritage need to be considered. The amount of land owned by these agricultural land users is less than 5 tumoli and thus do not	The policy does not differentiate between part time and full time farmers. Farmers tilling 1 tumolo or more shall be allowed a reservoir and a pump room of 4 sq.m. with an external height of 9 courses.

			qualify for application under current policies. An area of 15sqm would be sufficient for basic needs related to agriculture.	
26/11/2013	David Zammit (obo) Zminijietna	Part 4	Agro-tourism should not be encouraged at the expense of agricultural land or garigue and should rest on the concept of eco-tourism. 33% of Malta is built up meaning that one third of the land has been developed. The new ODZ policy should ensure that the environment and open spaces are safeguarded. MEPA should ensure that the existing building is reutilized and no new permits for new buildings are issued. Existing buildings and farms within ODZ and spent quarries should be rehabilitated to be used for agro-tourism projects. The same criteria used in the regeneration of Valletta should be applied for the restoration and conversion of existing buildings.	New buildings for agro-tourism shall not be located on scheduled sites. The policy document allows redevelopment of permitted buildings on sites with the condition of having the same floorspace. New buildings shall only be allowed when these are related to agriculture activity.
		Part 6	No new swimming pools should be permitted, instead open reservoirs, renewable energy and stables should be encouraged.	Swimming pools are considered as an amenity with the residential use in case of farmhouses ODZ, as long as their impact is properly mitigated.
28/11/2013	Michael Gauci	Parts 2 & 6	It is discriminatory to give the right to animal breeders to build a farmhouse of 250sqm and not giving the same right to normal farmhouse owners to build the same area since both need space.	The 150sqm capping of floorspace for ODZ dwellings is aimed at controlling the massing (and associated visual impact) and the relative land-take up. The 150sqm already takes into account the irregular layout and wall thickness of some of the rural buildings in that the standard minimum dwelling size for a new 3 bedroom unit within the development zone is set at 96sqm (DC 2007 policy 3.7) while that of villa development is also set at 150sqm. Hence the maximum 150sqm allowable floorspace for ODZ dwellings is considered to adequately accommodate a 3

				<p>bedroom dwelling, particularly since a basement under the footprint of the building can provide any required additional space.</p> <p>The 250sqm allowable floorspace for farmers dwelling takes into consideration the fact that farmers usually require additional storage space for farm produce and machinery, as well as extra facilities in case of family members who are required to remain living on the farm with the family even after getting married, etc. This measure aims to encourage younger family members to remain in the farming industry.</p> <p>In any case, the maximum of 150sqm and/or 250sqm is not automatic and depends mainly on the context of the site in which the building is located.</p>
30/11/2013	Perit Kevin Bencini	Part 2	Policy 2.6 (8) – Suitable minimum greenhouse heights for today's technologies are generally based on a minimum crop support height of 3.5m. Rather than suggesting a general maximum overall height, the proposed policy should be reworded to restrict the maximum gutter height to 3.5m and the maximum ridge height (peak) to 5.5m.	The maximum height of the greenhouses has been removed.
		Part 2	Policy 2.6 (9) – In order to enable a better and more competitive product selection, as well as for very important practical as well as health/ergonomic reasons, the proposed height should be slightly increased to a more reasonable minimum of 2.55m.	Policy has been amended to 2.55m.
2/12/2013	Alan Spiteri	Parts 2 & 6	Farmhouses should also have the option to build an area of	The 150sqm capping of floorspace

			250sqm.	for ODZ dwellings is aimed at controlling the massing (and associated visual impact) and the relative land-take up. The standard minimum dwelling size for a new 3 bedroom unit within the development zone is set at 96sqm (DC 2007 policy 3.7) while that of villa development is also set at 150sqm. Hence the maximum 150sqm allowable floorspace for ODZ dwellings is considered to adequately accommodate a 3 bedroom dwelling, particularly since a basement under the footprint of the building can provide any required additional space.
3/12/2013	Vella, Micallef & Associates	Part 6	Policies 6.2A & 6.2C do not clearly state what can be the use of existing farms in the future. Pig breeding is becoming a thing of the past, whilst for poultry breeding, massive reinvestment is needed and not everyone is able to do it. There are cases where licensed farms are surrounded by all types of development ranging from plant yard to concrete mix plants. However, applications for a change of use from a farm building into premises for light industry/warehousing are refused by MEPA.	Redundant farm buildings should ideally be re-used for agriculture related development which cannot be located within the development zone. Industrial uses and warehousing should be directed in areas specifically zoned for such uses, including industrial zones and SME zones, and/or on sites which qualify under the Open Storage policy.
3/12/2013	Paul Ebejer (obo) Marine Services Malta	Part 6	Policy 6.2 A – In the Maghtab area there are a number of farms that have gone out of business due to the lack of financial feasibility of their operation. The new policy has ruled out any other uses not connected with agriculture or farming whereas pg. 127 of the Central Malta Local Plan, Clause 12.1.3 states “The Maghtab Landfill was the largest landfill in the Maltese	Industrial uses and warehousing should be directed in areas specifically zoned for such uses, including industrial zones and SME zones, and/or on sites which qualify under the Open Storage policy.

			<p>Islands and has resulted in substantial environmental problems. <i>Agriculture production and efficiency is being impeded by problems of pollution at Maghtab.</i>"</p> <p>Every application should be treated on its own merits taking into consideration, (i) the type of warehousing, (ii) the type of industrial activity proposed, (iii) the length of time that the farm would have been constructed and (iv) the surrounding area.</p>	
3/12/2013	Beppe Debono	Part 6	<p>Policy 6.2C – A small external ramp to the basement of redeveloped pre 67 buildings is encouraged for access to farm machineries in the case of agriculture business and cars in the case of dwelling conversions. A one course layer above road level would avoid damage to the contents of the basement by humidity.</p>	<p>The intention is to limit access to the basement from within the building itself (<i>kantina</i> type) rather than providing external access which would entail more formalization and land take-up.</p>
		Part 6	<p>Policy 6.2A – Conversions to habitable uses (historic, architectural) old and eyesore pre 67 buildings could also be allowed for habitable use especially if these buildings are located next to habitable buildings ODZ and close to a line of development zone (say max 50/100m apart) as judged favorably in appeal no 17/12 of PA 245/07.</p>	<p>Policy 6.2A allows for the sensitive conversion of historic rural buildings into dwellings. A number of rural settlements have already been identified through the Local Plan process.</p>
3/12/2013	Perit Giovanni Farrugia	General	<p>Architect writing on behalf of a prospective applicant intending to repair a rubble walls and agriculture tool room.</p>	<p>This query is site specific and has little relevance in terms of the public consultation process.</p>
3/12/2013	Therese Camilleri	Part 6	<p>Policy 6.3 largely focuses on the rules based approach restricting the floorspace to 150sqm, when the layout and construction of these dwellings typically allows little flexibility for modern living requirements. Such permits should be evaluated on a case by case basis with the emphasis being on the scale, massing and design of the extension, how this fits in with the original building and the wider setting of the site and containing expansion of footprint and height rather than floorspace.</p>	<p>Policies 6.2C and 6.3 both require that scale and massing respect the existing context. The 150sqm is considered as a balance between minimum dwelling size, visual impact, and land take-up.</p>
4/12/2013	Perit Guido Vella	Part 2	<p>There are four animal husbandry farms which are still operating from their original sites in Gozo i.e. in the outskirts of the villages. The farmers could not relocate their farms when the surrounding areas were designated for development ending up as a nuisance and an eyesore. These farmers have all applied</p>	<p>New and relocated farms shall be subject to consultation with the various external consultees. The issue here seems to be site specific and is not relevant to this</p>

			<p>for permission to build a new farm according to EU standards but every application has been refused. A policy should be included for the relocation of farms which have existed and been operational before 1992 should be approved subject to any conditions MEPA imposes.</p> <p>The document makes no mention of the procedure to be followed when the operator in whose name the permit for a new farm was issued retires, passes away or takes up another occupation. When this happens, the permit should be transferred to the person who had been working with the original farmer on the same farm for at least two years; to his spouse, or to anyone of his children who registers as a full-time breeder attached to the farm in question. If there are several children or heirs, the farm building will not be subdivided but will remain one single complex. The heirs would be allowed to run the farm if they set up a company for this purpose.</p>	<p>policy document.</p> <p>Ownership is not an issue in this document. The consultation with the Agriculture Dept would be required in all cases. It is this department which should refer this concern to the deciding body.</p>
4/12/2013	E.G. Cefai	General	The structures covered in the policies are limited; other important structures such as animal sanctuaries, animal cemeteries and tourist buildings are not treated.	Policies have been made to deal with animal sanctuaries and visitor (tourist) attractions.
		General	The measurement requirements (tumoli of tilled land) should be replaced by the percentage principle to widen the number of possible beneficiaries.	Policies have always considered tumoli, as specified by the Department of Agriculture.
		General	References to Areas of High Landscape value should be eliminated since agricultural and other non-urban activities should not be considered as deleterious to the environment.	Policies, in the cases of agriculture, have been revised in this sense.
		General	Properties should not be tied down by contracts and change of uses should be permitted as this goes against the right of enjoyment of one's property.	Policies regarding the change of use of permitted buildings have been made.
		General	The use of existing buildings should not be limited to their footprint but extended to the developable area.	A control over land take-up should be made.
		Introduction	Para 0.21 – The relaxation of 10% should be increased indefinitely according to the case and in a way that equal treatment should result between future applicants and permits already granted.	The 10% flexibility tolerance shall be capped at 15sq.m. not to allow further land take-up.

4/12/2013	Perit Victor Torpiano	General	Architect writing on behalf of applicant for the construction of a 103sqm garage/store which was refused. The more fields a farmer has in his holding, the higher the chances that small shelters and rooms are discovered. But are these rooms really useful to the farmer's needs? A serious and in-depth analysis of the farming operation has to be made during the processing of applications so that the real needs of a sizable operation can be objectively assessed in the light of a continuously evolving agriculture industry.	This query is site specific and has little relevance in terms of the public consultation process.
4/12/2013	Godfrey Camilleri	Part 4	Agro-tourism in Malta is not needed since any agricultural land is only half an hour away by car from the nearest hotel. Agro-tourism will mar our scenic countryside and therefore harm tourism itself because only the sea will be left for tourists to enjoy. Agro-tourism will demand more infrastructure like sewage, electric poles etc. and we end up with mini hotels all around the island. Agriculture can be harmed by agro-tourism since it brings tourists nearer to animal housing and spread diseases.	New buildings for agro-tourism shall not be located on scheduled sites. The policy document allows redevelopment of permitted buildings on sites with the condition of having the same floorspace. New buildings shall only be allowed when these are related to agriculture activity.
		Part 2	Farms in urban areas should be removed. Animal husbandry should be reduced because this was artificially enlarged by heavy tariffs on importation.	Relocated farms are included in this policy document. Animal husbandry is the remit of the Agriculture Dept.
4/12/2013	Perit Carmel Cacopardo (obo) Alternattiva Demokratika	General	No stocktaking of disused or abandoned agricultural buildings has been carried out to determine if there is a concentration of abandoned agricultural buildings in any particular area in Malta/Gozo. Similarly, no study identifying the extent of illegal constructions ODZ and other information related to animal husbandry industries has been made available to the public.	Notwithstanding the number of abandoned buildings these are permitted structures with vested rights. The scope of the policy is to allow the redevelopment of such "ugly" buildings into more visually pleasing ones in our rural landscape, with the uses as per policy document i.e. related to agriculture unless with their permitted use.
		Part 4	Agro-tourism proposals should be justified. The proposal to allow the construction of 10 rooms not exceeding 400sqm	The 400sq.m. is considered to be an adequate value for an agro-

			floorspace is considered excessive. In Italy, the average size of an agro-tourism outlet is of ten beds which approximately translates to half the size recommended by the ODZ document.	tourism project of 60 tumoli of consolidated land.
		Part 6	The re-use and re-development including the change of use of existing under-utilized/abandoned agricultural buildings should apply to the uses compatible with agriculture.	Policy 6.2C specifies that the re-use of the building has to be permitted by other policies in the document and/or recommended by the Agric. Advisory Committee.
		General	Malta cannot afford the take-up of more agricultural land for construction purposes. Nor can it afford the shifting of the speculative industries from the urban to the agricultural zones as is being encouraged by the ODZ policy document.	Construction is related to agriculture only. Any other new development shall be subject to the recommendation of the Agriculture Advisory Committee
		Part 2	Through advocating additional access routes to new holdings, the ODZ policy document encourages and facilitates the fragmentation of agricultural holdings.	Parcels less than 1 tumolo shall not be allowed. Any changes of use shall be subject to the road network.
		General	The ODZ policy document fails to take up proposals made in past studies on the generation of electricity from agricultural waste. It would have been beneficial if policies are drawn up such that animal waste is no longer transported along arterial roads but is processed as close as possible to the area where it is generated.	This comment has been addressed in Part 1 of the policy document.
		General	The policy document should emphasize that illegal constructions ODZ are to be pulled down. The policies should not be used to justify the proliferation of workshops or villas ODZ.	One of the first general policies states that any building which is not used for its permitted purpose, or shall remain unused for 3 years shall be demolished.
4/12/2013	Miriam Micallef Sultana (obo) Malta Resources Authority	Part 1	Policy 1.2 F - Rehabilitation of water courses intended for the conservation of water resources will not be covered by the general policies governing protected species and habitats but is subject to clearance from MRA. Further clarifications are requested on the role and responsibility that MRA will have in these cases.	A meeting was held with this consultee to clarify any pending issues.
		General	Throughout the document there is no reference whatsoever to	A meeting was held with this

			the 'safeguard zones' as required by the Water Framework Directive. For all the development categories there is a simple statement saying that the development will 'be subject to clearance from MRA'. In the previous guidelines - 'Guidance Document Agriculture, Farm Diversification and Stables' - MRA was only requested to give advice and issue official statements highlighting specific items and distances from edges of water courses and abstraction sources. These distances were referenced to in the same document and this created transparency in the issue of the development permits.	consultee to clarify any pending issues.
			<i>Proposals for transparency were separately forwarded by MRA.</i>	
		Part 2	Further clarifications are required on the reference to 'pre-1994 farms' instead of operational 'pre-October 1992 farms'.	1994 has been identified as the cut-off date for arable and livestock farming.
		Part 3	MRA is not mentioned in this section.	A meeting shall be held with this consultee to clarify any pending issues.
		General	Although the guidelines cover the Outside Development Zone, they do not refer to developments which are non-agricultural e.g. industrial developments, parking, 'development in Quarries', petrol stations etc. MRA is frequently requested to give clearances on these developments.	MRA shall be one of the consultees which are responsible for regulating any other use (mentioned in Part 6 of the policy document).
		Part 2 & Glossary	Policy 2.11 refers to "legally-established paved areas". It is recommended that this term is better defined to indicate clearly to what type of areas it refers to, where PV and solar thermal systems may be permitted. Is this policy excluding ground mounted PV farms in open fields?	Policy 2.11 has been removed from the policy document because it is being included in another policy paper.
4/12/2013	Carmel Pullicino	General	Safeguards should be applied to ensure that permits granted for the different purposes mentioned in the policy document are retained for the purpose that the original permit was granted for.	One of the first general policies states that any building which is not used for its permitted purpose, or shall remain unused for 3 years shall be demolished.
		Part 2	A timeframe should be agreed upon where land which was reclaimed up to a certain date is automatically considered as	

			legal arable land. It does not make sense to clear portions of land which had been reclaimed and converted into prime agricultural land. The environment will end up being the ultimate loser, if already reclaimed areas particularly with mature trees are to be cleared up.	
		Part 4	The proposed building area for agro-tourism is too small to make economic sense. It should be decided to limit this policy to certain areas only and the building space has to be sufficient to provide a sustainable level of income to the promoter based on actual and not perceived occupancy levels.	The areas specified in the policy document cater for 7 to 10 guest rooms for new buildings, while change of use requires a minimum of 150sq.m. to make it sustainable.
4/12/2013	Ivan Cassar	Part 2	Policy 2.5A (5) – In intensive cultivations, larger volume of space for storage is required. 10 tumoli of intensive cultivation (greenhouse cultivation) is equivalent to 30 tumoli or more for outdoor cultivation. In the eventuality that a farmer should have 2 separate intense cultivation (greenhouses) areas registered on his/her name, the farmer should be entitled to 2 separate storage areas – one for each separate area. The area for storage should not be divided between the 2 areas since many basic needs such as lavatory, cold storage etc. are required in both areas.	The storage area is based on the number of tumoli tilled within the region (i.e. 3 contiguous local council areas) and shall include the facilities required.
		Part 2	Para. 2.6.3 – In the case of pot cultivation, sealing the soil with concrete screed has advantages when compared to other permeable screed. Flood floor irrigation should be used since it has many advantages (uniform growth, better water and chemical conservation, lower labor costs etc.). Policy 2.6 (8) – To obtain lower temperature and lower humidity, a minimal 6m high greenhouse has to be erected having sides and roof vents openings. A higher structure is beneficial to the quality of the product and also to the daily operating costs.	The policy mentions thick plastic screed rather than concrete screed. The part of the external height of the greenhouse shall be eliminated from the policy.
		Part 2	Policy 2.7(3) – Water silos can be found on the market. In case of intensive cultivation, rain water collection should be encouraged at minimal costs and therefore reservoirs/water silos as high as greenhouses with no footprint limitation.	The policy is encouraging underground reservoirs with no size limit which are not visually intrusive in our rural landscape.
		Part 4	Policy 4.2B – In the case of arable farming, the farmer must	

			have at least 10 tumoli consolidated land registered on his/her name. In this case of 5/6 tumoli consolidated intense cultivation (greenhouse cultivation) which is equivalent to about 15/18 tumoli of outdoor production, the grower who has registered under his/her name 5/6 tumoli consolidated land of intense cultivation (greenhouse production) should be therefore given the same permission as the farmer who has 10 tumoli consolidated, registered land for outdoor production.	
4/12/013	Perit Tancred Mifsud	General	Minor works which do not require extensive processing like opening of a gate in the boundary rubble wall, construction of a greenhouse, construction of rubble walls to separate property owned by multiple owners and other similar minor developments should be determined through a DNO application, subject to conditions.	Most of these recommendations, apart from the greenhouse, shall be subject to notification only.
		General	If blank party walls are developed and considered as end of development, the result would be more environmentally sensitive to the surrounding landscape.	This is more of a local planning nature because it considers end of scheme. However each case should be treated on its own merits.
		Part 6	The limit of 150sqm is considered low when one considers that the development is classified as luxury residential unit. A gross floor area of 250sqm would address the abundant illegal extensions.	The 150sqm capping of floorspace for ODZ dwellings is aimed at controlling the massing (and associated visual impact) and the relative land-take up. The standard minimum dwelling size for a new 3 bedroom unit within the development zone is set at 96sqm (DC 2007 policy 3.7) while that of villa development is also set at 150sqm. Hence the maximum 150sqm allowable floorspace for ODZ dwellings is considered to adequately accommodate a 3 bedroom dwelling, plus additional space at basement.
		Part 6	Infill sites located in ODZ which can be closed off with	Infill sites are already catered for by

			development between committed and legal existing buildings must be considered for development with certain restrictions, like a percentage of landscaping and maximum height limitation.	the Local Plan policies for Category 2 settlements.
		Part 6	MEPA must clearly confirm the date/year which is the benchmark for buildings in ODZ which are considered as legal and also confirm if this benchmark qualifies for all buildings located in ODZ. MEPA must also clarify what is acceptable as proof of residence.	Legal buildings are those covered by PAPB/PA/Mepa permit or those dating to pre 1967 (evidence required in both cases). ID cards, utility bills, deeds of sale, etc are possible means of evidence of former residential use.
5/12/2013	Joe Vella	Part 2	A farmer owning a land of less than one tumolo registered with the Department of Agriculture should be allowed to construct a reservoir of which dimensions should be proportional to the size of the land.	Underground reservoirs shall be permitted with notification only with no limit on the size.
		Part 2	Land reclamation should be encouraged on agricultural land which is devoid of soil to increase productivity.	This is one of the policies in the document.
		Part 2	Land division should be carried out through the construction of rubble walls to safeguard property rights and avoid conflicts on land ownership.	Land demarcation is one of the proposed policies.
		Part 5	Stables should be constructed in recycled stone since timber is not a resource found in Malta and horses chew timber.	Horse stables are made out of timber in many countries.
		Part 2	Farmers having less than 5 tumoli should also be allowed a storage facility which should be smaller than that allowed for farmers having more than 5 tumoli.	A pump room of 4sq.m. shall be allowed if there is a reservoir on the farmer's land.
5/12/2013	Maltese Beekeepers Association	Part 3	The policy should be amended because it is disappointing that the draft is almost identical to the existing policy. Requirements for storage sizes/ no of registered colonies were submitted.	The policy shall be amended to reflect better the requirements in terms of sizes of rooms in relation to the colonies.
5/12/2013	Perit Guido Vella	Part 2	An agricultural storage space of 5sqm for every tumolo cultivated with a capping of 100sqm should be allowed for farmers which own large tracts of orange trees since large machinery is used for the collection of oranges and to maintain the productivity of the land.	Storage is mentioned in the policy document and there is no difference for farmers having orange trees.
5/12/2013	Perit Roderick Camilleri	Part 2	Policies 2.5A & 2.5B – Part-time farmers with a holding between 3 to 5 tumoli of land should be allowed an agricultural store of	A pump room of 4sq.m. shall be allowed if there is a reservoir on the

			15sqm. Part-time farmers with a holding of up to 3 tumoli should be allowed an agricultural store of 10sqm. These stores should be screened by trees and limit the height to 2.76m to avoid visual impact. The holding area should be calculated in full not only the part which is eligible for the SPS payment (AIAX).	farmer's land. It is not the scope of the policy document to have all the agricultural land dotted with stores.
5/12/2013	Romano Cassar	General	The draft policy opens up more loopholes to allow construction in the countryside under the guise of agro-tourism, consolidation of existing buildings, allowing farmers to live close to their farms, boutique wineries, storage rooms, slaughterhouses etc. E.g. why does a winery have to be close to the vineyard? There are instances where grapes are transported from Mgarr to Burmarrad for pressing. Similarly, in the case of slaughterhouse, it would make more sense if the animals are slaughtered in a centralized place to ensure hygiene.	Proposed developments, related to farming activities, are either located within the boundary of the farming enterprise or within the consolidated arable land. The winery shall be sited on the applicant's holdings while slaughterhouses within the curtilage of the farm.
		Part 2	The policies will lead to the sanctioning of more illegal structures to reduce the huge enforcement backlog. Why was May 2008 chosen as a cut-off date for the sanctioning of illegal buildings and not 1992 -the date when the Structure Plan came into force?	In order to aid the genuine farmer, storages built prior to October 1994 as permitted (with conditions). May 2008 is the cut-off date since it is mentioned in the Sixth Schedule of Act X of 2010.
		General	The protection of the environment should be the overriding factor in any ODZ document rather than finding new ways and means of allowing more construction. Malta is too small to play around with the little countryside that still exists on the pretext of helping farmers.	One of the objectives issued for public consultation was precisely the balance between the protection of the environment and development ODZ.
5/12/2013	Perit Kevin Bencini	Part 3	Maximum building heights should also be considered for wineries since the wine making process requires the use of various large and high tanks placed at different levels so as to work by gravity. The height of 7m above existing ground level as stipulated by the current policy should be retained. A reasonable provision for vehicle parking and maneuvering should also be permitted to serve the winery during the production and distribution stage.	Each planning application should be treated on its own merits i.e. on a case by case basis.
			The maximum allowable floorspace for wineries has been	The sizes specified in the policy

			<p>reduced from the 220sqm stipulated in the current policy to 200sqm and the clause which stipulated that an additional increase can be allowed for larger vineyard holdings has been removed. A similar clause to Policy 2.8B(7) should be reintroduced in the draft ODZ document.</p> <p>The use of external access ramps leading to the basement for the transportation of machinery and barrels in and out of the cellar should be allowed where genuinely required subject to an adequate design and landscaping.</p>	<p>have been determined after consultations with the oenologist.</p> <p>External ramps lead to unnecessary land take-up.</p>
		Part 4	<p>For agro-tourism, the maximum allowable floorspace should be increased to 500sqm since 400sqm of floorspace including ancillary facilities is restrictive in order to be able to offer the expected standards. An open, external parking provision of one car space per room should be allowed without counting as part of the total floor area. The scale of the proposed agro-tourism accommodation should be related to the respective agricultural holding to which it appertains. The proposed maximum floorspace may result to be excessive for smaller holdings while rather limited for larger establishments.</p>	<p>The maximum floorspace of 400sq.m. is based on 7 to 10 guest rooms including ancillary facilities, which is adequate for a new agro-tourism complex within 60 tumoli of consolidated land.</p>
5/12/2013	Diane Spiteri	General	<p>What definition of farmer will MEPA be using for assessing applications for rural structures? It is a well known fact in Malta that everyone who has agricultural land either private or public which has been passed down through inherited tenancy is called a farmer irrespective of whether he actually makes a living from farming or not. The definition for farmer who is eligible for any such structures should be much more stringent and tied to the market produce and the importance of the income from his agricultural activity.</p>	<p>This is precisely the reason why the Department of Agriculture shall submit a report for each application received. This type of information is regulated by the Dept of Agriculture. Certain applications shall also be subject to a recommendation by the Agriculture Advisory Committee.</p>
5/12/2013	Richard Vella	Part 2	<p>Policy 2.6 – the height of greenhouses should be limited to 4.5-5m.</p>	<p>The maximum heights of greenhouses shall be removed from the policy document.</p>
		Part 2	<p>New residences for farmers can be allowed if there is sufficient land to be worked which is not located in remote places.</p>	<p>Livestock farmers should be allowed to live within or close to their animals, while there is no</p>

				reason why arable farmers need to live within their arable land.
		Part 4	Agro-tourism already exists in Malta since within a 20 minute drive the tourist residing in a hotel will find countryside.	This is precisely why limitations shall be made within the policy, including deeds with farmers.
		General	Development should be allowed for real farmers not pseudo farmers or land owners, so any development permitted should be assessed in terms of produce at the pitkali or abattoir or any other form of real sales.	This is precisely the reason why the Department of Agriculture shall submit a report for each application received. This type of information is regulated by the Dept of Agriculture. Certain applications shall also be subject to a recommendation by the Agriculture Advisory Committee.
5/12/2013	Joseph Micallef	General	The document lacks a scientific approach. It does not make a reference to scientific or technical sources. Basic data such as the area of land developed in Malta, the area of arable land and the area covered by natural vegetation is neither mentioned nor analyzed. No reference is made to the State of the Environment Reports which MEPA publishes every couple of years.	This suggestion does not include any recommendations to the policy document.
		General	The document not only ignores obligations placed on the Government to protect the environment emanating from CAP 504 and Articles 191 to 193 of the Treaty of the Functioning of the European Union but suggests that these do not exist.	A general policy has been included to protect scheduled areas as per EU directives.
		General	Certain topics such as new pumping stations which continue to harm already stressed water tables, greenhouses associated with high pesticide use are treated superficially.	These issues, and others in the document, are subject to consultations with the relative authorities which govern such uses.
		Part 4	Agro-tourism developments, the rehabilitation of old buildings and visitors centers should be treated on a case by case basis and their approval depends on the specificities of each site and the adjacent areas, and the environmental data available. Their approval would need a detailed analysis including fieldwork in the absence of a related framework document which identifies areas appropriate for such developments.	Each planning application has always been and shall remain treated on its own merits. Apart from the conditions in each policy, specific conditions on a case by case basis shall be made.

		General	Only soil is mentioned as a resource in the document. Other important resources such as arable land, ground water, aquifers and trees are not mentioned.	Arable land, water resources and landscaping (which includes trees) are mentioned in a number of policies.
		General	No report evaluating the effectiveness of mitigation measures and alternatives as solutions to negative environmental impacts has been formulated.	A general policy to protect scheduled areas has been included. Mitigation measures shall be considered on a case by case basis.
5/12/2013	Carmelo Briffa	General	Approved ODZ building developments should have a height limit of one storey and be built solely of recycled franka stone, excluding concrete blocks with cladding or timber, with the exception of agricultural stores that may have to house agricultural machinery of a certain height.	Height limitation shall be based on floorspace, because in certain cases two floors would be more appropriate in a particular context. Justification shall be required to have extra height in stores.
		General	All walls built in ODZ should be of rubble wall construction so that the utilisation of broken-up franka blocks from demolished buildings and rocks from excavation works is encouraged. A shallow and disguised concrete capping should be allowed as this normally binds the two sides of the wall and prevents the entrance of water hence reducing deterioration.	The use of random sized irregularly shaped franka stones shall be permissible, with conditions.
		Part 2	Where rubble walls are predominantly built from hard-stone the use of hard-stone rocks and not franka stone should be encouraged. Hard-stone is resistant to salt and climatic damage, and can remain standing for centuries.	All cases will be treated on their own merits especially where there is sufficient justification.
		Introduction	The continued use of concrete on country lanes and pathways should be allowed, but a brown coloured concrete or concrete overlaid with hard-stone rocks/slabs and limited to a width of 1.8m leaving a border of uncovered soil/vegetation along both sides of the lane or path should be utilized.	Policy regulating country lanes and pathways has been included.
		Part 4	Facilities for agro-tourism should totally exclude accommodation and swimming pools. In Malta, distance to established tourist accommodation facilities is short, and bed numbers are more than adequate.	The maximum floorspace of 400sq.m. is based on 7 to 10 guest rooms including ancillary facilities, which is adequate for a new agro-tourism complex within 60 tumoli of

				consolidated land.
5/12/2013	Fleur Fenech	Part 6	Policy 6.2 – Why allow redevelopment, rehabilitation, change of use or even an extension to ODZ properties when some of them which are already “dwellings” dating pre 1992 and some dating back to 1968 but are not totally covered by a permit, or in some cases the permit is lost simply need to be regulated.	The onus to apply to regulate illegal or party illegal property remains with the property owner. Lost permits could normally be re-traced through the old PAPB plotting records.
5/12/2013	Perit Sarah Calleja	General	New policies seem to ignore the fact that Malta is already very built-up when compared to other European Countries. New building schemes which encroach ODZ and investment to develop or look at ODZ areas for further exploitation are being encouraged by these policies. This will reduce the green open areas for the generations to come and decrease the amount of land which allow water to reach the water table. Land in ODZ should not be available for dwellings for anyone.	New building schemes shall not encroach ODZ. The policy helps the agriculture sector. Dwellings shall only be allowed where these are permitted (by redevelopment) or in buildings worthy of retention.
		Introduction	Para. 0.1 of the Introduction should be eliminated completely since it is a loophole which could allow room for any proposal which is not described in the ODZ policy, making the policy weak in its context and extent.	It could also restrict development which may be allowed through this policy document.
		Introduction	The policy should be rigid in order to truly protect the environment and not the interest of developer or other who could not care less on the exploitation of the environment.	This policy is helping the genuine farmer without exploiting ODZ. Without agriculture our ODZ would become derelict.
		Introduction	Para 0.21 – The 10% tolerance as a flexibility extension would feature in all applications. Why would the policy not state 165sqm?	The reason is that there may be permitted structures which are over 150sq.m. and this is why a capping of 15sq.m. has been made.
		Part 1	Para. 1.1.2 – This assessment should take into account the proximity of all location, new road networks that new developments would require.	Policies for certain developments are subject to road networks and traffic generation.
		Part 1	Policy 1.2B – Examples of Research and Innovation projects should be provided. There is no section which speaks of materials and methodology for temporary structures. This would need a total divergence from building in local stone in ODZ area but would require lightweight construction and minimal impact.	These developments shall be considered on a case by case basis.

Part 1	Policy 1.2C – Is this policy application only for new applications? Could existing, derelict buildings be demolished and permit revoked? What happens after 30 years? Can an agricultural store be used as a residence?	This policy is clear. Existing derelict buildings, built prior 1967 have vested rights so are considered as permitted which may therefore be rebuilt according to conditions.
Part 2	Policy 2.2A – What size of farm? Statistically how many farmers can classify for this? What type of livestock? What number of livestock is required to classify as a livestock farmer? How long will the farming activity need to be sustained for? If farming activity is no longer required should the building be dismantled? Can a valid permit be extended on a yearly basis following submission to MEPA on farm activity? The area of a building should be defined by both the floor space and the footprint.	This information is based on consultation with the Department of Agriculture. If a permitted building is not used for three years it shall be demolished.
Part 2	Policy 2.2B – What certification is required for a dwelling for arable farmer and who should it be submitted to? What amount of land in tumoli is required in order to apply for a dwelling unit?	Change of use to dwellings may be permitted in the case of arable farmers. New dwelling units for arable farmers shall not be permitted
Part 2	Policy 2.3B – Should an operational farm exist and the farmer applies for a new building, what happens to the existing dwelling especially if the farm is to be relocated? Will the disused structure be demolished and the land reinstated? The policy should support the re-use of existing building and upgrading of existing facilities. Permit conditions should not allow derelict buildings or more build up land to occur in ODZ areas. What is the maximum built up area for a farm?	The dwelling permitted shall be legally bound to the farm so that they are not sold separately. If the farm is not used for three years it has to be demolished.
Part 2	Policy 2.4 – Slaughterhouses should also be limited to the re-use of existing buildings. The use is not one which requires to be located in ODZ when there are many disused buildings within Industrial areas which can accommodate such use.	Slaughterhouses shall be permitted only within the curtilage of the farms.
Part 3 & Glossary	Policy 3.2A – What is the definition of a boutique winery? Or is this a glorified wine shop? Why not define footprint instead of floorspace? Perhaps it should be limited to a foot print of 100sqm or 50sqm similar to Policy 3.3A. Why is the basement	Winery is the place where wine is made. Floorspace is defined because it may occupy two floors, thus reducing land take-up.

	not included for a use? The size of the basement should be limited solely to the area beneath new development. What happens if the owner sets up a winery which is closed after a couple of years? Is the structure tied to the use? Would the building need to be demolished? Can the owner use it as a residence?	Basements shall be permitted beneath structures because they do not cause any impact. If the winery is not used for a period of three years it has to be demolished. Any other change of use has to be applied for, as is presently done.
Part 3	Policy 3.2B – What amount of land is required in order to be eligible for this policy?	The policy does not specify this because this deals with the change of use/redevelopment of permitted buildings and therefore there is no new construction and therefore no new land take-up.
Part 3	Policy 3.3A – What happens if the oil production is terminated? Is the structure tied to the use? Would the building need to be demolished? Can the owner use it as a residence?	The building has to be demolished if not used for a period of three years. Any other change of use has to be applied for.
Part 3	Policy 3.3B – What amount of land is required to be eligible for this policy? Is the basement permissible only beneath existing footprint?	The policy does not specify this because this deals with the change of use/redevelopment of permitted buildings and therefore there is no new construction and therefore no new land take-up. Basement allowed beneath existing footprint.
Part 4	Policy 4.3 – What size of land/farming operation is required for visitor attractions?	The policy does not specify this because this deals with the change of use/redevelopment of permitted buildings and therefore there is no new construction and therefore no new land take-up.
Part 4	Policy 4.3 (3) – What type of agro-tourism is permissible? If existing structure are converted to agro-tourism, would the farmer then need to apply for additional facilities?	Policy 4.4 deals with agro-tourism in detail.
Part 4	Policy 4.4 (4b) – How long should he partnership be operational prior to applying for any permit?	The lease shall be an uninterrupted lease while 4.4(4c) states five

				years.
		Part 4	Policy 4.4 (4c) – Is the farming activity duration and partnership in (b) related to each other? 7 to 10 guest rooms do not require 400sqm. Why would an agro-tourism require a swimming pool? Is this really part of the agro-tourism experience?	The maximum floorspace of 400sq.m. is based on 7 to 10 guest rooms including ancillary facilities, which is adequate for a new agro-tourism complex within 60 tumoli of consolidated land.
		Part 4	Policy 4.4(4e) – What if all accommodation is applied for at basement level can this any size?	Basements shall be permitted under the groundfloor footprint only.
		Part 6	Policy 6.2A (3) – What is considered to be substantial? What area is permissible? Why is extension mentioned and not re-use in the strict sense of re-use?	‘Substantial’ has to considered in relation to the existing building, context, etc. Some cases of ‘re-use’ could require minimal extensions in order to meet minimum standards.
		Part 6	Policy 6.4 – One should re-evaluate the need of swimming pools in ODZ. There is much more to appreciate in the landscape, garigue and natural habitats than an artificial pool of water.	Pools could be a non-intrusive amenity with dwellings if located sensitively.
5/12/2013	Perit Ruben Sciortino	Introduction	<p>Para 0.1 –“this policy document may be considered...” to be changed to “should be considered...”</p> <p>Para 0.2 – when a building may become derelict, its last use should be safeguarded whether it was a store, residence etc.</p> <p>Para. 0.5 – reuse of building is better than redevelopment.</p> <p>Para 0.6 – commercial uses should not normally be allowed ODZ</p> <p>Para. 0.17 – no small text should follow the policies, which should be as clear as possible.</p> <p>Para0.19 – policies should be updated regularly.</p> <p>Para 0.20 – consultees should have the necessary expertise to deal with the applications.</p>	<p>The word “may” gives more flexibility.</p> <p>This has always been the case in applications.</p> <p>This depends on for example the structural condition of the building.</p> <p>Commercial uses are related to agricultural activity.</p> <p>The small text should help in further clarification of the policy.</p> <p>Noted.</p> <p>It is expected that the consultees give their feedback on their expertise.</p>
		Part 1	<p>Para 0.21 – the 10% tolerance should be the exception and not the rule.</p> <p>Policy 1.2C – the time span should not be limited to 30 years but indefinitely to avoid having derelict buildings.</p>	<p>This has been amended to ensure justification.</p> <p>Noted.</p>

		Part 2	<p>Para 1.2.1 to 1.2.4 – should be removed or included in the policy</p> <p>Policy 1.2F – to include text 1.2.5</p> <p>1.2.6 and 1.2.7 – to be included in the glossary</p> <p>Policy 2.2A(4) coloured aluminium should include timber like aluminium, PVC to be included and also double glazing.</p> <p>Text 2.2.2 – repeats Policy 2.2B</p> <p>Policy 2.3A – should include text 2.3.1</p> <p>Policy 2.4 – limitation on the size of the slaughterhouse should be made to disallow any industrial activity.</p> <p>Policy 2.5A – more than one basement level should be allowed.</p>	<p>Paragraphs help in explaining further.</p> <p>The glossary is used in defining terms only.</p> <p>This issue may be considered on its own merits.</p>
		Part 3	<p>Policy 2.6 – landscaping should be at a distance. There is no mention of hydroponics.</p> <p>Policy 2.7B – it seems that a “raddiena” located in a scheduled area cannot be restored.</p>	<p>Size is dependent on consultation with Department of Agriculture. This depends on the site levels and configuration.</p> <p>Landscaping shall be considered on a case by case basis. Policy 2.6(7) considers this.</p> <p>This implies that “rdieden” can be replaced/restored with notification only when not on such scheduled land.</p>
		Parts 4,5,6 General	<p>Policy 3.2 – floorspace is mentioned but not height limitation so can eg a winery be three floors high</p> <p>Policy 3.2B(5)a – should be amended so that the replacement building will have the same footprint and floorspace as existing, or a footprint of 200sq.m.whichever is the greater.</p> <p>Policies 3.3 – same comments as the policies 3.2. The policies can do without the text to eliminate confusion. The existing policies should be repealed once this document is approved.</p>	<p>There is no height limitation mentioned, however the building has to respect the rural character where it is located.</p> <p>Applications shall be considered on their own merits, ie with their existing footprint and floorspace not to take up extra land.</p> <p>Noted.</p>
6/12/2013	Nick Cassar	Part 4	<p>No constraints for new buildings with over 60 tumoli. Farmer producing fodder may offer agro-tourism. Farmer may easily be removed by owner due to this policy. Over development to be reduced to help the farmer. The landowner should be the farmer for agro-tourism projects, after 2 years of farming and in line with</p>	<p>The existing agro-tourism policy considers the farmer only, and a new approach was one of the objectives issued for public consultation.</p>

			MTA policy, accommodation may be made afterwards. Phase 1 and 2 should be in line with 4.4.2 to be sustainable.	
6/12/2013	Stefanel Abela	Part 6	Existing “dwellings” in ODZ areas should be considered for regulation even if they don’t have a full valid permit but it that most of them have been dwellings for many years even pre 1992. The draft policy mentions redevelopment, rehabilitation, change of use and extensions to ODZ properties, so why not simply leave the exiting ones as they are but just regulate them?	The onus to apply to regulate illegal or party illegal property remains with the property owner.
6/12/2013	Emanuel Ciantar	General	<p>The policy is not innovative. It is too focused on agricultural developments and fails to address other ODZ developments if any will be permitted. The policy does not match with all expectations of rural development policy including the EU Rural Development Policy.</p> <p>Because it is too focused on agriculture, it does not address the general planning needs for those developments, public or private which are necessary for the benefit of rural communities such as infrastructural, immediate surroundings and the raising of standards within private homes and private properties.</p> <p>The ODZ policy should not recognise and regulate only agriculture in the maintenance of the countryside, but also land management and land owners. By itself, the policy does not stimulate meaningful, economic and sustainable agricultural investments. The proposed policy does not contain any requirements for applicants who propose agricultural developments to provide to MEPA proof of the sustainability of the proposed projects. The proposed policy has no enforcement regulation with the word ‘enforcement’ being absent from the document.</p>	<p>One of the objectives was to consolidate the 3 documents: AFDS, PLP 20 and Swimming Pools ODZ.</p> <p>New uses shall be subject to a recommendation by the Agriculture Advisory Committee.</p>
		Part 2	Who is going to hold 5 tumoli of land and not claim to be a part-time farmer and avail him/herself of the right to build a storage space of at least 30sqm and a full size basement of the same area which can go up to 60sqm of built up area and a total of 120 sqm including the basement if the holding is of 18 tumoli?	The document does not differentiate between full time and part time farmers.

General	The extent of rural land on which new developments can take place has been increased because of a relaxation in the level of land over which development can take place. The previous ODZ policy prohibited development on land starting with a low level of protection. With the new policy, only land with the highest protection is excluded from the scope of development so that it now appears that new buildings can extend into valleys and other sensitive areas which do not have the highest level of protection. The damage that will be caused to the rural landscape is irreversible.	A general policy to protect scheduled land as per EU Directives has been included.
Part 2	The rewarding of small scale holdings with twice the storage space as before (from 15sqm to 30sqm) in contrast, the largest holdings will get 50% more storage space (from 40sqm to 60sqm) which is doubled with the granting of full basement levels of same area. At best, only the largest holdings should be allowed more new development so that land consolidation can take place, and even what constitutes the largest holdings should be as strict as possible by setting the size threshold in tumoli at a higher level than the proposed 18 tumoli. At worst new building should only be allowed to small holdings on a consolidated level if they group together to avoid eroding the viability of larger farms.	The values mentioned in policy 2.5A have been made after various consultations with the Department of Agriculture.
Part 2	There is an urgent need for the ODZ policy to include a restrictive clause to prevent the same owner from re-registering an exiting large holding into smaller holdings of 5 tumoli each and obtaining separate permits for separate storage space development.	As per last paragraph in policy 2.5A the land and the store permitted shall be mapped so that the land will not be used again for additional storage.
General	The new policy will lead to a significant increase in the price of what was so far agricultural arable land. The price of such land must remain low because agricultural activity has low returns by minimizing development on agricultural land.	The new policy is aimed at helping the genuine farmer including the arable farmer and not for land speculation.
Part 4	The 60 tumoli requirement for agro-tourism projects as set out in the proposed ODZ policy will build up speculative pressures from buyers to consolidate 60 tumoli of land for agro-tourism projects. This will also increase the price for agricultural land.	The farming activity (which was operative for a minimum of 5 years) shall remain operative with a legally binding deed, with an uninterrupted

				lease.
		General	Since enforcement is weak, the ODZ policy as proposed has no mention of it, in price and the speculative pressures, it will result in the withdrawal of land from agriculture to alternative uses.	One of the first general policies deals with these situations.
		General	The policy addresses more the quantity than the quality of the ODZ development. It provides a set of rules for processing of applications but it does not set out requirements on how to achieve quality in developments.	Quantity developments as per new buildings are related to agriculture only, while the quality shall be obtained through redevelopment of the visually intrusive permitted developments into more rurally acceptable ones. Policies make reference to the aesthetic value by for example the use of recycled stone.
6/12/2013	Perit Ian Camilleri Cassar	Introduction	Paragraphs 0.1 & 0.2 seem to undermine the guidelines of the document and thus should be both deleted.	Para 0.1 allow for a discretion at the deciding level. Para. 0.2 is aimed at helping young farmers to establish themselves.
		Introduction	Para. 0.21 – Does this mean that development in ODZ area can be construction up to 150sqm plus 10% having a total of 165sqm. If it is so, then the policy must not stipulate 150sqm but be changed to 165sqm.	The reason is that there may be permitted structures which are over 150sq.m. and this is why a capping of 15sq.m. has been made.
		Part 2	Policy 2.2 – Is there a particular size of farm for the farmer to be eligible to this policy? Policy 2.2 (4 & 8) does this mean 250sqm plus 15sqm would be granted?	No particular size of farm, but consultations with the relative departments are necessary. The 15sq.m. tolerance has to be justified.
		Part 2	Policy 2.4 – Is there no relevance to the size of farm? Any farmer can apply notwithstanding his limited turnover? How many years must this farm have been in operation? Shouldn't this be relevant to the number of livestock on the farm? Why is it that a slaughterhouse is only given permission on the basis of an operation farm? Why cannot it be applied for together with the initial MEPA farm application if this would be a	The issues mentioned are subject to clearance submitted by the relative departments.

			requirement by relevant bodies as stated in para. 0.20.	
		Part 2	Policy 2.5B – Legalising store built prior to 1994 is detriment to our own landscape, not to mention the possibility of sanctioning store up to 2008.	The first part of the policy states that this is tied to the upgrading and modernization of arable farms. Sanctioning is subject to the criteria mentioned in policy 2.5.
6/12/2013	Koperattiva Produtturi tal-Halib Ltd.	Part 2	Policies 2.2A & 2.3A should help dairy producers to meet EU standards and improve the quality and efficiency of the products.	The objectives for the amendments to the existing policies are precisely to help the farming sector.
		Part 2	Policy 2.3B – There should be a registry of existing, disused farms.	This is not within the scope of the policy. It may be administered by other entities.
		Part 2	Policy 2.10 – Access to cow farms is important for vehicles to carry out distribution and other services.	Policy 2.10 deals with arable farming and not with livestock farms.
		Part 2	Policy 2.11 – Solar panels and photo voltaic panels in cow farms are important to minimize electricity costs through the generation of renewable energy. Solar panels are mentioned for funding by the Rural Development Policy (2014 -2020).	This policy is removed because it is being dealt with in another policy paper.
		Part 2	Farm diversification should not replace the main agricultural activity but should be linked to dairy producers/arable farmers' activities. These will also be eligible for funding through the Rural Development Policy (2014 -2020).	In fact this policy considers changes of use into farm diversification (in the case of visitor attractions) and only 15sqm for new farm retail.
		Part 4	Policy 4.3A – Visitor attractions should be part of an agricultural enterprise to ensure that diversification generates revenue to dairy producers.	The minimum area for a visitor attraction shall be 50sq.m. and have to be part of the operational livestock/arable farming activity.
		Part 4	Policy 4.4 – Agro-tourism should not be encouraged. Malta is small and visitors can access agricultural areas and dairy farms within a small distance. Instead, rural visits should be encouraged further.	The maximum floorspace of 400sq.m. is based on 7 to 10 guest rooms including ancillary facilities, which is adequate for a new agro-tourism complex within 60 tumoli of consolidated land.
		Landscaping	Landscaping in the farm curtilage should be reconsidered in	Landscaping shall be considered

			view diseases spread by insects and birds thriving on trees.	on a case by case basis.
		Part 2	Adequate distance should be established from residential areas to avoid nuisances to residents and associated hardships to dairy producers.	The distance shall result from consultations with the relative authorities/departments.
		General	MEPA should ensure that no abusive development takes place in ODZ. Enforcement should be strengthened to ensure that the permitted development serves agricultural purposes.	One of the first general policies states that if a permitted building is not used for three years it has to be demolished.
		General	MEPA should be aware of the funding opportunities for dairy producers under the Rural Development Policy since these are dependent on development permits issued by MEPA.	More onus is given to the external consultees, including the Department of Agriculture.
6/12/2013	Dexter Bezzina	Part 6	There are ODZ buildings which are actually dwellings but need to be in conformity with MEPA policies. The draft policy mentions redevelopment, rehabilitation, change of use and extensions to ODZ properties, so why not simply leave the existing ones as they are but just regulate them?	The onus to apply to regulate illegal or party illegal property remains with the property owner
6/12/2013	Nyal Xuereb	Part 6	There are ODZ buildings which are habitable dwellings but need to be in conformity with today's MEPA policies. The draft policy mentions redevelopment, rehabilitation, change of use and extensions to ODZ properties, so why not simply leave the existing ones as they are but just regulate them?	The onus to apply to regulate illegal or party illegal property remains with the property owner
6/12/2013	Mary Mallia	Part 3	The concept of positive discrimination towards organic farming should be implemented for other types of food production and not just wine production. The Dept of Agriculture objected to my proposal because I did not have enough planted vines but they were ready to give clearance to the development of Mgarr petrol station on agricultural land. Although their recommendation should be sought and given due relevance, this should not be the only weight for the decision making process.	Organic farming is mentioned also in the policies regulating olive oil production. This issue is a local planning issue and not relevant to this policy document.
6/12/2013	Perit Mark Camilleri	Introduction	Para. 0.21- The 10% tolerance should be allowed in cases for sanctioning of existing structures where the constructed developments do not tally completely with the approved drawings thereby not creating a scenario where the existing	This tolerance, capped at 15sq.m., needs to be justified.

	developments with minor infringements are not sanctionable under this policy.	
Part 1	Policy 1.2G – The protection of country pathways should address all country pathways and not public only.	Policy 1.2G (1) deals with all country pathways irrespective of ownership.
Part 2	<p>Policy 2.2A (4) – The type of apertures to be used should be defined in the plans and any alteration from the approved drawings will not be allowed (unless through a minor amendment) to avoid fancy installations.</p> <p>Policy 2.2A (5) – For new constructions, the maximum floorspace should be less or equal to that for extension to existing buildings where much of the space is wasted to thick walls. The maximum area should be established for all types of residences within ODZ and no difference is made as to whether the resident is a livestock farmer, resident or otherwise. The maximum areas should also relate to the maximum habitable area as referred to in Policy 6.2A and not the maximum floorspace.</p>	<p>Aperatures should be as stated in the policy.</p> <p>The maximum floorspace has been increased to 250sq.m within an operative livestock farm only. In other instances the maximum floor space is either as permitted or 150sq.m. maximum.</p>
Part 2	Policy 2.2B does not give any incentive or benefit to the creation of farm dwellings for arable farmers as the requirements are defined in Policy 6.2A.	Arable farmers do not need to have a new dwelling on their arable land, but can have a change of use into a dwelling as per conditions.
Part 2	Policy 2.2A – Better definition of what is defined as particular large-scale animal husbandry should be set.	This is dependent on consultation with the relative departments.
Part 2	Policy 2.3A – The better utilisation of underground space should also be discussed in the policies related to wineries and olive oil production where the space is vital to the said process.	Basements shall be allowed beneath any permitted building because it does not cause any visual intrusion and the land is already taken up.
Part 2	Policy 2.4 – The use of the slaughterhouse, processing and packing plant should be restricted to the slaughtering of livestock within the boundaries of the operational livestock farm.	Slaughterhouses shall be permitted only within the boundaries of the livestock farms.
Part 2	Policy 2.5A does not allow part-time farmers to have a minor store room where to keep basic tools and equipment whilst at	A pump room of 4sq.m. shall be allowed if there is a reservoir on the

	<p>the same time it is not differentiating between agricultural lands of 5 and 18 tumoli where storage requirements are considerably different. A lower benchmark for smaller agricultural lands is set up in order to reserve the maximum area of 30sqm for lands of 10-18sqm whilst a store room of approx. 10sqm is allowed for agricultural lands of 3-10 tumoli. Another possibility is that owners of adjacent fields are allowed to apply together for the construction of the store room which would be internally split.</p>	<p>farmer's land. It is not the scope of the policy document to have all the agricultural land dotted with stores.</p>
Part 2	<p>Policy 2.5B seems to indicate that agricultural stores built prior to October 1994 are being sanctioned.</p>	<p>The first part of the policy states that this is tied to the upgrading and modernization of arable farms. Sanctioning is subject to the criteria mentioned in policy 2.5.</p>
Part 2	<p>Policy 2.9 – The utilisation of recycled stone in rubble wall construction could lead to serious abuse as the definition of recycled stone does not give clear indication as to the level of cleanliness of such stonework.</p> <p>The maximum width of gates should be restricted to 3m although an allowance should be made for gates opening to restricted width pathways. Alternatively, a relationship should be made between the maximum width of the pathway directly fronting the gate and the maximum width of the gate.</p>	<p>Random sized irregularly shaped franka stones may be used.</p> <p>More than the maximum width of 3m shall be allowed in cases of justified problems of maneuverability.</p>
Part 2	<p>Policy 2.10 (1) – An allowance should be set for the covering of existing/proposed pathways in concrete at accesses where the access gives directly to an arterial or residential road or at a slope in order to avoid spillage of soil and material.</p>	<p>Accesses built prior to May 2004 shall be considered as permitted.</p>
Part 3	<p>Policies 3.2A & 3.4B should allow better exploitation of basement spaces which are to be allowed to extend beyond the footprint of the overlying structure at a depth which allows the soil to be utilised for the intended purpose. The policies discriminate heavily against holdings which have an existing structure. Extensions to existing footprints should be allowed keeping the maximum floorspace of 200sqm as the limit for wineries whether new, reconstructed or restored.</p>	<p>Basements shall be allowed beneath any permitted footprints. The maximum floorspace for wineries shall be 200sq.m. and this excludes the basement.</p>

		Part 4	Policy 4.4 may address the possibility of agro-tourism related to livestock where a lesser area for the holding is required and where a benchmark not related to the land area (<60 tumolo) but to the size of the livestock is required.	In the cases of livestock farming the redevelopment and/or changes of use of buildings is considered.
		Part 5	Policy 5.2 – An allowance should be made for restricted storage facilities for necessities related to stables and horse rearing, the area of which should be restricted to the bare minimum.	The 25sq.m. per stable includes ancillary facilities and storage.
		Part 6 & Glossary	Policy 6.3 – The roofing over of internal courtyards for better utilisation of space and air circulation is to be allowed subject to sanitary endorsement as the floorspace is defined in the document is already taking into consideration the area of such yards. This is relevant in the conversion of disused buildings where most of the rooms will give onto a central layout which could be the only wide space within the structure to accommodate the residential requirements.	The roofing over of internal courtyards involves heritage considerations and sanitary laws, both of which form part of the planning application process.
6/12/2013	Perit Denis Camilleri	Part 4	Natura 2000 network should be included in the areas where agro-tourism is allowed and incentives such as increased number of bedrooms should be provided. The size of the agro-tourism activity has to be limited to 60 tumoli of land to lessen the impact on ODZs. A case study of agro-tourism in a Natura 2000 site in Malta is being presented.	According to EU Directives any development which would have an unacceptable adverse impact on the conservation value of a protected site should not be permitted.
		Part 2	Policy 2.11 – PV systems should be allowed within protected areas if their impact on the area's conservation is verified as positive. The energy produced will address the energy requirements of the agro-tourism and the surrounding area. Integrated and ground mounted PV systems are to be allowed after having evaluated the sensitivity of the landscape through an Environmental Impact Assessment.	The policy regulating PV's has been removed because a policy paper on this subject is being prepared.
6/12/2013	George Camilleri (obo) Din I-Art Helwa	General	This ODZ policy is presented in an information vacuum, without any supporting studies and assessments. This is piecemeal planning without any strategic or long-term vision whatsoever. The ODZ policy should not be approved until further information and studies on the current situation and requirements in the countryside are put forward for evaluation and discussion.	The new policy document is consolidating the three existing policies namely the AFDS, PLP 20 and Swimming Pools policy ODZ.

General	The idea of sustainable development is hardly mentioned, let alone assessed throughout the entire document. The ODZ policy must safeguard and protect the rural environment as a precious resource and counteract the urban sprawl into the countryside. It should highlight the conservation and restoration of all natural habitats in the countryside and protect them against pressures from development. The main emphasis of this document is the opposite i.e. finding ways to permit construction in ODZ areas.	A general policy aimed at protecting scheduled areas is added. This document does not allow urban sprawl and is aimed at helping the genuine farmer, and allowing redevelopment of "ugly" permitted buildings to have more visually acceptable ones in the rural landscape, with a reduction in footprint.
Introduction	Para 0.1 creates an enormous loophole for scheduled areas which undermines the credibility of the entire document. It is not enough to argue that "needs" may be 'genuine'. If MEPA is not in a position to define such ODZ "needs" objectively, then it should go back to the drawing board as the document is premature and lacks depth.	Para 0.1 could also restrict development which may be allowed through this policy document.
General	The new Environment Authority should be specifically included in this policy as a central point of reference in the processing of planning applications within ODZ areas.	The document has been prepared under the existing MEPA (which includes EPD). Reference to the new Environment Authority is being made.
General	Has the cumulative impact of all the new policies being drawn by MEPA such as fireworks factories, photovoltaic farms etc. been considered? MEPA is requested to publish the conclusions of their assessment on the cumulative impact of these policies before approving the ODZ policy.	One of the objectives of this document is the consolidation of the existing policies which are currently used in the processing of ODZ applications.
Part 6	No information is provided on how many disused buildings in the countryside may be eligible for redevelopment under these guidelines.	The aim of the policy is to bring disused buildings into active use and enhance the rural environment.
Part 4	Proposals for the use of ODZ land for agro-tourism developments should be accompanied by supporting studies.	The new building for agro-tourism is the one which is tied to 60 tumoli of land. The other scenarios are all related to redevelopment/changes of use.
General	MEPA is requested to provide supporting documentation to	Consolidation is brought about by

	demonstrate how this ODZ policy will encourage the consolidation of agricultural development and discourage fragmentation in this sector prior before approval of the policy.	allowing the redevelopment of permitted fragmented buildings into one, thus liberating land for agricultural use.
Part 3	Have the requirements and preferred locations of the commercial uses proposed in ODZ (olive oil and honey production, agro-tourism etc.) been assessed? Why should slaughterhouses or cold storage facilities be housed in ODZ areas? MEPA is requested to publish an assessment.	All the uses which shall be permitted are related to agriculture only. Slaughterhouses shall be permitted only within the curtilage of livestock farms.
General	The policy only refers to some types of protection/scheduling within ODZ areas – Class A or Class B Area/Site of Archaeological Importance, Level 1 or 2 Area of Ecological Importance/Site of Scientific Importance, Areas of High Landscape Value. MEPA is requested to provide a description of all other types of protection/scheduling within ODZ areas including buffer zones, together with MEPA's rationale for including or excluding any proposed types of use within all protected areas.	A general policy to protect scheduled areas has been included as per EU Directives.
General	Areas of High Landscape Value should also be subject to specific and very strict guidelines. These are the most scenic parts of the ODZ areas, and would be most vulnerable to negative visual impact. All uses not allowed in Class A or B Areas/Sites of Archaeological Importance and their buffer zones, Areas of Ecological Importance/Sites of Scientific Importance, should also not be allowed in Areas of High Landscape Value.	A balance has to be reached between the protection of the areas of high landscape value and any development related to agriculture activity. This is the reason why the policies include a section which states that the proposed development must respect the character of the surrounding rural area.
Introduction	Para 0.21 – The 10% tolerance as a flexibility extension should be removed from the policy as developers and their architects are likely to immediately expect this as an automatic right.	This tolerance has to be justified and is capped at 15sq.m.
Glossary	The 'coastline' area should be defined in this document and its relationship to this policy should be clearly described.	This issue is a local planning issue.
General	Height limitations should be clearly defined in the policy with the aim of minimizing all visual impact in the countryside.	This is the reason why policies mention floorspace and not

		footprint, because in some instances a smaller footprint is more desirable, and in others a one floor building would be better.
Part 1	Policy 1.2B – Acceptable types of projects or research and potential areas must be clearly defined, and the information presented to the public for consultation and discussion.	This policy is very specific and limited to 5 years.
Part 1	Policy 1.2F – The Environment Authority should also be required to give its clearance for the clearance of watercourses due the environmental sensitivity of these areas.	Due reference has been made in the appropriate policies.
Part 2	Policy 2.2 – The 100m distance will encourage the sprawl of dwellings in the countryside with no clear advantages for agriculture. MEPA is requested to provide information on its assessment of the proposed distance required between farm dwellings and livestock, the type of livestock and the parameters of such dwellings.	This distance is considered in cases where there is no space for the farmer's dwelling within the boundary of the farm, and is subject to consultation with the relative consultees.
Part 2	Policy 2.3 – Size and height of permissible developments should be clearly defined. This policy should not apply to scheduled areas including areas of high landscape value and relocation of farms in such areas should be encouraged. Farms should be guided to the least sensitive ODZ areas.	In the cases of new farms, these shall not be located on protected land (levels 1 and 2). Existing farms shall have basements in areas which are not archaeologically sensitive, unless clearance is obtained from the SCH.
Part 2	Policy 2.5B – Will this apply to buildings of any size? What has led to this decision to sanction?	This policy has been introduced in cases of upgrading and modernization of arable farms.
Glossary	A clear definition of an agricultural store should be provided.	This is subject to consultation with the Agriculture Department.
General	No development should be allowed in ODZ areas if such development may be carried out within building areas. For example, no further schools, homes for the elderly, residences, social housing, open storage or petrol stations should be allowed in ODZ areas.	Each application shall be treated on its own merits, however any development which is not included in this document shall be subject to a recommendation by the Agriculture Advisory Committee.

General	The degradation of ODZ land should not be accepted as a justification for development on vacant land as this encourages blatant abuse.	Redevelopment of permitted existing buildings only shall be permitted. New development shall be allowed only where related to Agriculture.
Part 4	Agro-tourism facilities must be limited to genuine farm-related activities and accommodation should be guided towards nearby villages and existing old farmhouse buildings instead of constructing new buildings in the countryside.	The maximum floorspace of 400sq.m. is based on 7 to 10 guest rooms including ancillary facilities, which is adequate for a new agro-tourism complex within 60 tumoli of consolidated land.
General	Vernacular rural architecture and old agricultural features in the countryside should be protected, including their context.	These types of buildings shall be preserved by giving them a good use and not leave them to become derelict.
General	ODZ policy should actively promote rainwater harvesting. MEPA is requested to clarify this point and associated measures.	Policy 2.7A helps with promoting rainwater harvesting by just using a notification to MEPA, MRA and Agric Dept instead of the normal planning application.
Part 2	Policy 2.7A - Reservoirs and pump rooms should not be located in any protected areas.	The policy safeguards scheduled areas.
General	ODZ policy should promote the removal of inappropriate or illegal development from the countryside, and actively discourage its use, redevelopment or sanctioning. More focus should be placed on enforcement measures.	This is an enforcement issue and not a policy one.
General	More emphasis should be placed on the prevention of light pollution, including from roads. Din I-Art Helwa noted this point in its submissions on the ODZ policy objectives, however in its replies to the submissions MEPA notes that "light pollution will be dealt with after the public consultation of the draft policies" without providing justification. MEPA is requested to explain this position and to ensure that light pollution is taken into consideration in the ODZ policy.	Light pollution is regarded extensively in the policy document infact it is a condition which is imposed in ODZ permits.
General	ODZ policy should actively promote high quality design in all	New buildings and redeveloped

			aspects.	ones shall use recycled stone and respect the rural character where they are sited.
		General	ODZ policy should take into account all relevant measures from the National Environment Policy (2012) and the National Biodiversity Strategy and Action Plan (2012). Din I-Art Helwa noted this point in its submissions on the ODZ policy objectives, but it has not been included in the draft policy.	The ODZ Policy document shall conform with all prevailing EU Directives as stated in the introduction to the document.
		General	ODZ policy should actively encourage afforestation projects in appropriate areas. Din I-Art Helwa noted this point in its submissions on the ODZ policy objectives, but it has not been included in the draft policy.	Afforestation is an option that can be followed but does not fall within the scope of this policy which controls building development.
6/12/2013	Loui R. Naudi (obo) Assocjazzjoni tal-Bdiewa & Farmers Central Cooperative Society Ltd.	General	Farmers feel that is it high time that MEPA should publish the ODZ policies in Maltese. The English version complicated our consultation process with farmers and at times, farmers felt disillusioned that they had to rely on the of-the-cuff translated versions. Perhaps a Maltese summary which would not be the formal policy itself could be a good compromise.	Noted.
		Glossary	Each term should be numbered for ease of reference in the same manner that each policy is numbered to help when one refers to the Glossary and finds more than one term with overlapping meanings.	Ease of referencing is the reason why each policy is numbered.
		Glossary	'Arable Agricultural Land' – the words " <i>officially registered with the Dept. of Agriculture</i> " should be replaced with LPIS/IACS System. Not all arable land is registered in the official system since some farmers opted out of the EU's single direct payment scheme'. This land should also be considered by MEPA.	The definition adopted by MEPA is meant to apply to all farmers and not only those applying for EU assistance.
		Glossary	'Areas of High Landscape Value' – Policy RCO 1 is too wide-ranging, subjective and discriminatory. These generic terms put pressure on MEPA case officer to out rightly flag objections.	Proposals shall be considered on a case by case basis. RCO 1 is a Structure Plan policy which applies in all cases.
		Glossary	'Dry Agricultural Land' – Nowadays, hardly any agricultural land can be termed as dry. This meaning could lead to additional	Dry land is a terminology that exists which applies to non-irrigated land.

		bureaucracy when MEPA considers a farmer ODZ application that could fall under this sweeping definition. This type of land can still be utilized for agricultural purposes especially for those farmers practicing crop rotation.	
	Glossary	'Rubble Walls' – The Veterinary Service have long been pleading with MEPA that for certain animals, rubble walls constructed in this manner allow for certain dangerous micro-organisms that are detrimental to the health of animals. In the case of farmers, in certain areas where heavy rainfall is recorded, severe damages are caused to farmers' rubble walls with resultant damage to the area under cultivation. Before obliging farmers to re-construct rubble walls, the Dept. of Agriculture should be contacted to be able to advise farmers on their eligibility to acquire EU or local funding as well as technical advice on construction methodology.	Rubble walls have been considered in policy 2.9.
	Glossary	'Region or Regional' – When the Local Action Groups (LAG) were being discussed, reference was made to divide Malta in three regions, Malta North, Malta South and Gozo. This definition should not be restricted to three Local Councils but to the boundaries of one of the three LAGs.	Your proposal will create problems to farmers who may have holdings on the boundaries of Malta North and Malta South.
	General	A temporary and more meaningful amnesty to counter the damages farmers suffered as a result of the 2008 Policy is needed. Bolder measures to ensure that farmers become economically viable in this vulnerable agricultural sector are also needed.	This policy document is primarily a development regulating policy meant to assist the genuine farmers.
	General	It is important that besides Agriculture officials, farmer representatives are nominated on the new Agriculture Committee to ensure that the proceedings are more readily acceptable by farmers. Only applications from genuine 'bona-fide' farmers should be accepted to effectively curb abuse.	Noted.
		The adoption of a National Quality mark will put additional pressure on storage space, besides the economic viability. Most professional farmers already have storage capacity exceeding 40sqm or 60sqm unless Policy 2.5B means that the new 60sqm	Quality policy is not directly correlated with storage space.

	is over and above what professional farmers currently have, then Malta will never be able to have a Quality Policy.	
Part 1	Policy 1.2G – It is becoming a frequent occurrence especially in summer for revelers to beat the imposed night spots in Paceville and other places of entertainment and continue partying in rural areas causing much damage and frustration to farmers. Furthermore, ramblers seem to have more rights than farmers themselves who earn their living from their land.	This is a local planning issue and not a policy issue.
Part 2	Policies 2.2A & 2.2B – What is the distinction between livestock farmers and arable farmers? The awkward working hours and the necessity to be on-call at all times is very similar and this distinction leads to an increased rivalry between the two important branches of agriculture. Erecting a dwelling on the property he spends his life on is one of the last remaining incentives left to keep the few young farmers on the land.	Rural settlements are close to the arable land and take-up of arable land for further dwellings should not be encouraged.
Part 2	Policy 2.2B is overlooking the social aspect of farming such as finding a steady partner, not being able to see their children grow up. This task should be catered for by the Agriculture Department officials rather than the MEPA Agriculture Committee who studied every farmer application for a dwelling so meticulously in the past.	On the contrary, the policy shall assist the genuine farmer.
Part 2	Policies 2.3A, 2.3B & 2.4 – The references normally associated with the processing of arable farming applications are absent. MEPA Agriculture Committee should handle their interpretation.	More onus has been given to external consultees.
Part 2	Policy 2.5A – The new storage entitlements should be granted over and above arable farmer's current storage facilities. We will support the Agriculture Department should they introduce a level of observance of a quality protocol before vetting such applications. The size of storage should reflect the three main categories of arable farmers and the type of farming they currently practice as follows: i. 5-10 t – 30sqm ii. 11-30 t – 70sqm iii. 30-50 t – 90sqm	Due reference has been made to the Dept of Agriculture and other concerned stakeholders, and these shall be referred again if necessary.

	<p>iv. >50 t – 110sqm</p> <p>A full basement level of same size should remain applicable.</p> <p>Policy 2.5A (6) – Insulation panels could be more appropriate than timber for additional storage requirements. When deciding the type of structure of storage, every application should be treated on the merits of the contents to be stored, besides other considerations. In this case, MEPA fees should be heavily reduced.</p>	<p>Timber is considered as one example in the policy.</p>
Part 2	<p>A one time amnesty should be introduced on all arable farmer 'illegal' storage facilities applicable for the period March 2014 to September 2014 by MEPA in collaboration with the Government. This concession (subject to stringent conditions) will replace the last paragraph of Policy 2.5B which will become superfluous.</p>	<p>An amnesty has been made applicable within a specified timeframe.</p>
Part 2	<p>Policy 2.6 – The standard European Greenhouse is 5 to 9.6m. Obliging farmers to erect their greenhouse at a maximum height of 4.25m will mean that arable farmers would have to order made-to-measure greenhouses at additional costs. The 5m minimum height is the 3m required till crop support (or gutter) and 2m the distance from the crop support to the ridge. An increase from 5m to 9m should also be allowed for organic farming. The height of greenhouses is also a health and safety aspect.</p> <p>Para 2.6.2 – Why put additional costs on farmers and why oblige them to impair their production?</p>	<p>This has been seen to.</p>
Part 2	<p>Policy 2.7A (4) – Any person with one tumolo of land could apply for pump rooms and this could prejudice the proper functioning of the whole policy. This criterion should be reworded to minimize this risk.</p>	<p>To justify the pump room the applicant needs to have a reservoir.</p>
Part 2	<p>Policy 2.10 – It makes more sense to sanction all access paths covered in concrete up to date rather than removing what is already there. Existing access paths should be maintained by being covered with concrete and a coloring agent to minimize</p>	<p>Noted and appropriate action taken.</p>

			the visual impact. Local Councils should be responsible for such practice. Grass-blocks are too expensive and unless farmers are given access to funds other than from the Rural Development Program 2014-2020, grass-blocks will never be accessible. New access routes should be asphalted instead of concreted. What is a farmer expected to do when he harvests his produce. Why should we oblige him to walk and carry that weight?	
		Part 2	Policy 2.11 should be included in Part 4 – <i>Farm Diversification</i> .	This policy shall be removed
		Part 4	Policy 4.3A (1) – The reference “ <i>farmer-entrepreneur partnership/project</i> ” is very confusing. So long as the farmer proves that he is capable of meeting the criteria and standards to run such an operation, the farmer should not be obliged to enter into a partnership. We should not prejudice any plans farmers might have to conduct this operation on his/her own.	There could be circumstances where the farmer may require the assistance of the entrepreneur.
		Part 4	Policy 4.4 – The policy has to be clear that a farmer can apply without having a legally-binding agreement/partnership with third-parties (as long as applicant meets the other criteria). The ceiling of 60 tumoli of land should be reduced for the benefit of farmers since this amount is very hard to find. A professional feasibility and impact assessment study should be conducted.	There could be circumstances that merit otherwise.
6/12/2013	Gerald Vella (obo) Vitimalta	Part 3	Policy 3.2A – Can two viticultural farmers having e.g. Vineyards of 10 tumoli each within the region apply together for the construction of one boutique winery? The same question applies when a grape producer organization can apply for the construction of a new boutique winery to process a fraction or all of the members’ produce. Can an existing building be converted in a boutique winery and olive oil production provided that the applicant has both olive groves and vineyards?	Policy 3,2A is clear on this issue.
		Part 1	Could farmers’ paths within the holdings (e.g. from gate to building or store) be in stone slabs instead of grass blocks since these are very expensive? The paths can also be made using local recyclable stone and can be laid in several different patterns allowing the growth of grass in between serving the same purpose as grass blocks.	This issue has been revised.

		General	Each ODZ application should pass through a board composed of producers to enable the selection of genuine and less genuine applications. Representatives of Producer Organizations and Agricultural Co-ops and Associations should be given preference as board members.	New uses not mentioned in the policy document shall be subject to the recommendation of the Agriculture Advisory Committee.
		General	The ODZ policy calls for a good protocol governing traceability and quality of processed agricultural products like the wine act. This would give a guarantee to the consumer against fraud or mislabeling.	This is beyond the scope of the policy document.
6/12/2013	Michael Zammit Cutajar (obo) Guardian of Future Generations	General	<p>The piecemeal launch of these initiatives and the relatively short timeframes envisaged for their implementation make it difficult to judge their overall impact on the environment and on the quality of life in our country.</p> <p>A comprehensive strategic vision for sustainable urban and rural development over the next two decades should be formulated by the end of 2014 to assess the economic, social and environmental costs and benefits of different development options. Current policy initiatives related to landuse and construction should be kept in abeyance until the strategy is adopted.</p> <p>The general goals of the Structure Plan, in particular, the emphasis on rehabilitating and upgrading urban areas “thus constraining further inroads into undeveloped land” remain valid.</p>	This document is a revision of the three existing policies: AFDS, PLP 20 and Swimming Pools ODZ. Policies regulating ODZ were already in place and this is not something new. This document is more concise and is based on the objectives which were already issued for public consultation.
6/12/2013	Perit Alexander Bigeni	Parts 3 & 4	<p>For wine/olive oil, there should be no restriction on the square area of buildings which are completely underground. The acceptable building areas should be increased for comparable land size (E.g. 200sqm per 30 tumoli). The area for the production of olive oil is very restricted. A minimum of 50sqm would be required.</p> <p>There should be a proviso in the policy allowing for more diversified development in larger holdings (>200tumoli).</p>	<p>The areas set out in the policies have been based on discussions with professionals in these fields. Basements, in all permitted buildings, shall be limited to the approved footprint so that there will not be further sprawl.</p> <p>These developments shall be subject to the recommendation by</p>

			<p>The policy fails to address other products which are also part of our heritage besides wine, olive oil and honey. These products need to be produced within distinct areas to avoid cross contamination. An area of approximately 15sqm is required for the production of such products. The policy does not refer to “hands on” visitor attractions, where visitors take part in the production of olive oil, marmalades etc. The area (about 250sqm) would also house a demonstration area for cooking of traditional dishes.</p>	<p>the Agriculture Advisory Committee</p> <p>Policy 4.3A is clear on what may be permitted.</p>
		General	<p>The possibility of underground parings and the construction of small animal petting farms should be studied.</p>	<p>Any new use not included in this document shall be subject to the recommendation by they Agriculture Advisory Committee.</p>
6/12/2013	Perit Kerstien Micallef & Perit Christian Spiteri	Part 6	<p>Policy 6.2A (1d) – There are many such buildings falling below this minimum mainly due to the fact that these vernacular buildings usually have very thick walls. It would be more beneficial for these rooms to be converted into residences than to remain dilapidated. Preferably such small buildings should be judged on a case-by-case scenario as some 100sq.m structures include architectural features that are worth retaining.</p>	<p>The 100sqm minimum floorspace is intended to avoid the need for excessive extensions</p>
		Part 6	<p>Policy 6.3 (4) – A gross floor area of 150 sq.m does not meet the basic requirements of a family. This is even more the case when the existing vernacular building has very wide external walls. It would make more sense to allow a net floor area of 150-200 sqm. Allowing slightly larger dwellings that meet the needs of todays families will finally result in less illegalities that would otherwise arise due to the real need for more space. ODZ applications should be assessed more on the proposed quality of architecture than just numbers.</p> <p>Allowable building extensions should not be constructed in weathered stone as this does not aid in complimenting the surroundings. Architects should be encouraged to use</p>	<p>The 150sqm capping of floorspace for ODZ dwellings is aimed at controlling the massing (and associated visual impact) and the relative land-take up. The standard minimum dwelling size for a new 3 bedroom unit within the development zone is set at 96sqm (DC 2007 policy 3.7) while that of villa development is set at 150sqm. Hence the maximum 150sqm allowable floorspace for ODZ dwellings is considered to</p>

			<p>alternative materials that are more in keeping with the ODZ environment such as corten steel or off-shutter concrete.</p> <p>Dwellings that are not situated in areas of high landscape value could benefit from an extension at first floor in order to allow more residential space. This would limit take up of fresh land and allow more dwelling space.</p> <p>The policy could allow the introduction of sunken gardens that would be at basement level and would allow natural light and ventilation.</p> <p>Are the residents of a dwelling surrounded by land meant to store agricultural tools within the footprint of 150sqm?</p>	<p>adequately accommodate a 3 bedroom dwelling, plus additional space (including storage) at basement.</p>
6/12/2013	Perit Noel Debattista	Part 4	<p>Policy 4.4 – If a farmer has less than 60 tumoli but has a farm/establishment with a variety of animals, why cannot he/she develop accommodation premises to allow visors to sample the life of a self-sufficient unit in a good amenity area?</p> <p>The need of a swimming pool on a reduced site is not essential and can be forgone in such a development.</p> <p>If a farmer has 60 tumoli of farmland in various localities around Malta, he/she should be allowed to develop an agro-tourism unit next to his main residence even if the 60 tumoli are not connected.</p> <p>If a farmer has over 60 tumoli of arable land and he is allowed to build up to 400sqm of agro-tourism floorspace and a swimming pool, why is he limited to just 150sqm of residence? Such a farmer should be allowed 200sqm of floorspace for a residence and at least 200sqm of garage space for the various tractors/vehicles that are necessary for farming the whole area.</p>	<p>Policy 4.4(1) deals with such a situation.</p> <p>The policy leaves the swimming pool as an option.</p> <p>60 tumoli contiguous/consolidated land limits the number of these developments.</p> <p>400sq.m. is the maximum floorspace including facilities. 150sq.m. is the limit on the dwelling floorspace with a basement beneath the footprint. 250sq.m. shall be allowed for a livestock farmer's dwelling within the boundary of the farm.</p>

6/12/2013	Anthony Ellul (obo) Malta Chamber of Planners	General	<p>The ODZ policy seems to eliminate most, if not in some cases all, the thresholds and limits in the previous policy documents (e.g. PLP 20, Agriculture, Farm Diversification and Stables), resulting in a very fluid situation where great weight is given to the feedback of external consultees (whose decisional criteria and basis of decision are unclear). Most of these consultees will only be concerned with their respective issues and their clearance should not be an overriding justification to depart from policy or to justify a proposed development.</p> <p>There is no mention of EU Directives and feedback from the Environment Protection Directorate or its successor once MEPA is divided in two or more entities in a few months' time.</p>	<p>Thresholds and limits in floorspace have been included in the policies regulating development. Consultees shall recommend according to their respective issues and it is always the deciding body who shall decide applications.</p> <p>A policy re EU Directives, apart from being mentioned in the introduction, shall be included. The existing EPD or successor shall be part of the consultees.</p>
		General	<p>It is unclear how this policy will assist the genuine farmer given that some of the aspects discussed in this policy would likely result in fragmentation of land parcels, speculation, inflation of land prices, and the progressive abandonment of the fields in favour of more profitable exploitation of land, namely agro-tourism and conversions of agricultural buildings to other commercial and residential uses.</p> <p>When it comes to define and recognise who is genuine or not may lead to subjective judgements which at the end are likely to go against the spirit of the policy.</p>	<p>All policies in the document are related to the farming activity which ensure the involvement of the farmer, apart from the redevelopment of permitted buildings to ensure buildings which have a more rural character.</p> <p>This is precisely the remit of the external consultee (Agric Dept) who can ensure this.</p>
		General	<p>It is unclear how part-time farmers will manage large holdings. The policy does not indicate the level of interest in this sector by young farmers.</p>	<p>The document does not specify between part time and full time farmers while it encourages young farmers who should be given all the support needed.</p>
		General	<p>The document seems to depart from the Structure Plan's</p>	<p>New development is only related to</p>

	general presumption against development and is more concerned about allowing a considerable amount of developments ODZ. Almost all the size thresholds contained in the previous documents have been removed giving way to undesirable development in ODZ.	the farming activity, with size thresholds included.
Introduction	Para. 0.1 leaves a big loophole in the system and may lead to subjective judgments and speculation on the presumption that the development will result in an improvement in the area.	It may also limit development.
Introduction	Para. 0.21 - The 10% tolerance mentioned in the policy should be capped to about 25sqm.	This has already been capped to 15sq.m. It seems that this was overlooked by the entity submitting these comments.
General	This document seems to give the idea that to encourage farmers to diversify their activity they have to build new facilities, which have little to do with agriculture and will in actual fact damage the agriculture sector as more will seek to sell their land instead of tilling it.	Consolidation of permitted scattered buildings is encouraged to free the agricultural land for tilling.
Glossary	The alternating use of terms such as curtilage, boundary, region, recycled stone, should be better defined. The word 'region' should be replaced through this document by 'consolidated holding' taken to mean the parcel/parcels of land tilled by the farmer within at least one kilometre.	Region is defined in the glossary.
General	Genuine farmers, who need large infrastructure (such as greenhouses or farms), would unlikely be a part-timer and as a consequence would unlikely be able to tend to the agro-tourism establishments that this policy feels so enthusiastically about. The genuine farmer would have liked to see what planning policies would be adopted to address new farming techniques, storage space for their combined harvesters and similar large equipment, new infrastructure, new building technologies, what heights are accepted for their livestock sheds.	There is no reference to part time or full time farmers. It is up to the farmer to decide whether to venture in the agro-tourism activity which would surely help generate additional employment. Extra heights for storage shall be considered on justification by the farmer.
General	There is a general lack of regard to visual impact and rural character, with the policy suggesting the use of hewn franka stone for the demarcation of fields, concreting of paths and the use of PV panels over rural buildings, including greenhouse (it is	Policies take regard of the rural character where the building shall be located. Random sized irregularly shaped franka stones

	not sure how the operation of the latter will be affected as the panels will inevitably create shade).	may be used for walls, while the policy regulating the PV's shall be removed because it shall be included in another policy paper.
General	We advocate a precautionary principle, based on the general presumption against development outside the limits of development rather than a reactive enforcement which is costly, and often ineffective in cases. It is unclear for instance how policy 1.2C is enforceable, in that how will enforcement know that the building has not been in use for three consecutive years in 30 years? Would the owner of that same illegal building have an acquired right at law after 30 years? How many times would the policy have been changed or updated in 30 years?	This is an enforcement issue and of no value to this policy document.
Part 1	Policy 1.2B seems to allow anyone who is supported by an NGO to develop ODZ. Would this allow large facilities to take up and develop large tracts of land in ODZ. This policy, like others, fails to list eligibility criteria, size thresholds, and other aspects to assist the decision takers to take a decision. Development of research and innovation projects may be directed to SME sites or even industrial areas and Areas of Containment. R&D development may be too sensitive to market condition to allow ODZ, as a slump in the international markets may result in the abandonment of the facility and hence vacant developments.	Policy 1.2B is clear in how the proposal shall work.
General	Through this policy individuals will take their chance and try to build on their parcels of land, giving rise to unsavoury practices of agents, brokers, lobbyists, speculators, pressure on public officials or worse, preying of farmers to sell their fields.	As per the objectives issued previously any new development shall be related to agriculture activity only.
Part 1	Policy 1.2C – This policy is difficult to monitor to ensure whether the premises have been used or not and secondly once the building exists is it realistic to think that it will be demolished? Allowing a building that might not be used during a period of thirty years seems to go against the policy which aims to permit 'genuine' development which is needed. If the policy is concerned that buildings permitted may not be used, then it should prevent such development from going ahead in the first	This policy safeguards the proliferation of vacant buildings and illegal uses.

	place since allowing a development which may become derelict by time will adversely affect the rural environment.	
Part 1	Policy 1.2D seems to be in direct conflict with Policy 1.2C which naively intends to prohibit proliferation of vacant buildings. This combination of policies would mean that once committed an area will always be ripe for redevelopment. In contrast, the policy should have envisaged that empty buildings not worthy of retention (because of cultural, architectural interest), should be demolished and the area returned to its original state.	There is no relationship, let alone conflict, between policies 1.2C and 1.2D.
General	Given that this policy document seems to be an enabling tool for many uses in the countryside (e.g. retail units for produce, reservoirs, new dwellings, tourist facilities, redevelopment of structures) there is little, if any, mention of the consequence of providing these developments with utilities (such sewage, electricity, telephony, water etc.) and access (such as roads and other hard surfaces).	New development is all related to farming. Roads, accesses and traffic issues are mentioned in the policy document.
Part 1	Policy 1.2G (similar to other policies in this document) states that it is intended to protect species and their habitats (including man-made habitats, a notion which remains unclear), but then it confirms that for this policy document every area can in fact be developed given the right conditions.	A new policy shall be included to safeguard the protected areas, as per EU Directives.
General	The document takes no cognisance that in the past, rehabilitation of valleys was done in a haphazard manner, with grave environmental damage to habitats and important, sometimes endemic, species. The policy exonerates anyone conducting such works intended for the conservation of water, mentioning that these should obtain the clearance of MRA and does not hint to the requirement of detailed method statements and appropriate studies. It seems that this policy and others similar to this are in direct confrontation to EU directives that protect important species and habitats.	A new policy shall be included to safeguard the protected areas, as per EU Directives. Clearance from MRA is always important.
Part 2	Existing farmers who would have needed to reside in their livestock farms would have already had one by now, as these livestock breeders have always been eligible for such a structure. The 100m distance of Policy 2.2A is highly	Preferably the dwelling is located within the boundary of the farm, but there may be instances where there is no space for this. Conditions

	speculative, moreover since it defeats the underlying concept of being near to the animals at all times. The dwelling in this case should always be within the boundary of the legally operational farm and not outside. There are no safeguards and it gives rise to the possibilities that such properties will be rented out to third parties. It needs to be specified that the basement is to be totally and completely underground.	have been imposed to tie the farm to the dwelling. Basement has been defined in the glossary.
Part 2	Policy 2.3A – Parameters are to be specified with regard to the size of the building in terms of floorspace and height.	Floorspace and not footprint is defined because in some cases a two floor building would fit better than one floor, thus reducing the footprint.
Part 2	Policy 2.3B – Any scheduled area is to be excluded from such development. Height limitation and maximum floorspace needs to be specified.	Policy 2.3B(2) considers scheduled land, while issues related to the required spaces is to be recommended by the consultees.
Part 2	The bias of this policy towards new buildings, namely dwellings but not exclusively to such, outside the limits of development is perhaps epitomised in Policies 2.2B, 2.5, 2.9, 2.10, 3.2A, 4.2. Taking up existing structures for uses other than those of agriculture would be highly speculative and give rise to abuse.	All the policies mentioned are related to agriculture. The policies not related to agriculture are listed in Part 6 of the documents (which are a revision of the PLP 20).
Part 2	It is also unclear why the policy sometimes alternates between the use of the terms ‘curtilage’ and ‘boundary’. Similarly, it is not clear why the policy text and the supporting text of the policy in Policy 2.4, are contradicting, as the latter states that such developments (referring to slaughterhouse) can be located within the limits of development.	Slaughterhouses can be located within the boundary of the farm. Any other new ones shall be as per the paragraph.
Part 2	Policy 2.5 – There are very well documented cases that these rooms are not used for their intended purpose but as a venue for commercial activities, countryside retreats or picnics. It is suggested that instead of a sporadic approach to agricultural stores, the policy would encouraged the identification of areas (for example a disused quarry, a disused farm, a large disused building which is causing an eyesore), and the redevelopment of such in a well-managed, secure facility which is extensively	This is the reason why redevelopment and consolidation is being encouraged in the document.

	landscaped and screened from view, whereby farmers in the area (or region) may store their equipment, machinery and other, knowing that such areas are secure. The multiplication of agricultural stores, amongst others proves that the regulatory body, in this case MEPA has been grossly unable to curb such sporadic development.	
Part 2	Policy 2.7 – Reservoirs and pump chambers should be wholly underground to make sure that these do not give rise to accumulative visual impact.	To encourage that reservoirs shall be underground, only notification is required.
Part 2	Policy 2.8 does not make any reference to other scheduled areas including garigue and karstland, and may give the impression that these may be covered with soil and turned into agricultural land.	Policy 2.8(1) seems to have been overlooked.
Part 2	Policy 2.9 will likely result in visual impact and undesired land fragmentation. The use of hewn franka stones, albeit recycled, should not be used and alternatively the policy should have advocated that if franka stone is used at least it is chipped to look like traditional rubble stone. Similarly, the promotion of concrete or grass block along access paths to arable land holdings, is unwarranted and results in a loss of character of our countryside. Where these exist, the lanes are often barren and lack the rural character one would expect.	The words “Irregularly shaped” has been included in the policy. Access paths policy has been amended.
Part 4	Policy 4.4 should indicate a maximum and not a minimum total floor space dedicated for accommodation and ancillary facilities, as failing to limit such may lead to the tourist to be greater in terms of floor space than that used for the operating farm. Such developments should respect the context within which they are set and it is feared that a pool does not fit in the context this Policy intends. The farmer, who already has little time available to tend to animals, would not be able to manage such facility. The 400sqm of floor space is excessive and should be lowered to at least 200sqm whilst built up footprint should not exceed 150 sqm and two floors in height.	The maximum limit shall be included, while the 44sq.m. floorspace includes all the land take-up.
Part 3	Policy 3.2A – It is unclear what boutique wineries are taken to mean. It would seem that 200m ² of floor space would be	Sizes of wineries have been made after consultations with the

	<p>extensive while one may at least consider having the same amount underground, to provide for storage and only have 50m² above ground. It is however, advocated that instead of encouraging new building, redevelopment, restoration or reuse of existing buildings is made as these will continue to increase the pressure in the zones outside the limit of development, and hence the potential of proliferation of vacant buildings.</p>	<p>professionals in this field. As per the general policy, the winery shall be demolished if not used within a period of three years.</p>
Part 4	<p>Policy 4.2 undermines the notion of the Farmer's Markets that was being promoted to enable farmers to sell their produce, at identified sites which are easily accessible by customers, with no permanent visual impact. It will contribute to the proliferation to further building in the countryside, to more paths to enable access to potential customers and to adverse traffic impacts. It is understood that even farmers cultivating fodder will have the opportunity to build a farm retail unit. The lack of mention of mitigation/landscaping measures further exacerbates the adverse impacts on the countryside.</p>	<p>Farm retail shall be considered with the clearance of the relative departments. Landscaping shall be considered on a case by case basis.</p>
Part 5	<p>Policy 5.2 - Timber is not ideal for a number of reasons. The fact that it is an alien material is one, but most importantly, in such locations will deteriorate and look shabby as time goes by. Moreover, there are again a significant number of cases where for a time this development type was being used to construct dwellings, instead of their intended use. It may be appropriate, to take stock of this sector, including the number of animals and the areas identified by the Local Plan for this purpose, and carefully assess the demand for such developments, prior to proposing a policy to regulate the sector.</p>	<p>Timber has been considered because it is recyclable and easily demountable.</p>
Part 6	<p>All efforts should be focused not on new dwellings which should be completely prohibited but to facilitate farmers to carry out their activities, if it is the genuine farmer who this policy seeks to make the beneficiary. Most of the text in this section may give rise to further urban development outside the limits of development. The rehabilitation should be limited to the footprint and height of the original structure.</p>	<p>Part 6 of the Policy document does not allow for new dwellings, but for conversion of buildings worthy of retention, and for the re-development or extension of existing dwellings</p>

		Part 6	Policy 6.3 – It is unclear if the basement is part of the maximum floor space.	The basement is not part of the maximum allowable floorspace as long as it is limited to the building footprint.
		Part 6	Policy 6.4 – What about those instances where a pool is serving multiple dwellings, is this size to be retained or will larger pools be permitted. Is the 6 sqm over and above the 75 sqm and at what distance from the main building should these facilities be located to ensure that they are screened and do not result in a negative visual impact.	The policy makes provision for slightly larger pools in case of multiple dwellings. The 6qm area for ancillary facilities is additional to the pool area.
6/12/2013	Perit Edward Scerri	General	A good number of abuse rehabilitation centres such as the OASI foundation in Victoria, Gozo are located within ODZ. A policy should be included within the document to cater for the extension and upgrading of such facilities. The OASI foundation already has a project for the extension and upgrading of the existing facilities to ensure the centre is according to the standards required for such a rehabilitation centre.	This issue is a specific situation with no relevance to the policy document.
			The policy document should ideally cater for different uses such as boutique hotels, for existing dilapidated legal buildings. It should also allow the accommodation of more than one dwelling within an existing legal building where these buildings form part of a single dilapidated property.	New uses shall be subject to the recommendation by the Agriculture Advisory Committee. More than one dwelling is considered in Policy 6.2A.
6/12/2013	Mario Camenzuli (obo) Kummissjoni Interdjoesana Ambjent	Introduction	Para. 0.1 is a loophole which makes the policy weak in its context and extent by hindering sustainable planning in ODZ. The ODZ policy is turned on its head by giving the power and discretion to the deciding body to give permission according to the case being assessed. This discretion should only be allowed in minor causes when it is ensured that no serious environmental and visual impacts will be caused. Instead, the Introduction should state the opposite i.e. the deciding body will not have any discretion over the policy document for the assessment of development applications. This paragraph should be eliminated from the policy because it leads to subjective judgment and speculation. The Development Planning Act 2010 stipulates that decisions on development applications are guided	In actual fact para. 0.1 may also limit the development.

	by the provisions of the Local Plans and policies and submissions by the public should be acknowledged.	
	Malta's increasingly scarce countryside should be safeguarded since it is an important economic and natural resource. The ODZ policy is creating loopholes for abusive development to generate profit under the pretext of aiding the agricultural sector. The result would be the devaluation of the environment for present and future generations.	If there is no help to the genuine farmers, then the ODZ areas would become derelict. Farming is an activity which should be encouraged as per the objectives issued.
Part 1	The Structure Plan should override the ODZ policy when dealing with projects of national interests since it provides the guidelines for reaching sustainability targets. Where any studies conducted to determine the impact of the policy on the environment? Are there any indications as to the amount of new buildings that can be constructed ODZ and what is the demand for such buildings? If the demand has not been statistically considered, then the effect of this policy on the environment is not being envisaged.	New buildings are as per policy objectives, i.e. to help the genuine farmer. A balance shall be reached between new development and the environment.
Part 1	Policy 1.2C – In order to avoid this, prior studies should be conducted on the effect of this policy on the environment instead of creating loopholes which could lead to irreversible, abusive development. Since enforcement is already weak, how will such policy that appeals to whoever wants to obtain a permit to use if for '27' years only and for a different use for which it was granted to ensure that the building is not demolished, be enforceable?	This is an enforcement issue and not a policy issue.
Part 2	MEPA should re-examine the policies that were respectively formulated for the livestock farmers and arable farmers to ensure that only genuine farmers are eligible and no abuse will be forthcoming from developers.	More onus shall be given to the external consultees and this shall deal with any abuse.
Part 4	Policy 4.4 – On what basis is an agro-tourism tied to 60 tumoil? Why not more than 60? What impacts will such an activity leave on the environment? Paragraph 0.1 gives the liberty to the deciding body to overlook such restrictions and issue the permit.	60 tumoli is based on a limited number of eligible applicants. Para 0.1 can be interpreted to also limit development.
Part 2	Policy 2.9 – Does it make sense to construct walls which are higher than adjacent legally-established rubble walls with a height of 1.2m? Such concession will lead to the creation of labyrinths instead of country pathways. Why is the policy	Rubble wall shall be permitted to be higher than 1.2m if the adjacent ones on either side are permitted to be higher.

			permitting the sanctioning of country lanes built in concrete before 2004? Shouldn't such country lanes be dealt with in a separate plan to be reconstructed to conform to new guidelines?	
6/12/2013	Perit Ian Zammit	General	Classification of the ODZ land should include natural habitats such as maquis and garigue, dry and naturally irrigated farmland, abandoned farmland, degraded land, rural settlements, country dwellings/villas, recreational amenities, wedding halls, infrastructural facilities, industrial areas etc. It is clearly impossible to apply a standard set of ODZ policies to planning applications that for development/rehabilitation on such a broad range of different land uses. The ODZ also needs its own "Countryside (Local) Plan".	These are local planning issues. Nevertheless any use not covered by this document shall be subject to the recommendation of the Agriculture Advisory Committee.
		General	The proposed policy makes no attempt to study the characteristics of Rural Settlements. It is necessary, to compile a complete list of Rural Settlements in the Maltese Islands as well as to improve the consistency of classification between regions. While in Gozo and Comino Local Plan a couple of isolated small buildings are often classified as Category 1, in the North West Local Plan a dozen buildings occupying a much larger area and adjacent to the scheme boundary are classified as Category 3.	The objectives of this document included the consolidation of the three documents (AFDS, PLP 20 and Swimming Pools policy). Issues mentioned are local planning issues which regard ODZ settlements.
		Part 6	In Policy 6.2A (3), the immediate increase of the habitable area to 150sqm should be eliminated and instead permitted through sequential applications. Where possible, extensions at first floor level should be encouraged instead of extensions at ground floor level to protect agricultural land. A new policy is necessary to tackle the area of external paving permissible around an ODZ building. This area should be limited to the lesser of either an area equivalent to the area of a 3m wide band around the perimeter of the elevations of the ODZ building or 15% of the area of the undeveloped part of the applicant's site.	The 150sqm is not automatic – the policy prohibits substantial extensions and/or rebuilding.
		Part 6	Policy 6.3 – If the building is of architectural, historical, vernacular or other significance, and it is necessary to provide essential amenities (such as bathrooms) without damaging the ethos of the significant building, the construction of an out-	The policy does not exclude sensitive extensions, however these have to be justified and sympathetic to the context.

		<p>building of high architectural quality can be considered.</p> <p>In the case of scheduled sites, extensions should still be considered subject to the conditions and monitoring of the Superintendence of Cultural Heritage and or the Environmental Authority. As almost 50% of the gross areas of old buildings can consist of the wall thicknesses, the limit of 150 square metres established in criterion (4) refers to the habitable floor area.</p>	<p>The policy allows for limited interventions and/or extensions which respect the character and setting of the listed building.</p>
	Part 6	<p>Policy 6.4 - The minimum aggregate area of the pool deck and the swimming pool should be increased to 100 sqm for all cases of swimming pool, (i.e. including single family residences). The 5m distance from the building should be amended to permit a minimum distance between the nearest part of the swimming pool and the building equivalent to three times the difference in level between height of the parapet wall of existing building and the surface of the water in the swimming pool.</p>	<p>The policy aims to reach a balance between the provision of amenity and the land take-up.</p>
6/12/2013	Guardian of Future Generations	<p>Concern about the new buildings in ODZ including rural and coastal areas. ODZ must be safeguarded because the development will be irreversible. This policy initiative should be kept in abeyance until comprehensive strategic vision for sustainable urban and rural development over the next two decades is formulated.</p>	<p>The objectives set out included the consolidation of the 3 documents i.e. AFDS, PLP 20 and Swimming Pools ODZ.</p>

LATE SUBMISSIONS

7/12/2013	Perit Emanuel Vella	General	The use of a garage for parking of heavy vehicles. A site plan has been attached and a request to include this area as an Area of Containment.	This comment is a local planning issue and no relevance to this policy document.
9/12/2013	Joe Aguis (obo) Ramblers Association of Malta	Part 1	Policies 1.2A & 1.2B – And also clearance from the Board mentioned in para. 0.1 of the Introduction?	If an application is submitted and requires a permit than it has to be approved by the Board.
		Part 1	Policy 1.2C – Who pays for this demolishing? Are deposits for this purpose asked for on permitting?	This shall be at the expense of the owner as amended.
		Part 1	Policy 1.2D – Does “consolidation” mean that if one has a site of footprint x at Mgarr and another one of footprint y at Mosta, he can demolish both and build an x+y structure on one of these localities or even on another site? This policy is intended to perpetuate unplanned development that has ruled in Malta and does nothing to remove what is disturbing and stopping bad practices.	Consolidated land holding is defined in the glossary. Policy 1.2C has been introduced. Also this statement is an enforcement issue with no relevance to the document.
		Part 1	Policy 1.2E (2) & (3) – Who carries out appropriate evaluation, who commissions the experts and pays them? Does not any relocation of soil call for a permit by the Dept of Agriculture and the MEPA?	The applicant pays. The Department of Agriculture is mentioned in the policy.
		Part 1	Policy 1.2F – More and wider access roads will be opened in rural areas for disposal by bowsers.	This is an assumption and not what is stated in the policy regarding “existing legitimate roads ...”
		Part 1	Para 1.2.6 – So if these species are present on two sites and we destroy one of them, then it’s ok because there is the other site?	Consultation shall be required with the authority responsible for the

		Environment.
Part 1	Policy 1.2H (2) – This clearly refers only to the future. What about rectifying past abuses; and how MEPA is going to do this and to ensure access to illegally blocked paths? What penalties will be charged for abuses?	The first part of this policy has been amended. The second part is an enforcement issue.
Part 1	Para 1.2.7 – It should be added that right of way is also established when paths, even on private ground have been accessible to the public for the last 30 years.	This is a legal issue and not a planning issue.
Part 1	Para 1.2.8 – No developments should be permitted on these paths, or allow them only in very exceptional circumstances; and in these cases the developer will have to create a new path as close as possible to the original.	Any development on pathways will require justification and consultation with various authorities.
Part 2	Para 2.2.1 – What is the definition of “large scale”? By no rationale does it necessitate that the livestock breeder occupies a dwelling in such a close proximity to the farm. 100m might as well be a kilometre and hardly do breeders live more than that from their farms. With the new dwelling then after a period of time, earn legitimacy to extend the building for agro-tourism?	The dwelling should ideally be sited within the boundary of the farm, but there may be instances where there is no space for such a farmer’s dwelling.
General	The word “genuine” is very subjective and open to any interpretation.	This is precisely why consultation with the Department of Agriculture is important.
Part 2	Para. 2.3.1& 2.5.2 – By such provisions, it is very likely that garages, servicing of vehicles, praying booths and all sorts of workshops as well as general storage areas will crop up in ODZ. These policies will only provide and sanction more of the same.	Any proposed development shall require a permit. This policy is there to help the farming activity.
Glossary	The term “Intensive Agricultural Areas” is a misnomer as farms are not restricted to any areas of such designation.	Reference to these areas has been removed.
Part 2	Policy 2.3B - The saturation point of livestock breeding has been reached in Malta and sacrificing more land for that purpose is considered a waste. There is no scope for encouraging new farms since with the EU funding for farms, most applicants, including with illegally built farms were sanctioned to upgrade.	The introduction to the policy document specifically mentions the support which should be given to young farmers.
Part 2	Policy 2.6 – A clause should be included that should a greenhouse be abandoned for 3 consecutive years, then it has to be dismantled and the land restored to arable field and no	This is mentioned in the general policies.

	other permit will be issued for the same site before a period of 5 years. This will prevent that the ODZ continues to become littered with abandoned and dilapidated greenhouses.	
Part 2	Policy 2.7A (3) & (4) – No reservoirs and pump chambers however small should be allowed above soil level. The visual impact of such is detrimental to landscape value, even if covered by rubble stone let alone in masonry or brick.	Ideally reservoirs should be located underground, but there may be instances where this is not possible. Pump rooms shall be limited to 4sq.m.
Part 2	Policy 2.8 – The policy should ensure that the proposal would not lead to: <ul style="list-style-type: none"> i. adverse environmental degradation involving loss of garigue, maquis and other similar natural habitats; ii. topographical manipulation involving the loss of natural contours; and iii. hydrological impacts which should be subject to prior clearance from the Malta Resources Authority. 	Consultations shall be required with the relevant authorities/departments.
Part 2	Policy 2.9 – Will the construction of new rubble walls be strictly supervised to ensure that franka stones are not brand new and the construction of such walls do not create more eyesores? Franka stone along arterial roads is to be discouraged because such walls turn black and dirty with water splashing, dirt, fumes etc. due to the porosity of the stone. Why is the height allowed to exceed 1.2m? This will convert country lanes into corridors.	Policy includes “irregularly shaped” and recycled from demolition so no new stones shall be used. Regarding the arterial roads, these are tarmaced and crash barriers are normally placed screening the walls.
Part 2	Policy 2.10 – The policy should clearly state that concrete poured on soil, which is still rampant is not permitted and a fine should be imposed beside the cost of removal.	This policy is clear that it refers to access paths only.
Part 3	Policies 3.2A & 3.3A – Other conditions to be imposed: no change of use being disallowed, height limited to two storeys with no lift shafts or staircases or access to roof, and no services on roof, capping number of wineries in Malta and Gozo.	These are conditions which will be included in the development permits.
Part 4	Policy 4.2 – No new vehicular access roads on arable land should be allowed for the purpose of rendering the retail services. Farm shops should be constructed from timber or reversible material.	An amendment has been included.
Part 4	Policy 4.4 - Given the size of our islands and the scarcity of	Agro-tourism was one of the policy

			<p>large-scale farming there is no scope for agro-tourism in Malta. Hotels in Malta and Gozo are relatively near to farms wherever they are located so that agro-tourism is not economically feasible. That existing farms may convert one or two rooms for accepting guests may be economically plausible, but to equip more rooms as intimated by this policy means employing outside staff (for cleaning, maintaining, cooking, etc), which renders the whole project economically unviable. In other European countries where distance and farms are much larger, such agro-tourism enterprises hardly have 4/5 guest rooms, and the family generally caters for all services, perhaps with the employment of just one helper/cleaner.</p>	<p>objectives issued for public consultation. The new development for agro-tourism has included the employment of staff and shall only be permitted on 60 tumoli of land.</p>
		Part 5	<p>Policy 5.1 – Capping is also advisable for these sanctuaries because competition may result in scarcity of funds for a high standard of service, upkeep and cleanliness which is of utmost importance in such concerns. Limited numbers will also help in attaining effective sanitary control by the competent authorities.</p>	<p>likely thatThese shall be allowed only if the applicant is a Government organisation or a registered NGO.</p>
		Part 5	<p>Policy 5.2 – A provision that strictly prohibits that new stables as well as existing ones constructed after 1967 should not be permitted change of use especially for residential purposes is necessary.</p>	<p>This is precisely why new stables shall be constructed in timber, and also the reversibility of the land.</p>
		Part 6	<p>Policy 6.2A – The supply of ancillary services like electricity, water and sewage system if not already laid in the road network can be a source of great disturbance and damage to the rural environment. More electricity poles with overhead wires that already negatively impact the landscape, as well as trenching and excavation of cesspits have degrading consequences and should be avoided as much as possible.</p>	<p>This policy deals with permitted buildings ODZ, which in most cases already have services.</p>
		Part 6	<p>Policy 6.4 (6) should be omitted and no permanent irreversible ancillary facilities should be permitted.</p>	<p>These services lie withn the curtilage of a permitted dwelling.</p>
16/12/13	Joseph Grech	Part 5	<p>Policy should not restrict that stables are built only in timber.</p>	<p>The use of timber for stables ensures reversibility of the land when not required anymore.</p>

